



Louisiana Board of Pharmacy

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BULLETIN No. 08-03

To: Pharmacies, Pharmacists, & Pharmacy Interns
From: Malcolm J. Broussard
Date: August 15, 2008
Re: Prescription Monitoring Program (PMP), New Laws, & New Rules

Prescription Monitoring Program (PMP)

The state's Division of Administration has finally approved our selection of a contractor to administer the Board's program. Health Information Designs, Inc. (HID) is located in Auburn, AL. They currently administer the PMP operations in Alabama, North Carolina, North Dakota, and South Carolina; they are also implementing new program operations in Arizona and Vermont.

During the first week of September, HID will send a *Dispenser's Implementation Guide* to every pharmacy licensed by the Board (with the exception of charitable pharmacies, which are not permitted to dispense controlled substances). The manual will provide information about the collection of prescription transaction information required to be reported to the program, as well as information about the process of submitting your information electronically to the program. The manual will include the technical specifications you should share with your pharmacy software company so they can assist your preparation. Pharmacies and other dispensers will have approximately two months to prepare their dispensing systems for the electronic reporting of prescription transaction information for controlled substances in Schedules II through V.

As the manual will indicate, HID will begin accepting reports from pharmacies on November 1; all pharmacies must submit their first report no later than November 14. Pharmacies are required to report their data at least every 14 days; shorter intervals are permitted and encouraged. Prior to December 31, pharmacies must report their historical transactions dating back to June 1, 2008. The program's database will be opened to queries from prescribers, dispensers, and other authorized users on January 1, 2009.

During the next few months, please be aware of mailings and other communications from Health Information Designs (HID) as well as the Board office. As noted above, some of these mailings will contain time sensitive information and require your action by certain deadlines. We have devoted a portion of our website at www.labp.com to this project and invite you to check that resource periodically for program updates. You may wish to address questions about administrative issues to Mr. Joseph Fontenot, PMP Manager, or Ms. Sarah Blakey, Administrative Assistant, at pmp@labp.com.

New Laws

During the recently-completed 2008 legislative session, several laws were enacted that will affect you and your practice, as well as the Board's operations. Some of these include:

- **Act No. 67** revised and reorganized the state's list of controlled substances such that the state list is the same as the federal list. Effective today, whatever is controlled on the federal list is controlled on the state list, and further, there are no drugs on the state list that do not appear on

the federal list.

- **Act No. 386** requires pharmacy benefit managers (PBMs) to be licensed and regulated by the Commissioner of Insurance as third-party administrators.
- **Act No. 449** requires the Dept. of Health & Hospitals (DHH) to promulgate rules to authorize and regulate Expedited Partner Therapy relative to antibiotic therapy for certain sexually transmitted diseases. We will keep you posted on the progress of the rulemaking activity by DHH on this topic.
- **Act No. 472** requires members of certain boards and commissions, including the Board of Pharmacy, to disclose certain financial information to the Board of Ethics.
- **Act No. 875** imposes term limits for members of certain boards and commissions, including the Board of Pharmacy.

New Rules

The Board has completed the rulemaking process for two regulatory projects; the final rules became effective July 20, 2008. If you would like a copy of the updated chapters, you may access that information on the Board's website at www.labp.com.

- *Project 2001-1 ~ Pharmacy Interns*

The Board amended Chapter 5, in particular §521, relative to prescription orders to administer medications. This section of the rules describes the conditions under which pharmacists may administer medications, including immunizations, to their patients. The Board added a paragraph at the end of the section to allow pharmacy interns, provided they have met the same educational requirements, may administer medications provided they do so under the direct supervision of a pharmacist certified to administer medications. We anticipate some pharmacy interns will obtain this additional experience prior to their licensure as pharmacists, which should increase the number of pharmacists qualified to administer immunizations to Louisiana citizens.

The Board also amended Chapter 7, in particular §705, relative to hours of practical experience required for pharmacist licensure. Although the number of hours required (1,500) remains the same, the Board has relaxed the restriction on when the hours had to be earned. The new rule requires pharmacy interns to earn 500 hours of practical experience at any time prior to their licensure as a pharmacist.

- *Project 2008-2 ~ Pharmacies*

The Board amended Chapter 11, in particular §1107, to reinstate a requirement for a minimum number of hours of operation for a pharmacy. You may recall the Board repealed the previous 40 hours per week requirement in 2004, with the understanding that it would revisit the issue on receipt of any consumer complaints. In response to a number of complaints concerning consumer access to pharmacies, the Board has amended its rules to require every pharmacy be open no less than ten (10) hours per week, and further, every pharmacy must post its hours of operation at the building entrance in full public view from outside the premises.

In response to Act No. 797 of the 2006 Louisiana Legislature, the Board has enacted §1727, a new section in Chapter 17, that allows donations of certain previously dispensed and unused prescription medications to certain pharmacies located in penal institutions operated by the State of Louisiana. Previously, these donations were restricted to charitable pharmacies.

Finally, the Board has almost completed its work on a comprehensive revision to the rules for controlled substances. We expect to publish the new chapter of rules this fall; it will include all the requirements for all persons authorized to manufacture, distribute, prescribe, or dispense controlled substances.