

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)

1 AN ACT

2 To enact R.S. 37:1164(59) and 1226.4; relative to electronic prescribing of noncontrolled

3 legend drugs; to provide for a definition of chart order; to provide for bidirectional

4 transmission; to provide for authority to the Louisiana State Law Institute to

5 alphabetize the definition list; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 §1164. Definitions

9 As used in this Chapter, the following terms have the meaning ascribed to

10 them by this Section:

11 * * *

12 **(59) "Chart Order" is a lawful order entered on the electronic or paper**

13 **chart or medical record of an inpatient or resident of an institutional facility by**

14 **a practitioner or his licensed healthcare designee for a drug or device and shall**

15 **be considered a prescription drug order provided it contains the following:**

16 **(a) Full name of the patient.**

17 **(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.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 477 Engrossed

2018 Regular Session

LaFleur

Proposed law adds a definition for chart order with respect to electronic prescribing of noncontrolled legend drugs. Proposed law further provides for bilateral transmission of prescriptions.

Effective August 1, 2018.

(Adds R.S. 37:1164(59) and 1226.4)