



# Louisiana Board of Pharmacy

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June 9, 2014

Senator John A Alario, Jr, President  
Louisiana Senate  
PO Box 94183  
Baton Rouge, LA 70804-9183

Via Email: [APA.SenatePresident@legis.la.gov](mailto:APA.SenatePresident@legis.la.gov)

## Electronic Mail – Delivery Receipt Requested

Re: Report No. 1 of 3 for Regulatory Project 2014-5 ~ Prescriptions

Dear Senator Alario:

The Board has initiated the rulemaking process to amend its existing rules relative to prescriptions. The proposed amendments are intended to update the requirements for prescription forms and to codify contemporary practice standards for the minimum data set for prescriptions. In connection with this regulatory project, you should find the following documents in this packet:

- Notice of Intent
- Proposed Rule
- Family Impact Statement
- Poverty Impact Statement
- Provider Impact Statement
- Regulatory Flexibility Analysis
- Solicitation of Comments
- Fiscal & Economic Impact Statement

As indicated in the solicitation, we will convene a public hearing on July 28, 2014 to receive public comments and testimony on this proposal. We will summarize those comments and our responses thereto in our next report to you. In the event you have any questions or need additional information, please contact me directly at [mbroussard@pharmacy.la.gov](mailto:mbroussard@pharmacy.la.gov) or 225.925.6481.

For the Board:

Malcolm J Broussard  
Executive Director

cc: Chair, Senate Health & Welfare Committee  
Via Email: [APA.S-H&W@legis.la.gov](mailto:APA.S-H&W@legis.la.gov)  
Speaker, House of Representatives  
Via Email: [APA.HouseSpeaker@legis.la.gov](mailto:APA.HouseSpeaker@legis.la.gov)  
Chair, House Health & Welfare Committee  
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Reference File

**Pharmacy Program**  
Tel. 225.922.0852  
Fax. 225.925.6499

**CDS Program**  
Tel. 225.925.4770  
Fax. 225.925.6499

**PMP Office**  
Tel. 225.925.4767  
Fax. 225.925.6408

**Executive Office**  
Tel. 225.925.6496  
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**Notice of Intent**

**Department of Health and Hospitals  
Board of Pharmacy**

Prescriptions (LAC 46:LIII.2511)

In accordance with the provisions of the Administrative Procedure Act (La. R.S. 49:950 *et seq.*) and the Pharmacy Practice Act (La. R.S. 37:1161 *et seq.*), the Louisiana Board of Pharmacy hereby gives notice of its intent to amend §2511 – Prescriptions of its rules. The proposed rule is intended to update the requirements for prescription forms and to codify contemporary practice standards for the minimum data set for prescriptions.

# Louisiana Administrative Code

## Title 46 – Professional and Occupational Standards

### Part LIII: Pharmacists

#### Chapter 25. Prescriptions, Drugs, and Devices

...

#### Subchapter B. Prescriptions

#### §2511. Prescriptions

A. ...

B. Requirements. A prescription shall contain the following data elements:

1. Prescriber's name, licensure designation, address, telephone number, and if for a controlled substance, the Drug Enforcement Administration (DEA) registration number;
2. Patient's name, and if for a controlled substance, address;
3. Date prescription issued by the prescriber;
4. Name of drug or device, and if applicable, strength, and quantity to be dispensed;
5. Directions for use;
6. Signature of prescriber; and
7. Refill instructions, if any. In the absence of refill instructions on the original prescription, the prescription shall not be refilled.

