

2020 Second Extraordinary Session

SENATE BILL NO. 63

BY SENATOR BARROW

PHARMACISTS. Provides for pharmacists to test or screen and initiate therapy for certain health conditions including COVID-19. (See CA3s19) (Item #40)

1 AN ACT

2 To enact R.S. 37:1218.2, relative to pharmacists; to provide for the development of a  
3 statewide protocol for health condition testing, screening, and treatment by  
4 pharmacists; to provide for requirements of the statewide protocol; to provide for  
5 qualified conditions including COVID-19; to provide for treatments; to provide for  
6 qualified tests and procedures; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:1218.2 is hereby enacted to read as follows:

9 **§1218.2. Administration of testing, screening, and treatment**

10 **A.(1) The board shall establish a written statewide protocol for**  
11 **pharmacists to test or screen for and initiate treatment or therapy for qualified**  
12 **health conditions. In developing the statewide protocol, the board may consult**  
13 **with the Louisiana State Board of Medical Examiners.**

14 **(2) The list of qualified conditions for testing, screening, and treatment**  
15 **or therapy shall include Influenza, Streptococcal infections, COVID-19, HIV,**  
16 **and any other health condition approved by the board. Treatment or therapy**  
17 **for HIV may include an HIV Pre-Exposure Prophylaxis, also known as PrEP,**

1           **or an HIV Post-Exposure Prophylaxis, also known as PEP.**

2           **B. A pharmacist who tests or screens for and initiates treatment or**  
 3           **therapy for a health condition in accordance with the statewide protocol**  
 4           **established pursuant to this Section may use any test that guides diagnosis or**  
 5           **clinical decision-making which the Centers for Medicare and Medicaid Services**  
 6           **has determined qualifies for a waiver in accordance with the federal Clinical**  
 7           **Laboratory Improvement Amendments of 1988, or the federal rules adopted**  
 8           **thereunder, or any established screening procedure that can safely be**  
 9           **performed by a pharmacist under the pharmacist's professional license.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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DIGEST

SB 63 Original

2020 Second Extraordinary Session

Barrow

Present law establishes the Louisiana Board of Pharmacy and provides for the regulation of the practice of pharmacy and licensing of pharmacists.

Proposed law retains present law and requires the board to establish a written statewide protocol for pharmacists to test or screen for and initiate treatment or therapy for qualified health conditions. Further provides that, in developing the statewide protocol, the board may consult with the La. State Board of Medical Examiners.

Proposed law provides that the list of qualified conditions for testing, screening, and treatment or therapy shall include Influenza, Streptococcal infections, COVID-19, HIV, and any other health condition approved by the board. Further provides that treatment or therapy for HIV may include an HIV Pre-Exposure Prophylaxis, also known as PrEP, or an HIV Post-Exposure Prophylaxis, also known as PEP.

Proposed law provides that a pharmacist who tests or screens for and initiates treatment or therapy for a health condition in accordance with the statewide protocol may use any test that guides diagnosis or clinical decision-making which the Centers for Medicare and Medicaid Services has determined qualifies for a waiver in accordance with the federal Clinical Laboratory Improvement Amendments of 1988, or the federal rules adopted thereunder, or any established screening procedure that can safely be performed by a pharmacist under the pharmacist's professional license.

Effective on the sixtieth day after final adjournment.

(Adds R.S. 37:1218.2)