

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII – Pharmacists

Chapter 29. Prescription Monitoring Program

Subchapter A. General Operations

§2901. Definitions

A. As used in this Chapter, the following terms shall have the meaning ascribed to them unless the context clearly indicates otherwise:

...

Delegate – a person authorized by a prescriber or dispenser who is also an authorized user (as described in §2917 of this Chapter) to access and retrieve program data for the purpose of assisting the prescriber or dispenser, and for whose actions the authorizing prescriber or dispenser retains accountability.

...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1011.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1345 (July 2007), amended LR 36:755 (April 2010), effective September 1, 2010, amended LR 39:314 (February 2013), amended LR

...

Subchapter C. Access to Prescription Monitoring Information

§2917. Authorized Direct Access Users of Prescription Monitoring Information

A. The following persons may access prescription monitoring information in the same or similar manner, and for the same or similar purposes, as those persons are authorized to access similar protected health information under federal and state law and regulation:

1. persons authorized to prescribe or dispense controlled substances or drugs of concern, and their delegates, for the purpose of providing medical or pharmaceutical care for their patients, or for verifying their prescription records;

...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1011

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1347 (July 2007), amended LR 39:315 (February 2013), amended LR

§2919. Registration Procedures for Authorized Direct Access Users

A. Authorized users of prescription monitoring information, and their delegates, shall comply with the following requirements to register with the board, in order to receive the appropriate credentials to access prescription monitoring information.

1. The applicant shall successfully complete the program’s orientation course, and attach evidence of same to his application to the program.
2. The applicant shall file an application with the program, using the form supplied by the program for that purpose.
3. The board shall verify the practitioner applicant is in possession of a valid license to prescribe or dispense controlled substances, or in the case of an agency applicant, the board shall verify agency representation.
4. Upon verification of all requirements, the board shall issue the appropriate credential necessary to

- 55 access prescription monitoring information.
- 56 5. Upon receipt of information that an authorized user no longer possesses authority to prescribe or
- 57 dispense controlled substances, the program shall terminate the user’s credentials to access
- 58 prescription monitoring information. If or when the user’s authority to prescribe or dispense
- 59 controlled substances is reinstated, the program may reinstate the user’s credentials to access
- 60 prescription monitoring information.
- 61 6. Prescribers and dispensers approved for access shall be responsible for the enabling and/or
- 62 disabling of access privileges for their delegates, as well as the supervision of their activities.
- 63

64 AUTHORITY NOTE: Promulgated by R.S. 40:1011.

65 HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1347
66 (July 2007), amended LR

67
68 **§2921. Methods of Access to Prescription Monitoring Information**

- 69 A. Prescribers and dispensers as well as their delegates, once properly registered, may solicit prescription
- 70 monitoring information from the program concerning their patients, or for verifying their prescription
- 71 records. The program may require such users to certify the legitimacy of their inquiry prior to
- 72 furnishing the requested information.

73 ...

74
75 AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1011.

76 HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1347
77 (July 2007), amended LR 39:315 (February 2013), amended LR

78
79 **§2923. Unlawful Use or Disclosure of Prescription Monitoring Information**

- 80 A. If the program receives evidence of inappropriate or unlawful use or disclosure of prescription
- 81 monitoring information by an authorized user or his delegate, the program shall refer that user to the
- 82 appropriate professional licensing, certification, or regulatory agency for administrative sanctions as
- 83 deemed appropriate by that agency.

84
85 AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1011.

86 HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1348
87 (July 2007), amended LR

88