~~B~~ C Written Prescriptions. A written prescription shall conform to the following format:

1. The prescription form shall be of a size not ~~be~~ less than four inches by five inches, and shall bear a single printed signature line.
2. The prescription form shall clearly indicate the authorized prescriber's name, licensure designation, address, telephone number, and, if ~~applicable~~ for a controlled substance, the Drug Enforcement Administration (DEA) registration number. In the event that multiple practitioners are identified on the prescription form, the authorizing prescriber's specific identity shall be clear and unambiguous. This identification may be indicated by any means, including but not limited to, a marked check box next to, or circling the authorizing prescriber's printed name.
3. ~~If the authorized prescriber is a non-physician, the prescription form shall clearly indicate the authorized prescriber's practice affiliation. The affiliated physician's name, address, and telephone number shall appear on the prescription form.~~
- 4 ~~3~~ No prescription form shall contain more than four prescription drug orders. Each prescription drug order recorded on the form shall provide the following:
  - a. Check box labeled "Dispense as Written", or "DAW", or both; and
  - b. The number of refills, if any.
4. The prescription shall be written with ink or indelible pencil, typewriter, or printed on a

computer printer and shall be manually signed by the practitioner on the date issued and in the same manner as he would sign a check or legal document (e.g., J. H. Smith or John H. Smith. Examples of invalid signatures include rubber stamps, signatures of anyone other than the prescriber, and computer generated signatures.

5. Facsimile Prescription.

- a. The receiving facsimile machine of a prescription transmitted by facsimile shall be located within the pharmacy department.
- b. The prescription transmitted by facsimile shall be on a non-fading legible medium.
- c. All requirements applicable to written prescriptions in this Subsection shall apply to facsimile prescriptions, except Subsection (B)(7)(c).

5.6 Forms used by pharmacists to record telephoned or transferred prescriptions are exempt from the format requirements listed above.

6.7 Equivalent Drug Product Interchange

- a. The pharmacist shall not select an equivalent drug product when the prescriber handwrites a mark in the check box labeled “Dispense as Written”, or “DAW”, or both, and personally handwrites his signature on a printed single signature line. Otherwise, the pharmacist may select an equivalent drug product provided the patient has been informed of, and has consented to, the proposed cost saving interchange.
- b. In the event an authorized prescriber has indicated that an equivalent drug product interchange is prohibited by handwriting a mark in the check box labeled “Dispense as Written” or “DAW” or both, then a non-licensed, non-certified, or non-registered agent of the pharmacy shall not inquire as to a patient’s desire for an equivalent drug product interchange.
- c. For prescriptions reimbursable by Medicaid ~~or Medicare~~, the authorized prescriber may only prohibit equivalent drug product interchange by handwriting the words “brand necessary” or “brand medically necessary” on the face of the prescription order or on a sheet attached to the prescription order.

€ D Oral Prescriptions

1. Upon receipt of an oral prescription from an authorized prescriber, the pharmacist or pharmacy intern or pharmacy technician shall reduce the order to a written form prior to dispensing the medication. As an alternative to recording such prescriptions on paper forms, a pharmacist may enter the prescription information directly into the pharmacy’s dispensing information system. In the event a pharmacy intern or pharmacy technicians transcribes such a prescription, the supervising pharmacist shall initial or countersign the prescription form prior to processing the prescription.
2. The pharmacist shall not select an equivalent drug product when the authorized prescriber or his agent has verbally indicated a specific brand name drug or product is ordered.

3. The pharmacist may select an equivalent drug product if the authorized prescriber or his agent has given his approval to the equivalent drug product interchange. The patient shall be informed of, and consent to, the proposed cost saving interchange.

~~D~~ E Electronic Prescriptions

1. The prescription shall clearly indicate the authorized prescriber's name, licensure designation, address, telephone number, and if applicable for a controlled substance, DEA registration number.
- ~~2. If the authorized prescriber is a non-physician, the prescription form shall clearly indicate the authorized prescriber's practice affiliation. The affiliated physician's name, address, and telephone number shall appear on the prescription form.~~
- ~~3~~ 2 The pharmacist shall not select an equivalent drug product when the prescriber indicates in the check box labeled "Dispense as Written" or "DAW" or both, and electronically transmits his signature on the formatted single signature line. Otherwise, the pharmacist may select an equivalent drug product, provided the patient has been informed of, and consents to, the proposed cost saving interchange.
- ~~4. Facsimile Prescription.~~
  - ~~d. The receiving facsimile machine of a prescription transmitted by facsimile shall be located within the pharmacy department.~~
  - ~~e. The prescription transmitted by facsimile shall be on a non-fading legible medium.~~
  - ~~f. All requirements applicable to written prescriptions in Subsection (B) shall apply to facsimile prescriptions, except Subsection (B)(6)(c).~~

