

# Louisiana State Board of Nursing

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January 8, 1982

*Adopted by  
LSBN at  
March 4-5, 1982  
meeting*

Mr. Michael S. Haddad  
Assistant Secretary DHHR  
Office of Family Security  
P.O. Box 44065  
Baton Rouge, LA 70804

Dear Mr. Haddad:

This will acknowledge receipt of your letter of December 10, 1981, which letter was post marked January 5 and received in our office January 6, 1982. I make a point of the delay only because you request an early reply.

In your letter, you request an interpretation of a situation wherein a physician has ordered a brand name drug and has not stipulated that generic substitution cannot be made. More specifically, you request an interpretation of the above situation as it relates to nursing practice in carrying out the order--the medication card and charting the administration of the drug.

In order to verify the provisions of Act 420 of 1980, I called Mr. Howard Bolton, Executive Director of the Board of Pharmacy. It is my understanding that the Act provides that when the physician does not want any substitution, the physician must so state. It can then be assumed that when the physician does not prohibit the substitution of a generic drug for a brand name which he ordered, the substitution by a pharmacist is legal and the nurse may interpret this to be the intent of the physician.

It is my opinion that the medication card and the patient's chart should document exactly what is administered. Consequently, the generic name should be used on the card and the chart when the pharmacist substitutes a generic drug for a brand name drug. Nurses are taught to carefully compare the medication card with the label on the medication container. Since the container label (prepared by the pharmacist) should state the generic name if this is what is in the container, there should be consistency throughout the procedure of medication administration.

On April 29, 1981, the Board of Nursing, in response to a request for an interpretation of R.S. 37:913 (3) (a) which provides that the practice of a registered nurse includes the execution of medical regimes as prescribed by a licensed physician or dentist, adopted the following statement: (Request was in reference to physicians' orders transmitted through another person.)

*Apr 8 2.01*

Based upon the premise that the R.N. is responsible for and accountable to the patient for the quality of nursing care received and recognizing the danger involved in accepting verbal orders of any kind, the Board declares that registered nurses may not legally carry out orders initiated by individuals other than physicians and dentists licensed in Louisiana; however, registered nurses may, based on their individual judgment of each situation, accept verbal orders transmitted from the physician or dentist through another individual.

Although your situation is not entirely parallel to the frame of reference of the above statement, I quote it to demonstrate that the Board of Nursing believes that registered nurses should use their individual judgment in determining whether or not an order was initiated by the physician. The same obligation to utilize individual judgment would apply, especially when a verbal order or an order transmitted through another individual is involved and the authorization for substitution is unclear.

Mr. Haddad, if the above information does not meet your need, I can request time on the agenda of the next meeting of the Board in order to obtain an official opinion of the Board relative to your situation. I will share our correspondence with the Board at its meeting next week, and I will then inform you of any feedback from the Board which differs from my opinion as stated above.

Should you want to request an official opinion of the Board on this matter at the March 4-5, 1982 meeting, your request must reach our office by February 10, 1982.

If I can further assist you in this matter or in other nursing practice matters, please feel free to contact me.

Sincerely,

*Sister Lucie Leonard*

Sister Lucie Leonard, R.N., M.S.N.  
Nursing Practice Consultant