

2018 Regular Session

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

BY SENATOR LAFLEUR

PHARMACEUTICALS. Provides for electronic prescribing of noncontrolled legend drugs.
(8/1/18)

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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.

1 (c) Name, strength, and dosage form of the drug prescribed.

2 (d) Directions for use.

3 (e) Name of the prescribing practitioner.

4 (f) The prescribing practitioner's written or electronic signature or the
 5 written or electronic signature of the practitioner's licensed healthcare designee,
 6 who shall be a licensed nurse, pharmacist, or physician practicing in a
 7 long-term care facility. The licensed healthcare designee shall be authorized to
 8 document a chart order in the patient's medical record on behalf of the
 9 prescribing practitioner pending the prescribing practitioner's signature, or to
 10 communicate a prescription to a pharmacy whether telephonically, by facsimile
 11 transmission, or electronically.

12 * * *

13 §1226.4. Chart orders; bidirectional transmission; renewal

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

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

21 C. Renewal of ongoing chart orders shall be signed by the prescriber at
 22 the appropriate time interval based on facility type and federal regulation, state
 23 law, or rule. Unless otherwise indicated, chart orders shall be ongoing until such
 24 time as the practitioner discontinues the order and such discontinuation is
 25 communicated to the pharmacy.

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

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

