



Louisiana Board of Pharmacy

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February 22, 2016

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

Via E-mail: APA.SenatePresident@legis.la.gov

Electronic Mail – Delivery Receipt Requested

Re: Annual Report on Rulemaking Activities

Report No. 3 of 3 for Project 2014-4 ~ Pharmacy Compounding
Report No. 3 of 3 for Project 2014-5 ~ Prescriptions
Report No. 3 of 3 for Project 2014-6 ~ Special Event Pharmacy Permit
Report No. 3 of 3 for Project 2015-1 ~ Dispenser Reporting to Prescription Monitoring Program
Report No. 3 of 3 for Project 2015-2 ~ Expiration Date of Schedule II Prescriptions
Report No. 3 of 3 for Project 2015-3 ~ Electronic Product Verification
Report No. 3 of 3 for Project 2015-5 ~ Electronic Signature on Facsimile Prescription
Report No. 3 of 3 for Project 2015-6 ~ Telepharmacy Permit
Report No. 3 of 3 for Project 2015-7 ~ Remote Processor Permit
Report No. 3 of 3 for Project 2015-8 ~ Remote Access to Medical Orders

Dear Senator Alario:

In compliance with the provisions of the Administrative Procedures Act, more specifically at La. R.S. 49:968(K), please accept this letter as our third and final report relative to these rulemaking projects, all of which were completed during Calendar Year 2015.

- *Regulatory Project 2014-4 ~ Pharmacy Compounding*

We submitted our first report to you on September 9, 2014; the Notice of Intent was published in the September 20, 2014 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on October 30, 2014 to receive comments and testimony. The Board received no comments or testimony relative to the proposed rule.

We submitted our second report to you on November 18, 2014. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the January 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2014-5 ~ Prescriptions*

We submitted our first report to you on June 9, 2014; the Notice of Intent was published in the June 20, 2014 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on July 28, 2014 to receive comments and testimony. During their subsequent meeting on August 7, the board considered the comments and determined that a revision of the original proposal was appropriate. Following publication of the required notice, the board conducted a second public hearing on October 30, 2014 to receive comments and testimony on the proposed revision. The board received no further comments or suggested changes.

We submitted our second report to you on November 18, 2014. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the January 15, 2015 edition of the Louisiana Register.

- *Regulatory Project 2014-6 ~ Special Event Pharmacy Permit*

We submitted our first report to you on September 9, 2014; the Notice of Intent was published in the September 20, 2014 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on October 30, 2014 to receive comments and testimony. The Board received no comments or testimony relative to the proposed rule.

We submitted our second report to you on November 18, 2014. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the January 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-1 ~ Dispenser Reporting to Prescription Monitoring Program*

We submitted our first report to you on December 4, 2014; the Notice of Intent was published in the December 20, 2014 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on January 28, 2015 to receive comments and testimony. The Board received no comments or testimony relative to the proposed rule.

We submitted our second report to you on March 3, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the April 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-2 ~ Expiration Date of Schedule II Prescriptions*

We submitted our first report to you on December 4, 2014; the Notice of Intent was published in the December 20, 2014 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on January 28, 2015 to receive comments and testimony. The Board received no comments or testimony relative to the proposed rule.

We submitted our second report to you on March 3, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the April 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-3 ~ Electronic Product Verification*

We submitted our first report to you on May 7, 2015; the Notice of Intent was published in the May 20, 2015 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on June 25, 2015 to receive comments and testimony. The Board received no comments or testimony relative to the proposed rule.

We submitted our second report to you on June 29, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the August 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-5 ~ Electronic Signature on Facsimile Prescription*

During their May 27, 2015 meeting, the Board found it necessary to delay the implementation of a previously promulgated signature requirement for certain prescriptions; they adopted an Emergency Rule that day with a June 1, 2015 effective date. We sent our notice of emergency rule to you on June 1, 2015. We then sent our first regular report to you on July 9, 2015; the Notice of Intent was published in the July 20, 2015 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2015 to receive comments and testimony. The Board received no written comments but did receive verbal testimony from the Louisiana Hospital Association supportive of the proposed rule.

We submitted our second report to you on September 8, 2015. Since the original emergency rule was due to expire before we could complete the rulemaking process, we re-published the original emergency rule on September 21, 2015 with an immediate effective date. We sent our notice of emergency rule to you on that same date. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the October 20, 2015 edition of the Louisiana Register. The emergency rule was simultaneously cancelled.

- *Regulatory Project 2015-6 ~ Telepharmacy Permit*

We submitted our first report to you on July 9, 2015; the Notice of Intent was published in the July 20, 2015 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2015 to receive comments and testimony. The Board received no written comments but did receive verbal testimony from the Louisiana Hospital Association supportive of the proposed rule.

We submitted our second report to you on September 8, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule

in the October 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-7 ~ Remote Processor Permit*

We submitted our first report to you on July 9, 2015; the Notice of Intent was published in the July 20, 2015 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2015 to receive comments and testimony. The Board received no written comments but did receive verbal testimony from the Louisiana Hospital Association supportive of the proposed rule.

We submitted our second report to you on September 8, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the October 20, 2015 edition of the Louisiana Register.

- *Regulatory Project 2015-8 ~ Remote Access to Medical Orders*

We submitted our first report to you on July 9, 2015; the Notice of Intent was published in the July 20, 2015 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2015 to receive comments and testimony. The Board received no written comments but did receive verbal testimony from the Louisiana Hospital Association supportive of the proposed rule.

We submitted our second report to you on September 8, 2015. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the Final Rule in the October 20, 2015 edition of the Louisiana Register.

Finally, we trust that copies of our previous reports for all of these completed projects reside in your archives; however, in the event you need additional copies or any other information, please contact me directly at mbroussard@pharmacy.la.gov or 225.925.6481.

For the Board:



Malcolm J Broussard
Executive Director

cc: Chair, Senate Committee on Health & Welfare
Via E-mail: APA.S-H&W@legis.la.gov
Speaker, House of Representatives
Via E-mail: APA.HouseSpeaker@legis.la.gov
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