

SENATE BILL NO. 477 (Substitute of Senate Bill No. 189 by Senator LaFleur)

BY SENATOR LAFLEUR

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AN ACT

To enact R.S. 37:1164(59) and 1226.4; relative to electronic prescribing of noncontrolled legend drugs; to provide for a definition of chart order; to provide for bidirectional transmission; to provide for authority to the Louisiana State Law Institute to alphabetize the definition list; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1164(59) and 1226.4 are hereby enacted to read as follows:

§1164. Definitions

As used in this Chapter, the following terms have the meaning ascribed to them by this Section:

* * *

(59) "Chart Order" is a lawful order entered on the electronic or paper chart or medical record of an inpatient or resident of an institutional facility by a practitioner or his licensed healthcare designee for a drug or device and shall be considered a prescription drug order provided it contains the following:

- (a) Full name of the patient.**
- (b) Date of issuance.**
- (c) Name, strength, and dosage form of the drug prescribed.**
- (d) Directions for use.**
- (e) Name of the prescribing practitioner.**
- (f) The prescribing practitioner's written or electronic signature or the written or electronic signature of the practitioner's licensed healthcare designee, who shall be a licensed nurse, pharmacist, or physician practicing in a long-term care facility. The licensed healthcare designee shall be authorized to document a chart order in the patient's medical record on behalf of the**

1 prescribing practitioner pending the prescribing practitioner's signature, or to
2 communicate a prescription to a pharmacy whether telephonically, by facsimile
3 transmission, or electronically.

4 * * *

5 **§1226.4. Chart orders; bidirectional transmission; renewal**

6 **A. The institutional facility is the only party to the prescription drug**
7 **chart order that shall be required to maintain a copy of the prescriber's**
8 **signature unless otherwise required by federal law.**

9 **B. Bidirectional electronic transmission of chart orders between the**
10 **institutional facility and the pharmacy shall be permitted when transmission**
11 **occurs in a manner that complies with rules promulgated by the Centers for**
12 **Medicare and Medicaid Services and other federal rules or regulations.**

13 **C. Renewal of ongoing chart orders shall be signed by the prescriber at**
14 **the appropriate time interval based on facility type and federal regulation, state**
15 **law, or rule. Unless otherwise indicated, chart orders shall be ongoing until such**
16 **time as the practitioner discontinues the order and such discontinuation is**
17 **communicated to the pharmacy.**

18 **D. The board may promulgate rules to recognize and regulate the use of**
19 **chart orders that are not otherwise specifically provided for in this Section.**

20 Section 2. The Louisiana State Law Institute is hereby authorized and directed to
21 alphabetize the definitions contained in R.S. 37:1164.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____