~~E~~ F Exclusion. The provisions of this Section shall not apply to medical orders written for patients in facilities licensed by the Department of Health and Hospitals or its successor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), amended LR 29:2102 (October 2003), effective January 1, 2004, amended LR 40:

FAMILY IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the rule proposed for adoption, repeal, or amendment. The following statements will be published in the Louisiana Register with the proposed agency rule.

I. The effect on the stability of the family.

We anticipate no effect on the stability of the family.

II. The effect on the authority and rights of parents regarding the education and supervision of their children.

We anticipate no effect on the authority and rights of parents regarding the education and supervision of their children.

III. The effect on the functioning of the family.

We anticipate no effect on the functioning of the family.

IV. The effect on family earnings and family budget.

We anticipate no effect on family earnings and the family budget.

V. The effect on the behavior and personal responsibility of children.

We anticipate no effect on the behavior and personal responsibility of children.

VI. The ability of the family or a local government to perform the function as contained in the proposed rule.

We anticipate no effect on the ability of the family or a local government to perform the activity as contained in the proposed rule.

POVERTY IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the rule proposed for adoption, repeal, or amendment.

I. The effect on household income, assets, and financial security.

We anticipate no impact on household income, assets, and financial security.

II. The effect on early childhood development and preschool through postsecondary education development.

We anticipate no impact early childhood development or preschool through postsecondary education development.

III. The effect on employment and workforce development.

We anticipate no positive impact on employment and workforce development.

IV. The effect on taxes and tax credits.

We anticipate no impact on taxes or tax credits.

V. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

We anticipate no impact on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

PROVIDER IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

I. The effect on the staffing level requirements or qualifications required to provide the same level of service.

We anticipate no effect on the staffing level requirements or the qualifications for that staff to provide the same level of service.

II. The total direct and indirect effect on the cost to the provider to provide the same level of service.

To the extent a pharmacy provides services to individuals with developmental disabilities, and in the event the pharmacy receives a prescription that is incomplete according to the minimum data set identified in the proposed amendment, then one of the pharmacy's credentialed staff members may need to contact the prescriber of the prescription to obtain the missing information. That could require additional time which would have an indirect cost.

III. The overall effect on the ability of the provider to provide the same level of service.

We anticipate no effect on the ability of the provider to provide the same level of service.



REGULATORY FLEXIBILITY ANALYSIS  
FOR ADMINISTRATIVE RULES

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed rule on small businesses:

I. The establishment of less stringent compliance or reporting requirements for small businesses.

There are no reporting requirements in the proposed rule, but there is an allowance for the pharmacist to bypass the recording of verbal prescriptions on paper forms before entering the data into the pharmacy's information system.

II. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

There are no schedules or deadlines or reporting requirements in the proposed rule.

III. The consolidation or simplification of compliance or reporting requirements for small businesses.

There are no reporting requirements in the proposed rule.

IV. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed rule.

There are no design standards in the proposed rule. As noted above, there is an allowance for pharmacists to bypass the written recording of verbal prescription information prior to the data entry of that prescription information.

V. The exemption of small businesses from all or any part of the requirements contained in the proposed rule.

There are exemptions for those pharmacies located within hospitals or other facilities licensed by the Dept. of Health and Hospitals.

Interested persons may submit written comments to Malcolm J Broussard, Executive Director, Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, Louisiana 70809-1700. He is responsible for responding to inquiries regarding this proposed rule. A public hearing on this proposed rule is scheduled for Monday, July 28, 2014 at 9:00 a.m. in the Board office. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. The deadline for the receipt of all comments is 12:00 noon that same day.

