

HLS 23-

Regular Session, 2023

House Bill No. _____

By Representative _____

CONTROLLED DANGEROUS SUBSTANCES: Provides relative to the prescription monitoring program. (gov sig)

AN ACT

To amend and reenact R.S. 40:1005, relative to the prescription monitoring program advisory council; to provide for a change in the meeting occurrences; and to provide for meetings by electronic means.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1005 is hereby amended and reenacted to read as follows:

§1005. Prescription monitoring program advisory council

* * *

B. The members of the advisory council shall serve at the pleasure of their respective appointing authorities, eleven of whom shall constitute a quorum for the transaction of all business. The members shall elect a chairman and vice chairman whose duties shall be established by the advisory council. The board shall fix a time and place for regular meetings of the advisory council, which shall meet at least ~~quarterly~~ once annually. The advisory council shall establish policies and procedures necessary to carry out its duties.

* * *

C. Notwithstanding any other provision of law to the contrary, the advisory council may conduct and its members may attend and participate in a meeting via electronic means provided:

(1) No later than twenty-four hours prior to a meeting conducted pursuant to the provisions of this Section, the advisory council shall provide for all of the following:

a. The notice and agenda for the meeting, which shall be posted on the website of the Louisiana Board of Pharmacy, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the Louisiana Board of Pharmacy.

b. Detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda, which information shall be posted on the website of the Louisiana Board of Pharmacy, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the Louisiana Board of Pharmacy.

(2) For each meeting conducted pursuant to this Section:

a. The advisory council shall provide a mechanism to receive public comment electronically both prior to and during the meeting.

b. The advisory council shall properly identify and acknowledge all public comments during the meeting and shall maintain those comments in its record of the meeting.

c. The presiding officer of the advisory council shall ensure that each person participating in the meeting is properly identified.

d. The presiding officer shall ensure that all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.

(3) For the purposes of this Section, the following words and phrases shall have the following meanings:

a. "Meeting via electronic means" shall mean a meeting occurring via teleconference or video conference.

b. "Teleconference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to hear and otherwise communicate with each other.

c. "Video conference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and otherwise communicate with each other.

D. The board shall seek, and the advisory council shall provide, information and advice regarding the development and operation of the electronic monitoring system, including but not limited to the following:

(1) Which controlled substances should be monitored.

(2) Which drugs of concern demonstrate a potential for abuse and should be monitored.

(3) Design and implementation of educational courses identified in R.S.

40:1008.

(4) The methodology to be used for analysis and interpretation of prescription monitoring information.

(5) Design and implementation of a program evaluation component.

(6) Identification of potential additional members to the advisory council.

Section 2. This Act shall become effective on signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

[END]