

Final Rule

Department of Health and Hospitals Board of Pharmacy

Institutional Pharmacies (LAC 46:LIII. 1705 and 1727)

In accordance with the provisions of the Administrative Procedure Act (La. R.S. 49:950 *et seq.*) and the Pharmacy Practice Act (La. R.S. 37:1161 *et seq.*), the Louisiana Board of Pharmacy has amended Section 1705 and repealed Section 1727 of LAC 46:LIII.Chapter 17, Institutional Pharmacy. In particular, the amendments clarify provisions relative to pharmacies operated in hospitals and penal institutions.

Malcolm J Broussard
Executive Director
Louisiana Board of Pharmacy

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 17. Institutional Pharmacy

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§1705. Institutional Pharmacy Permit

- A. An institutional pharmacy permit shall be required to operate a pharmacy department located within an institutional facility, other than a hospital or penal institution, for residents or patients of that institutional facility. The permit shall be applied for, and renewed, in the manner prescribed by the board in Chapter 11 of these regulations.
- B. Pharmacies operated within a hospital shall be operated in accordance with Chapter 15 of these regulations.
- C. Pharmacies operated within a penal institution shall be operated in accordance with Chapter 18 of these regulations.

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 29:2095 (October 2003), effective January 1, 2004, amended LR 39:313 (February 2013).

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Subchapter D. ~~Drug Donations to Pharmacies in Penal Institutions~~ (repealed)

~~§1727. Medication Transfers~~

- ~~A. In facilities licensed by the Department of Health and Hospitals where United States Pharmacopeia (USP) storage requirements can be assured, prescription drugs, except controlled dangerous substances, dispensed in unit dose or in individually sealed doses may be transferred to a permitted institutional pharmacy located within a penal institution operated under the authority of the Department of Public Safety and Corrections for re-labeling and dispensing to that penal institution's patients, free of charge, pursuant to a valid prescription order.~~
 - ~~1. The pharmacist in charge of the institutional pharmacy located within a penal institution shall be responsible for determination of suitability of the product for reuse.~~
 - ~~a. No product where integrity cannot be assured shall be accepted for re-dispensing by the pharmacist.~~
 - ~~b. A re-dispensed prescription medication shall be assigned the expiration date stated on the package.~~
 - ~~c. No product shall be re-dispensed more than one time.~~
 - ~~2. Pursuant to a voluntary agreement between the facility licensed by the Department of Health and Hospitals and an institutional pharmacy located within a penal institution operated under the authority of the Department of Public Safety and Corrections, prescription drugs, except controlled substances, may be transferred from the facility to the pharmacy provided the following procedures are satisfied:~~
 - ~~a. The physical transfer shall be accomplished by an individual authorized to do so by the institutional pharmacy located within a penal institution.~~
 - ~~b. The patient from whom the prescription medication was obtained shall document their consent for the donation; the consent shall be maintained on file in the facility.~~

CODING: Words in ~~stricken~~ type are deletions from existing rules; underscoring words are additions.

- ~~e. The patient's name, prescription number, and any other identifying marks, shall be obliterated from the packaging prior to removal from the facility.~~
 - ~~d. The drug name, strength, and expiration date shall remain on the medication package or label.~~
 - ~~e. An inventory list of the drugs shall accompany the drugs being transferred. The list shall contain, at a minimum, the medication name, strength, quantity, and expiration date.~~
 - ~~f. Expired drugs shall not be transferred. In the event expired drugs are received by an institutional pharmacy located within a penal institution, the pharmacist in charge shall destroy them as required by law.~~
- ~~B. Under no circumstances may these transferred medications be re-distributed to another location.~~

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:1408 (July 2008), repealed LR 39:313 (February 2013).