Malcolm J Broussard  
Executive Director  
Louisiana Board of Pharmacy

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS  
(Summary)

The proposed rule changes will result in a cost of approximately \$1,500 for printing costs of the proposed and final rules in FY 15. The proposed rule changes amend and clarify requirements for pharmacists regarding prescriptions transmitted in writing, orally or by electronic means.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS  
(Summary)

There will be no impact on revenue collections of state or local governmental units from the proposed rule changes.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes directly affect pharmacists and pharmacies in how they receive, evaluate and process prescriptions. There are no significant estimated costs or economic benefits to pharmacists or pharmacies, though the proposed rule changes may provide a potential for some level of efficiency for the processing of verbal prescriptions. Additionally, the rule may indirectly affect certain prescribers in the information they include on their forms or how they sign their written prescription forms.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not have any effect on competition or employment.

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

Person Preparing  
Statement: **Malcolm J. Broussard**  
Executive Director

Dept.: **Health and Hospitals**

Office: **Board of Pharmacy**

Phone: **(225) 925-6481**

Title: **Prescriptions**

Return Address:  
**3388 Brentwood Drive**  
**Baton Rouge, LA 70809-1700**

Effective Date of Rule: **September 20, 2014**

**SUMMARY**  
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS**  
(Summary)

The proposed rule changes will result in a cost of approximately \$1,500 for printing costs of the proposed and final rules in FY 15. The proposed rule changes amend and clarify requirements for pharmacists regarding prescriptions transmitted in writing, orally or by electronic means.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS**  
(Summary)

There will be no impact on revenue collections of state or local governmental units from the proposed rule.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS** (Summary)

The proposed rule changes directly affect pharmacists and pharmacies in how they receive, evaluate and process prescriptions. There are no significant estimated costs or economic benefits to pharmacists or pharmacies, though the proposed rule changes may provide a potential for some level of efficiency for the processing of verbal prescriptions. Additionally, the rule may indirectly affect certain prescribers in the information they include on their forms or how they sign their written prescription forms.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT** (Summary)

The proposed rule changes will not have any effect on competition or employment.

*Malcolm J. Broussard*  
Signature of Agency Head or Designee

**Malcolm J Broussard, Executive Director**  
Typed Name and Title of Agency Head or Designee

*06-02-2014*  
Date of Signature

*Evan Brasseur, Staff Director*  
Legislative Fiscal Officer or Designee

*6/5/14*  
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Board proposes to amend §2511 of its rules relative to prescriptions dispensed by pharmacies. The proposal establishes the minimum required data elements for a prescription. The proposal also clarifies existing standards for prescriptions issued in written, facsimile, electronic, and verbal formats. The proposal also removes the requirement for the supervising physician's name on prescription forms used by non-physician prescribers. A copy of the Notice of Intent is appended.

- B. Summarize the circumstances that require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The existing rule was promulgated in 2003. Improvements in prescription communication methods, including electronic health records, suggest an update of the rule is in order.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session:

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The Board anticipates an expenditure for the printing of the proposed and final rules.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a)  Yes. If yes, attach documentation.

(b)  No. If no, provide justification as to why this rule change should be published at this time.

The Board receives no appropriated funds from the legislature and operates totally on self-generated funds.

- D. Compliance with Act 820 of the 2008 Regular Session

(1) An identification and estimate of the number of small businesses subject to the proposed rule.

Given the criteria in the statutory definition of "small businesses", we are unable to specifically identify small businesses because the Board does not collect information from pharmacies concerning the number of employees or any information on sales, net worth, or other financial data. To the extent that all of the pharmacies licensed by the Board may meet the statutory definition of a small business, there are 1,873 pharmacies currently licensed by the Board.

(2) The projected reporting, record keeping, and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record.

Pharmacies are already required to receive and store prescription forms according to the recordkeeping standards found elsewhere in the Board's rules. The proposed rule codifies existing practice standards for the minimum data elements.

(3) A statement of the probable effect on impacted small businesses.

The Board anticipates a minimal, if any, impact on small businesses.

(4) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule.

