



# Louisiana Board of Pharmacy

3388 Brentwood Drive  
Baton Rouge, Louisiana 70809-1700  
[www.pharmacy.la.gov](http://www.pharmacy.la.gov)



March 15, 2013

Senator John A Alario Jr., President  
Louisiana Senate  
PO Box 94183  
Baton Rouge, LA 70804

Via Email: [APA.SenatePresident@legis.la.gov](mailto:APA.SenatePresident@legis.la.gov)

Re: Report No. 2 of 3 for Regulatory Project 2013-2 ~ Hospital Off-Site Satellite Pharmacy

Dear Senator Alario:

As we indicated in our first report to you on January 10, 2013, the Board is currently promulgating a new rule to authorize the use of off-site satellite pharmacies by hospitals. Subsequent to our Notice of Intent published in the January 20, 2013 edition of the Louisiana Register, and in accordance with the Administrative Procedures Act, we conducted a public hearing at the Board office on February 27, 2013. The Board received no comments or testimony on the proposed rule.

During their March 6, 2013 meeting, the Board considered the absence of comments and testimony and determined that no revision to the original proposal is necessary. Further, the Board has determined it appropriate to move forward with the proposal as published. Appended to this letter, you should find copies of the Notice of Intent and full text of the proposed rule.

Subject to review by the Joint Legislative Oversight Committee on Health and Welfare, the Board proposes to publish the original proposed rule as a Final Rule in the May 20, 2013 edition of the Louisiana Register. If you have any questions about the enclosed information or our procedures, please contact me directly at [mbroussard@pharmacy.la.gov](mailto:mbroussard@pharmacy.la.gov) or 225.925.6481.

For the Board:

Malcolm J. Broussard  
Executive Director

cc: Chair, Senate Committee on Health & Welfare ([APA.S-H&W@legis.la.gov](mailto:APA.S-H&W@legis.la.gov))  
Speaker, House of Representatives ([APA.HouseSpeaker@legis.la.gov](mailto:APA.HouseSpeaker@legis.la.gov))  
Chair, House Committee on Health & Welfare ([APA.H-H&W@legis.la.gov](mailto:APA.H-H&W@legis.la.gov))

## **Notice of Intent**

### **Department of Health and Hospitals Board of Pharmacy**

#### **Hospital Off-Site Satellite Pharmacy (LAC 46:LIII.1525)**

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 hereby gives notice of its intent to amend its chapter of rules for hospital pharmacies to authorize the use of satellite pharmacies by pharmacies located within hospitals. The proposed rule identifies the credentialing requirements and standards of practice applicable to such satellite pharmacies.

Interested persons may submit written comments to Malcolm J Broussard, Executive Director, Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, Louisiana 70809-1700. He is responsible for responding to inquiries regarding this proposed rule. A public hearing on this proposed rule is scheduled for Wednesday, February 27, 2013 at 9:00 a.m. in the Board office. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. The deadline for the receipt of all comments is 12:00 noon that same day.

Malcolm J Broussard  
Executive Director  
Louisiana Board of Pharmacy

# Louisiana Administrative Code

## Title 46 – Professional and Occupational Standards

### Part LIII: Pharmacists

#### Chapter 15. Hospital Pharmacy

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#### §1503. Definitions

- A. As used in this chapter, the following terms shall have the meaning ascribed to them in this Section:  
Hospital Off-Site Satellite Pharmacy – a pharmacy located within a hospital licensed by the Louisiana Department of Health and Hospitals, or its successor, the location of which is physically separate from the location of the provider pharmacy.

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Provider Pharmacy – a hospital pharmacy which provides administrative control, staffing as well as products and services to a hospital off-site satellite pharmacy.

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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 29:2093 (October 2003), effective January 1, 2004, amended LR 33:1132 (June 2007), amended LR

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#### §1525. Hospital Off-Site Satellite Pharmacy

##### A. Issuance and Maintenance of Permit

1. A hospital pharmacy may establish a hospital off-site satellite pharmacy within a facility bearing the same hospital license number as the facility housing the provider pharmacy.
2. The provider pharmacy, acting through its pharmacist-in-charge, shall make application for the satellite pharmacy permit using a form and process specified by the board.
3. The applicant shall pay the fee for the initial issuance and renewal as specified in La. R.S. 37:1184.
4. Once issued, the satellite pharmacy permit shall expire at midnight on December 31 of each year, unless suspended or revoked earlier by the board.
5. The satellite pharmacy shall renew its permit using the form and process specified by the board.
6. The operation of a hospital off-site satellite pharmacy without a pharmacy permit, or with an expired permit, shall constitute a violation of La. R.S. 37:1241.A(12).
7. In the event a provider pharmacy sustains a change of ownership sufficient to require a new pharmacy permit, the hospital off-site satellite pharmacy shall also obtain a new pharmacy permit.
8. In the event a provider pharmacy closes permanently and surrenders its permit, the hospital off-site satellite pharmacy shall also close and surrender its permit.

##### B. General Requirements

1. The hospital off-site satellite pharmacy shall be of sufficient size and shall contain sufficient fixtures, equipment and supplies commensurate with the scope of practice for that pharmacy, provided:
  - a. The pharmacy shall be of sufficient size to allow for the safe and proper storage of prescription drugs and/or controlled substances;
  - b. All areas where drugs and devices are stored shall be dry, well-lighted, well ventilated, and maintained in a clean and orderly condition, and more specifically, storage areas shall be maintained at temperatures which will ensure the integrity of the drugs prior to their dispensing as stipulated by the United States Pharmacopeia (USP) and/or the manufacturer's or distributor's product labeling unless otherwise indicated by the board;
  - c. The pharmacy shall be secured by either a physical barrier with suitable locks and/or an electronic barrier to detect entry at a time when the pharmacist is not present; and
  - d. Prescription and other patient health care information shall be maintained in a manner that protects the integrity and confidentiality of such information.

2. The pharmacist-in-charge of the provider pharmacy shall be responsible for all pharmacy operations involving the hospital off-site satellite pharmacy including supervision of pharmacy personnel.
3. The hospital off-site satellite pharmacy shall have at least one licensed pharmacist on duty and physically present in the pharmacy at all times the hospital off-site satellite pharmacy is open for the transaction of business.
4. The hospital off-site satellite hospital pharmacy shall have a sufficient number of pharmacists on duty to operate the pharmacy competently, safely, and adequately to meet the needs of the patients of the pharmacy.
5. When the hospital off-site satellite pharmacy is closed or there is no pharmacist on duty, other individuals shall not have access to the hospital off-site satellite pharmacy except for temporary absences as provided for in Chapter 11 of these rules.
6. The provider pharmacy and the hospital off-site satellite pharmacy shall have:
  - a. the same owner; and
  - b. share a common electronic file or have the appropriate technology to allow access to sufficient information necessary or required to process a prescription or medical order.
7. The hospital off-site satellite pharmacy shall comply with the recordkeeping provisions identified in Chapter 11 of these rules.
8. The compounding of preparations in a hospital off-site satellite pharmacy shall be accomplished in compliance with the current federal standards applicable to such practices: USP Chapter 797, or its successor, for the compounding of sterile preparations, and USP Chapter 795, or its successor, for the compounding of non-sterile preparations.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR