

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 25. Prescriptions, Drugs, and Devices

§2519. Prescription Refills; Medication Synchronization and Refill Consolidation

- A. Refill Authorization. Prescription refills may be dispensed only with the prescriber's authorization, as indicated on the original prescription order. In the absence of the authorized practitioner's instructions on the original prescription, the prescription shall be considered non-refillable. When all refills authorized on the original prescription have been dispensed, then authorization from the prescribing practitioner shall be obtained prior to dispensing; when such authorization has been received, a new prescription shall be prepared and it shall be issued a different prescription number.
- B. Controlled Dangerous Substances.
1. The refilling of a prescription for a drug listed in Schedule II is prohibited.
 2. A prescription for a drug listed in Schedule III, ~~or IV, or V~~ may be refilled up to five times, if so indicated at the time issued.
 3. A prescription for a drug listed in Schedule V may be refilled without limitation subject to the one year expiration date of the prescription.
- C. Medication Synchronization and Refill Consolidation. These terms refer to a service which a pharmacist may perform for his patient, at the request of the patient, wherein he may proactively adjust the medication dispensing quantity and/or the refill schedule of a prescription in order to manage the patient's medication therapy, with the goal of improved medication adherence by the patient.
1. For the performance of this service, the pharmacist may adjust the dispensing quantity and/or the refill schedule originally ordered by the prescriber; however, the pharmacist shall not exceed the total quantity prescribed [dispensing quantity multiplied by the total number of fills authorized (original plus refills)], or what is otherwise allowed by law.
 2. With respect to prescriptions for controlled substances where refills have been authorized, pharmacists may utilize partial fills, as described in §2747.C.5 of the board's rules, but may not exceed the dispensing quantity noted on the original prescription.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2104 (October 2003), effective January 1, 2004, amended LR 33:1133 (June 2007), amended LR 42:1519 (September 2016), amended by the Department of Health, Board of Pharmacy, LR

§2525. Prescription Expiration

- A. A prescription for a drug other than a controlled dangerous substance listed in Schedules II through IV shall expire one year after the date written.
- B. A prescription for a controlled dangerous substance shall expire:
1. 90 days after the date of issue if the drug is listed in Schedule II; or
 2. 6 months after the date of issue if the drug is listed in Schedule III, ~~or IV, or V~~.
- C. Expired prescriptions shall not be refillable or renewable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2104 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR 42:1090 (July 2016), amended LR

Chapter 27. Controlled Dangerous Substances

§2745. Prescriptions

A. – F. ...

G. Controlled Substances Listed in Schedules III, IV, and V

1. ...

2. Expiration Date of Prescriptions

a. A prescription for a controlled substance listed in Schedule III, ~~or IV, or V~~ shall expire six months after the date of issue, or following the acquisition of the number of refills authorized by the prescriber on the original prescription, whichever shall first occur.

b. A prescription for a controlled substance listed in Schedule V shall expire one year after the date of issue, or following the acquisition of the number of refills authorized by the prescriber on the original prescription, whichever shall first occur.

c. No pharmacist shall dispense any controlled substance pursuant to an expired prescription.

3. Refilling of Prescriptions

a. The prescriber may authorize the refilling of a prescription for a controlled substance listed in Schedule III, ~~or IV, or V~~ by including specific refill instructions on the prescription prior to its issuance. The maximum number of refills the prescriber may authorize is five ~~(5)~~.

b. The prescriber may authorize the refilling of a prescription for a controlled substance listed in Schedule V by including specific refill instructions on the prescription prior to its issuance. There is no limitation on the number of refills the prescriber may authorize, subject however to the one year expiration date of the prescription.

c. In the absence of a specific refill instruction on the original prescription from the prescriber, the prescription shall not be refilled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2149 (October 2008), amended LR 41:685 (April 2015), amended by the Department of Health, Board of Pharmacy, LR 42:1090 (July 2016), amended LR

§2747. Dispensing Requirements

A. – B. ...

C. Prescriptions for Controlled Substances Listed in Schedule III, IV, or V

1. Oral Prescriptions

Upon the receipt of an oral prescription from a prescriber or his agent, the pharmacist shall immediately reduce the prescription information to written form. The pharmacist may then dispense the prescription and file the written record in his prescription files.

2. Prescriptions Received by Facsimile Equipment

a. The facsimile equipment designated for the receipt of prescriptions shall be located within a prescription department in a pharmacy. The paper or other media used in the facsimile equipment designated for the receipt of prescriptions shall be non-fading and technically capable of providing a legible prescription.

b. The facsimile may serve as the original prescription form. After dispensing the prescription, the pharmacist shall file the facsimile prescription form in his prescription files.

c. In the event the facsimile transmission does not clearly identify the prescriber's office or other authorized location as the point of origin of the transmission, the pharmacist shall verify the authenticity of the prescription prior to dispensing the controlled substance.

3. Expiration Date

~~A pharmacist shall not dispense a prescription for a controlled substance listed in Schedule III, IV, or V more than six months after the date of issue. Further, when the number of refills authorized by the prescribing practitioner on the original prescription form have been dispensed, the prescription has expired; the pharmacist shall not dispense any further medication pursuant to that expired prescription.~~

- 106 a. A prescription for a controlled substance listed in Schedule III, ~~or IV, or V~~ shall expire six
107 months after the date of issue, or following the acquisition of the number of refills authorized
108 by the prescriber on the original prescription, whichever shall first occur.
- 109 b. A prescription for a controlled substance listed in Schedule V shall expire one year after the
110 date of issue, or following the acquisition of the number of refills authorized by the prescriber
111 on the original prescription, whichever shall first occur.
- 112 c. No pharmacist shall dispense any controlled substance pursuant to an expired prescription.
- 113 4. Refilling of Prescriptions
- 114 a. No prescription for a controlled substance listed in Schedule III, ~~or IV, or V~~ shall be filled or
115 refilled more than six months after the date on which such prescription was issued and no
116 such prescription authorized to be refilled may be refilled more than five times. No
117 prescription for a controlled substance listed in Schedule V shall be filled or refilled more than
118 one year after the date on which such prescription was issued.
- 119 b. Each refilling of a prescription shall be entered on the back of the prescription or on another
120 appropriate document. If entered on another document, such as a medication record, the
121 document shall be uniformly maintained and readily retrievable. The following information
122 shall be retrievable by the prescription number: name and dosage form of the controlled
123 substance, the date filled or refilled, the quantity dispensed, initials of the dispensing
124 pharmacist for each refill, and the total number of refills for that prescription. If the
125 pharmacist merely initials and dates the back of the prescription, it shall be deemed that the
126 full face amount of the prescription has been dispensed.
- 127 c. As an alternative to the procedures described in Subparagraph C.4.b of this Section, an
128 automated data processing system may be used for the storage and retrieval of refill
129 information for prescription orders for controlled substances in Schedule III, IV, and V,
130 subject to the following conditions:
- 131 i. Any such proposed computerized system must provide on-line retrieval (via CRT display
132 or hard-copy printout) of original prescription order information for those prescription
133 orders which are currently authorized for refilling. This shall include, but is not limited
134 to, data such as the original prescription number, date of issuance of the original
135 prescription order by the practitioner, full name and address of the patient, name, address,
136 and DEA registration number of the practitioner, and the name, strength, dosage form,
137 and quantity of the controlled substance prescribed (and quantity dispensed if different
138 from the quantity prescribed), and the total number of refills authorized by the prescribing
139 practitioner.
- 140 ii. Any such proposed computerized system must also provide on-line retrieval (via CRT
141 display or hard-copy printout) of the current refill history for Schedule III, IV, or V
142 controlled substance prescription orders (those authorized for refill during the past six
143 months). This refill history shall include, but is not limited to, the name of the controlled
144 substance, the date of refill, the quantity dispensed, the identification code, or name or
145 initials of the dispensing pharmacist for each refill and the total number of refills
146 dispensed to date for that prescription order.
- 147 iii. Documentation of the fact that the refill information entered into the computer each time
148 a pharmacist refills an original prescription order for a Schedule III, IV, or V controlled
149 substance is correct must be provided by the individual pharmacist who makes use of
150 such a system. If such a system provides a hard-copy printout of each day's controlled
151 substance orders refill data, that printout shall be verified, dated, and signed by the
152 individual pharmacist who refilled such a prescription order. The individual pharmacist
153 shall verify that the data indicated is correct and then sign this document. This document
154 shall be maintained in a separate file at that pharmacy for a period of two years from the
155 dispensing date. This printout of the day's controlled substance prescription order refill
156 data shall be provided to each pharmacy using such a computerized system within 72
157 hours of the date on which the refill was dispensed. The printout shall be verified and
158 signed by each pharmacist who is involved with such dispensing. In lieu of such a
159 printout, the pharmacy shall maintain a bound logbook, or separate file, in which each

- 160 individual pharmacist involved in such dispensing shall sign a statement (in the manner
161 previously described) each day, attesting to the fact that the refill information entered into
162 the computer that day has been reviewed by him and is correct as shown. Such a book or
163 file shall be maintained at the pharmacy employing such a system for a period of two
164 years after the date of dispensing the appropriately authorized refill.
- 165 iv. Any such computerized system shall have the capability of producing a printout of any
166 refill data which the user pharmacy is responsible for maintaining. For example, this
167 would include a refill-by-refill audit trail for any specified strength and dosage form of
168 any controlled substance (by either brand or generic name, or both). Such a printout shall
169 include the name of the prescribing practitioner, name and address of the patient, quantity
170 dispensed on each refill, date of dispensing for each refill, name or identification code of
171 the dispensing pharmacist, and the prescription number. In any computerized system
172 employed by a user pharmacy, the central recordkeeping location must be capable of
173 sending the printout to the pharmacy within 48 hours. If the board or an agent of the
174 board requests a copy of such printout from the user pharmacy, the pharmacy shall verify
175 the printout transmittal capability of its system by documentation, e.g., postmark.
- 176 v. In the event that a pharmacy which employs such a computerized system experiences
177 system down-time, the pharmacy shall have an auxiliary procedure which will be used for
178 documentation of refills on prescriptions for controlled substances listed in Schedule III,
179 IV, or V. This auxiliary procedure shall insure that refills are authorized by the original
180 prescription order, that the maximum number of refills has not been exceeded, and that all
181 of the appropriate data is retained for on-line data entry as soon as the computer system is
182 available for use again.
- 183 5. Partial Filling of Prescriptions
184 The partial filling of a prescription for a controlled substance listed in Schedule III, IV, or V is
185 permissible, provided that:
- 186 a. the information (and the manner in which it is recorded) for a partial filling is the same as that
187 required for a refill;
- 188 b. the number of partial fillings is not limited; however, the total quantity dispensed in all partial
189 fillings shall not exceed the total quantity authorized on the original prescription. The total
190 quantity authorized may be calculated as the sum of:
- 191 (i) the quantity prescribed, and
192 (ii) the calculated amount of the quantity prescribed times the number of refills originally
193 authorized by the prescriber; and
- 194 c. no dispensing shall occur more than six months after the date on which the prescription **for a**
195 **controlled substance listed in Schedule III or IV was issued, or more than one year after the**
196 **date on which the prescription for a controlled substance listed in Schedule V** was issued.
- 197 6. Labeling of Medications and Filing of Prescriptions
- 198 a. The pharmacist dispensing a prescription for a controlled substance listed in Schedule III, IV,
199 or V shall affix to the package a dispensing label containing the following data elements:
- 200 i. name, address and telephone number of the pharmacy;
- 201 ii. prescription number;
- 202 iii. date of dispensing;
- 203 iv. prescribing practitioner's name;
- 204 v. patient's name;
- 205 vi. drug name and strength;
- 206 vii. directions for use;
- 207 viii. pharmacist's name or initials;
- 208 ix. for controlled substances listed in Schedules III or IV, the following warning statement:
209 "Caution: Federal law prohibits the transfer of this drug to any person other than the
210 patient for whom it was prescribed", provided however, that this statement shall not be
211 required to appear on the label of a controlled substance dispensed for use in clinical
212 investigations which are "blind."
- 213 x. other cautionary or auxiliary labels as applicable.

- 214 b. If the prescription is dispensed at a central fill pharmacy, the pharmacist at the central fill
215 pharmacy shall affix to the package a label showing the name and address of the retail
216 pharmacy and a unique identifier (i.e., the central fill pharmacy's DEA registration number)
217 indicating the prescription was filled at the central fill pharmacy, as well as the data elements
218 itemized above in Subparagraph C.6.a of this Section.
- 219 c. The requirements of Subparagraph C.6.a of this Section shall not apply when a controlled
220 substance listed in Schedule III, IV, or V is prescribed for administration to an ultimate user
221 who is institutionalized, provided that:
- 222 i. no more than a 34-day supply, or 100 dosage units, whichever is less, is dispensed at
223 one time;
- 224 ii. the medication is not in the possession of the ultimate user prior to the administration;
- 225 iii. the institution maintains appropriate safeguards and records regarding the proper
226 administration, control, dispensing, and storage of controlled substances listed in
227 Schedule III, IV, and V; and
- 228 iv. the system employed by the pharmacist in filling a prescription is adequate to identify
229 the supplier, the product, and the patient, and to set forth the directions for use and
230 cautionary statements, if any, contained in the prescription or required by law.
- 231 d. After dispensing an original prescription for a controlled substance listed in Schedule III, IV,
232 or V, the pharmacist shall record his name or initials on the form.
- 233 e. All prescription forms shall be maintained in accordance with the requirements of §2731.B.7.
- 234 7. Transfer between Pharmacies of Prescription Information for Schedule III, IV, or V for Refill
235 Purposes
- 236 a. The transfer of prescription information for a controlled substance listed in Schedule III, IV,
237 or V for the purpose of refill dispensing is permissible between pharmacies on a one time
238 basis only. However, pharmacies electronically sharing a real-time, on-line database may
239 transfer up to the maximum refills permitted by law and the prescriber's authorization,
240 whether or not the pharmacy from which the prescription is transferred is open for business.
241 Transfers are subject to the following requirements.
- 242 i. The transfer is communicated directly between two licensed pharmacists and the
243 transferring pharmacist records the following information:
- 244 (a) invalidation of the prescription;
- 245 (b) on the reverse of the invalidated prescription, the name, address, and DEA
246 registration number of the pharmacy to which it was transferred, and the name of
247 the pharmacist receiving the prescription information; and
- 248 (c) the date of the transfer and the name of the pharmacist transferring the information.
- 249 ii. The pharmacist receiving the transferred prescription information shall reduce to writing
250 the following:
- 251 (a) indication of the transferred nature of the prescription;
- 252 (b) provide all information required for a prescription for a controlled substance (full
253 name and address of the patient; drug name, strength, and dosage form; quantity
254 prescribed and directions for use; and the name, address, telephone number, and
255 DEA registration number of the prescribing practitioner) and include:
- 256 (i) date of issuance of original prescription;
- 257 (ii) original number of refills authorized on original prescription;
- 258 (iii) date of original dispensing;
- 259 (iv) number of valid refills remaining and date(s) and locations of previous
260 refill(s);
- 261 (v) pharmacy's name, address, and DEA registration number and prescription
262 number from which the prescription information was transferred;
- 263 (vi) name of pharmacist who transferred the prescription; and
- 264 (vii) pharmacy's name, address, and DEA registration number and prescription
265 number from which the prescription was originally filled
- 266 ii. The original and transferred prescription(s) shall be maintained for a period of two years
267 from the date of the last refill.

- 268 iii. Pharmacies electronically accessing the same prescription record shall satisfy all
269 information requirements of a manual mode for prescription transferal.
- 270 8. Provision of Prescription Information between Retail Pharmacies and Central Fill Pharmacies
271 Prescription information may be provided to an authorized central fill pharmacy by a retail
272 pharmacy for dispensing purposes. The following requirements shall apply:
- 273 a. Prescriptions for controlled substances listed in Schedule III, IV, or V may be transmitted
274 electronically from a retail pharmacy to a central fill pharmacy, including via facsimile. The
275 retail pharmacy transmitting the prescription information shall:
- 276 i. record the words "CENTRAL FILL" on the face of the original prescription and record
277 the name, address and DEA registration number of the central fill pharmacy to which the
278 prescription has been transmitted, the name of the retail pharmacy pharmacist
279 transmitting the prescription, and the date of transmittal;
- 280 ii. ensure that all information required to on a prescription pursuant to §2745.C is
281 transmitted to the central fill pharmacy (either on the face of the prescription or in the
282 electronic transmission of information);
- 283 iii. indicate in the information transmittal the number of refills already dispensed and the
284 number of refills remaining;
- 285 iv. maintain the original prescription for a period of two years from the date the prescription
286 was last refilled; and
- 287 v. keep a record of receipt of the filled prescription, including the date of receipt, the
288 method of delivery (private, common or contract carrier) and the name of the retail
289 pharmacy employee accepting delivery.
- 290 b. The central fill pharmacy receiving the transmitted prescription shall:
- 291 i. keep a copy of the prescription (if sent via facsimile) or an electronic record of all the
292 information transmitted by the retail pharmacy, including the name, address and DEA
293 registration number of the retail pharmacy transmitting the prescription;
- 294 ii. keep a record of the date of receipt of the transmitted prescription, the name of the
295 pharmacist dispensing the prescription, and the dates of filling or refilling of the
296 prescription;
- 297 iii. keep a record of the date the dispensed prescription was delivered to the retail pharmacy
298 and the method of delivery (private, common or contract carrier).

299 D. Dispensing Controlled Substances without a Prescription

300 A controlled substance listed in Schedule II, III, IV, or V which is not a prescription drug as
301 determined under the Federal Food, Drug, and Cosmetic Act may be dispensed by a pharmacist
302 without a prescription to a purchaser at retail, provided that:

- 303 1. such dispensing is made only by a pharmacist, and not by a non-pharmacist employee even if
304 under the supervision of a pharmacist – although after the pharmacist has fulfilled his professional
305 and legal responsibilities, the actual cash, credit transaction, or delivery may be completed by a
306 non-pharmacist;
- 307 2. not more than 240 milliliters, or 8 ounces, of any such controlled substance containing opium, nor
308 more than 120 milliliters, or 4 ounces, of any other such controlled substance, nor more than 48
309 dosage units of any such controlled substance containing opium, nor more than 24 dosage units of
310 any other such controlled substance may be dispensed at retail to the same purchaser in any given
311 48-hour period;
- 312 3. the purchaser is at least 18 years of age;
- 313 4. the pharmacist requires every purchaser of a controlled substance under this Paragraph not known
314 to him to furnish suitable identification (including proof of age where appropriate);
- 315 5. a bound record book for dispensing of controlled substances under this Paragraph is maintained by
316 the pharmacist, which book shall contain the name and address of the purchaser, the name and
317 quantity of controlled substance purchased, the date of each purchase, and the name or initials of
318 the pharmacist who dispensed the controlled substance to the purchaser; further, this book shall be
319 maintained in conformance with the recordkeeping requirements identified in §2731.B.7;
- 320 6. a prescription is not required for dispensing of the controlled substance pursuant to any federal or
321 state law;

322 7. central fill pharmacies may not dispense controlled substances to a purchaser at retail pursuant to
323 this Paragraph.

324 E. Professional Conduct

325 A license, registration, certification, permit, or any other credential deemed necessary to practice, or
326 assist in the practice of, pharmacy may be subject to discipline when deviating from primary or
327 corresponding responsibility to avert the following prohibited acts:

328 1. Primary Responsibility.

329 a. drug diversion – attempted, actual or conspired dispensing, distributing, administering, or
330 manufacturing of a controlled substance not pursuant to a valid prescription or order while
331 acting in the course of professional pharmacy practice is prohibited; or

332 b. possession – actual or conspired possession of a controlled substance not pursuant to a valid
333 prescription or order issued for a legitimate medical purpose by an authorized practitioner in
334 the usual course of professional practice.

335 2. Corresponding Responsibility.

336 a. Medical Purpose. The prescribing practitioner has the primary responsibility to issue a
337 prescription for a controlled substance for a legitimate medical purpose, but a corresponding
338 responsibility rests with the pharmacist or dispensing physician dispensing said prescription to
339 ascertain that said prescription was issued for a legitimate medical purpose in the usual course
340 of professional practice.

341 b. Authenticity. A pharmacist or dispensing physician shall exercise sound professional
342 judgment to ascertain the validity of prescriptions for controlled substances. If, in the
343 pharmacist's professional judgment, a prescription is not valid, said prescription shall not be
344 dispensed.

345 3. Forged Prescriptions. It is unlawful to forge a prescription, or to dispense a forged prescription,
346 for a controlled substance. The pharmacist or dispensing physician shall exercise professional
347 diligence in determining the validity of a prescription as to the practitioner's authority and/or
348 patient's identity, in order to prevent misrepresentation, fraud, deception, subterfuge, conspiracy,
349 or diversion of controlled substances.

350 4. Altered Prescriptions. It is unlawful to personally alter a prescription, or to dispense an altered
351 prescription, for a controlled substance, except as provided by §2747.B.4 of this Chapter.

352 F. Accountability

353 The pharmacist-in-charge, the owner of a pharmacy permit, and/or other designated responsible parties,
354 shall be accountable for shortages of controlled substances or inconsistencies indicated in an audit.
355

356 AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

357 HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2152
358 (October 2008), amended LR 41:685 (April 2015), amended by the Department of Health, Board of Pharmacy, LR
359