The proposed rule will allow pharmacists to transcribe verbal prescriptions directly into the pharmacy's electronic information system instead of recording them on paper forms.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET**

**I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED**

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

<u>COSTS</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>FY 15-16</u>
PERSONAL SERVICES	\$ 0	\$ 0	\$ 0
OPERATING EXPENSES	\$ 0	\$ 1,500	\$ 0
PROFESSIONAL SERVICES	\$ 0	\$ 0	\$ 0
OTHER CHARGES	\$ 0	\$ 0	\$ 0
EQUIPMENT	\$ 0	\$ 0	\$ 0
MAJOR REPAIR & CONSTR.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 1,500</b>	<b>\$ 0</b>
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The Board has allocated \$1,500 for the printing of the Notices of Intent and for the printing of the Final Rule in FY 15.

3. Sources of funding for implementing the proposed rule or rule change.

<u>SOURCE</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>FY 15-16</u>
STATE GENERAL FUND	\$ 0	\$ 0	\$ 0
AGENCY SELF-GENERATED	\$ 0	\$ 1,500	\$ 0
DEDICATED	\$ 0	\$ 0	\$ 0
FEDERAL FUNDS	\$ 0	\$ 0	\$ 0
OTHER (Specify)	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 1,500</b>	<b>\$ 0</b>

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The Board has sufficient funds budgeted and available to complete the rulemaking project.

**B. COST SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED**

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

2. Indicate the source of funding of the local governmental unit that will be affected by these costs or savings.

To the extent a local governmental unit operates a pharmacy, we anticipate a minimal, if any, impact on the unit's workload and paperwork requirements.

**II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS**

A. What increase (decrease) in revenues can be anticipated from the proposed action?

<u>SOURCE</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>FY 15-16</u>
STATE GENERAL FUND	\$ 0	\$ 0	\$ 0
AGENCY SELF-GENERATED	\$ 0	\$ 0	\$ 0
DEDICATED FUNDS	\$ 0	\$ 0	\$ 0
FEDERAL FUNDS	\$ 0	\$ 0	\$ 0
LOCAL FUNDS	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A". Describe all data, assumptions, and methods used in calculating these increases or decreases.

Since the proposed rule does not impact fees, the Board discerns no impact on the revenue collections of state and local governmental units from the proposed rule.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule will directly affect pharmacists and pharmacies in how they receive, evaluate and process prescriptions. Paragraph B of the proposed rule codifies the minimum data elements for prescriptions and reflect contemporary practice standards. Paragraph C clarifies existing format requirements for written prescriptions. New language would clarify the requirement for written signatures from the prescribers. The requirements for facsimile prescriptions has been moved (but not changed) from the paragraph for electronic prescriptions to the paragraph for written prescriptions to reduce the confusion that exists for faxed prescription forms. Paragraph D includes new language allowing a pharmacist to key a verbal prescription directly into the pharmacy's electronic information system instead of having to record the information on a paper form prior to the data entry step. Paragraph E clarifies existing language relative to electronic prescriptions, and Paragraph F maintains the existing exclusion for medical orders in hospitals and other facilities licensed by the Dept. of Health and Hospitals. Finally, with respect to written and electronic prescriptions, the existing requirement for the supervising physician to be identified on the prescription form used by non-physician prescribers is removed, to reduce the potential for confusion as to the identity of the correct prescriber.

The proposed rule will indirectly affect some prescribers – some due to the simplification of their prescription forms by removing supervising physician information, and some due to the requirement for manual signatures on written prescription forms in lieu of rubber stamps or other forms of invalid signatures.

Also provide an estimate and a narrative description of any impact on receipts and/or income (revenue) resulting from this rule or rule change to these groups.

The proposed rule will not have any impact on receipts or revenue.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There will be no effect on competition or employment from the proposed rule change.

Malcolm J Broussard  
Signature of Agency Head or Designee

Malcolm J Broussard, Executive Director  
Typed Name and Title of Agency Head or Designee

06-02-2014  
Date of Signature