

ACT No. 82

2017 Regular Session

HOUSE BILL NO. 192

BY REPRESENTATIVES MORENO, AMEDEE, BAGLEY, BILLIOT, CARMODY, STEVE CARTER, CHANEY, CONNICK, COX, DAVIS, DEVILLIER, FALCONER, FOIL, GLOVER, GUINN, LANCE HARRIS, HOFFMANN, HOLLIS, HORTON, JACKSON, JEFFERSON, JOHNSON, LEBAS, LEGER, LYONS, MARINO, GREGORY MILLER, NORTON, PEARSON, PIERRE, POPE, PYLANT, REYNOLDS, RICHARD, SCHRODER, SMITH, STAGNI, TALBOT, THOMAS, AND WHITE AND SENATORS MILLS, PEACOCK, AND THOMPSON

AN ACT

To enact R.S. 40:978(G) and (H), relative to opioid prescriptions; to provide for a seven-day limit on prescriptions; to provide for exceptions to the limitation; to authorize a prescription to be filled for a lesser quantity than the maximum prescribed amount; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:978(G) and (H) are hereby enacted to read as follows:

§978. Prescriptions

* * *

G.(1)(a) Except as provided in Paragraph (2) of this Subsection, when issuing a first-time opioid prescription for outpatient use to an adult patient with an acute condition, a medical practitioner shall not issue a prescription for more than a seven-day supply.

(b) Except as provided in Paragraph (2) of this Subsection, a medical practitioner shall not issue a prescription for an opioid to a minor for more than a seven-day supply at any time and shall discuss with a parent, tutor, or guardian of the minor the risks associated with opioid use and the reasons why the prescription is necessary.

1 (2) If, in the professional medical judgment of a medical practitioner, more
2 than a seven-day supply of an opioid is required to treat the adult or minor patient's
3 acute medical condition or is necessary for the treatment of chronic pain
4 management, pain associated with a cancer diagnosis, or for palliative care, the
5 practitioner may issue a prescription for the quantity needed to treat the patient's
6 acute medical condition or pain. The condition triggering the prescription of an
7 opioid for more than a seven-day supply shall be documented in the patient's medical
8 record and the practitioner shall indicate that a nonopioid alternative was not
9 appropriate to address the medical condition.

10 (3) This Subsection shall not apply to medications designed for the treatment
11 of substance abuse or opioid dependence.

12 H.(1) Prior to issuing a prescription for an opioid, a medical practitioner
13 shall do both of the following:

14 (a) Consult with the patient regarding the quantity of the opioid and the
15 patient's option to fill the prescription in a lesser quantity.

16 (b) Inform the patient of the risks associated with the opioid prescribed.

17 (2)(a) A pharmacist filling a prescription for an opioid may dispense the
18 prescribed substance in an amount less than the recommended full quantity indicated
19 on the prescription if requested by the patient and the prescription complies with the
20 provisions of this Section. The patient may request that the pharmacist fill an
21 additional amount not to exceed the remaining prescribed quantity in accordance
22 with 21 U.S.C. 829.

23 (b) If the dispensed amount is less than the recommended full quantity, the
24 pharmacist or a designee shall ensure that the actual dispensed amount is accurately
25 recorded in the prescription monitoring program. The pharmacist or a designee shall
26 also, within seven days, make a notation in the interoperable electronic health record
27 of the patient if the pharmacist has access to the record.

28 (c) Nothing in this Subsection shall be interpreted to conflict with or
29 supersede any other requirement established in this Section for a prescription of a

- 1 controlled dangerous substance or any requirements or conditions for drug
- 2 substitutions established by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____