



# Louisiana Board of Pharmacy

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## BULLETIN No. 07-01

To: Pharmacists, Pharmacy Interns, Pharmacy Technicians, Pharmacy Technician Candidates, and Pharmacies

From: Malcolm J. Broussard

Date: August 15, 2007

Re: New Rules and Laws

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The Board has completed the rule-making process for several new rules and has amended some existing rules. The changes are summarized here. All of these rules may be found on the Board's website. We are preparing an update for the law book and plan to distribute it to all subscribers this fall.

- *Chapter 3 – Board Hearings*
  - Amended §343. Board Decisions
    - Changes standard for quality of evidence in administrative proceedings.
  - Amended §351. Administrative Review
    - Provides flexibility for administrative procedures
  - Added §361. Cease and Desist Orders; Injunctive Relief
    - Adds new options for administrative procedures
- *Chapter 5 – Pharmacists*
  - Amended §505. Licensure
    - Enables board to automate renewal process.
  - Amended §507. Continuing Education Program
    - Adds new requirement for 3 hours live CE, beginning January 1, 2008 in order to renew for 2009.
  - Added §514. Impairment
    - Adds requirement for pharmacists to notify board of impaired practitioners.
  - Amended §519. State of Emergency
    - Adds requirement for board notification when certain pharmacists assist in disasters.
  - Added §523. Collaborative Drug Therapy Management
    - Adds new authority for pharmacists to engage in CDTM with physicians.
- *Chapter 7 – Pharmacy Interns*
  - Amended §705. Practical Experience
    - Prohibits interns from working in pharmacies whose permits are on probation, or under the supervision of pharmacists whose licenses are on probation.
  - Added §707. Impairment
    - Adds requirement for interns to notify board of impaired practitioners.
- *Chapter 11 – Pharmacies*
  - Amended §1101. Pharmacy
    - Provides that applications for pharmacy permits shall expire after a certain time frame.
  - Amended §1115. Advertising
    - Reinstates previous restriction on advertising of controlled substances.
  - Repealed §1117. Centralized Prescription Processing
    - Moves content of this section to new section – see below.
  - Amended §1135. Pharmacy Change of Ownership Procedures

- Removed reference to procedures for DEA credentials.
- Added new Subchapter D. Off-Site Services
- Added §1139. Definitions
- Added §1141. Centralized Prescription Dispensing
- Contains same rules previously found in §1117.
- Added §1143. Remote Processing of Medical Orders or Prescription Drug Orders
- Adds new authority for pharmacies to acquire remote processing services from certain pharmacies located within the state.
- *Chapter 15 – Hospital Pharmacy*
  - Amended §1503. Definitions
  - Amended §1505. Hospital Pharmacy Permit
  - Allows hospital pharmacy to service patients in another hospital.
  - Added §1525. Remote Processing of Medical Orders
  - Adds new authority for hospital pharmacies to acquire remote processing services from other hospital pharmacies within the state.
- *Chapter 17 – Institutional Pharmacy*
  - Amended §1707. Drug Cabinet
  - Requires inspection of medications in drug cabinets on a certain schedule.
- *Chapter 19 – Nuclear Pharmacy*
  - Amended §1907. Qualified Nuclear Pharmacist
  - Technical change related to name change for ACPE.
- *Chapter 23 – Out-of-State Pharmacy*
  - Amended §2307. Pharmacist-in-Charge
  - Requires PIC of out-of-state pharmacy to be licensed in the state where the pharmacy is located.
- *Chapter 25 – Prescriptions, Drugs, & Devices*
  - Amended §2519. Prescription Refills
  - Requires a new prescription with a new prescription number on continuation of original prescription information.
  - Amended §2523. Transfer of Prescription Information
  - Reinstates previous detailed information required on prescription transfers.
  - Amended §2543. CDS Prescription Order Requirements
  - Corrected inaccurate reference citation.
  - Amended §2549. CDS Theft or Loss
  - > Removed reference to DEA report; report to Board still required.
- *Chapter 29 – Prescription Monitoring Program (PMP)*
  - Added new chapter of rules to authorize program. Additional administrative procedures are still required before implementation. We will further advise you prior to implementation.
- *Chapter 33 – Severability*
  - Same information previously found in Chapter 29, moved here to make room for PMP rule.

The 2007 Louisiana Legislature adjourned on June 28. They passed several bills that affect pharmacy, and we have summarized some of those here. You may access copies of the bills on the legislative website at [www.legis.state.la.us](http://www.legis.state.la.us). Some of these will be included in the law book update referenced above.

- Act 66 authorizes optometrists to prescribe any drug for the purpose of diagnosis, prevention, treatment, or mitigation of abnormal conditions of the human eye and its adnexa.
- Act 287 provides penalties for consumers engaged in “doctor shopping” with prescriptions for controlled substances as well as for carisoprodol.
- Act 318 provides criminal penalties for pharmacists who dispense prescriptions based solely upon results of an electronic questionnaire.