

Potpourri Notice

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 Board of Pharmacy published its Notice of Intent in the June 2014 edition of the Louisiana Register, specifying its proposal to amend §2511 of its rules to update the requirements for prescription forms and to codify contemporary practice standards for the minimum data set for prescriptions. As indicated in the notice, the Board conducted a public hearing on July 28 to receive comments and testimony on the proposal.

During the Board's consideration of those comments and testimony at its subsequent meeting on August 6, they agreed with a request to revise the original proposal by amending Paragraph E relative to electronic prescription forms, more specifically by deleting the references to a check box and a formatted single signature line as well as by adding an additional phrase prohibiting generic interchange. The proposed revision is noted below.

The Legislative Fiscal Office has evaluated the impact of the proposed revisions of the original proposal and has opined the suggested revisions would not adversely increase any cost to the stakeholders.

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 as well as these proposed revisions to the original proposal. A public hearing on these proposed revisions to the original proposal is scheduled for Thursday, October 30, 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

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 25. Prescriptions, Drugs, and Devices

...

Subchapter B. Prescriptions

§2511. Prescriptions

A. – D. ...

E. Electronic Prescriptions

1. ...

2. The pharmacist shall not select an equivalent drug product when the prescriber indicates “Dispense as Written”, “DAW” or “Brand Medically Necessary” and transmits his electronic signature. Otherwise, the pharmacist may select an equivalent drug product, provided the patient has been informed of, and consents to, the proposed cost saving interchange.

F. ...

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: