

Final Rule

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

Remote Processor Permit (LAC 46:LIII.2431 *et seq.*)

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 *Chapter 24 – Limited Service Providers* of its rules by drafting a new *Subchapter D – Remote Processor Pharmacy*, to create a new classification of pharmacy permit that will enable the establishment of remote processor pharmacy sites within the state.

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 11. Pharmacies

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Subchapter D. Off-Site Services

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§1143. Remote Processing of Medical Orders or Prescription Drug Orders

- A. – A.2.a. ...
- b. Repealed.
- B. – C.2.c. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1132 (June 2007), amended LR 38:1240 (May 2012), amended LR 39:313 (February 2013), amended LR 41:2148 (October 2015).

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Chapter 24. Limited Service Providers

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Subchapter D. Remote Processor Pharmacy

§2431. Purpose

- A. The purpose of this Subchapter is to establish standards for the operation and regulation of remote processor pharmacies to be located within the state of Louisiana.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 41:2148 (October 2015).

§2433. Definitions

- A. As used in this Subchapter, the following terms shall have the meaning ascribed to them in this Section:
 - On-Site Pharmacy* – a permitted pharmacy which utilizes remote processing services from a remote processor pharmacy.
 - Remote Processing Services* – the processing of a medical order or prescription drug order by one permitted pharmacy on behalf of another permitted pharmacy, including:
 - a. Receipt, interpretation, or clarification of an order;
 - b. Data entry and information transfer;
 - c. Interpretation of clinical data;
 - d. Performance of drug utilization review; and
 - e. Provision of drug information concerning a patient's drug therapy; provided, however, that remote processing does not include the physical preparation or physical transfer of drugs.
 - Remote Processor* – a pharmacy holding a remote processor pharmacy permit and provides remote processing services for another permitted pharmacy,

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HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 41:2148 (October 2015).

§2435. General Requirements

- A. Authority and Limitations
 - 1. A remote processor pharmacy permit shall authorize the permit holder to engage in remote processing services.
 - 2. A remote processor pharmacy permit shall not authorize the procurement or possession of any prescription medications or any controlled substances.
 - 3. The holder of a remote processor pharmacy permit shall not be eligible to acquire a Louisiana Controlled Dangerous Substance license or a federal registration from the U.S. Drug Enforcement Administration.
- B. Licensing Procedure
 - 1. A person or other entity intending to operate a remote processor pharmacy shall complete the application form supplied by the board, and then submit it with any required attachments and the application fee to the board.
 - 2. The board shall not process applications received by facsimile, or that are incomplete, or submitted with the incorrect fee.
 - 3. A person or other entity who submits a false or fraudulent application shall be deemed to have violated R.S. 37:1241(A)(2) and shall be subject to disciplinary action by the board.
 - 4. If determined appropriate by the board, the applicant may be required to meet with a committee of the board or an agent of the board prior to the issuance of the permit.
 - 5. Regardless of the date issued, the pharmacy permit shall expire on December 31 of every year. No person or other entity may operate a remote processor pharmacy with an expired permit; the continued operation of a remote processor pharmacy with an expired permit shall substantiate a violation of R.S. 37:1241(A)(12)
- C. Maintenance of Permit
 - 1. A remote processor pharmacy permit shall be valid only for the person or other entity to whom it is issued, and it shall not be subject to sale, assignment or other transfer, voluntary or involuntary, nor shall the permit be valid for any premises other than the physical location for which it was issued.
 - 2. A duplicate or replacement permit shall be issued upon the written request of the permit holder and payment of the required fee. A duplicate or replacement permit shall be marked as such, and it shall not serve or be used as an additional or second permit.
- D. Closure of Permit
 - 1. When the owner of the permit intends to close the remote processor pharmacy permanently, the owner's managing officer and the pharmacist-in-charge shall be accountable to the board for the proper closure of the pharmacy in compliance with Section 1133 of the board's rules.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 41:2148 (October 2015).

§2437. Standards of Practice

- A. Environmental Standards
 - 1. The remote processor pharmacy shall be of sufficient size and shall contain sufficient fixtures, equipment, and supplies commensurate with the nature and scope of practice for that pharmacy.
 - 2. The pharmacy shall be well-lighted, well ventilated and in compliance with the Louisiana Sanitary Code.
 - 3. The pharmacy shall be secured by either a physical barrier with suitable locks and/or an electronic barrier to detect entry by any unauthorized personnel.
 - 4. Prescription and other patient healthcare information shall be maintained in a manner that protects the integrity and confidentiality of such information.
- B. Staffing Requirements
 - 1. The pharmacist-in-charge shall be a Louisiana-licensed pharmacist who is accountable to the board for compliance with the provisions of Section 1105 of the board's rules.
 - 2. The pharmacist-in-charge shall assemble and manage a staff of appropriately-credentialed people as necessary to perform its work in a safe manner.

3. For those pharmacies using pharmacy interns, pharmacy technicians, and pharmacy technician candidates, the staffing ratios cited in the board's rules are applicable to those types of personnel.
- C. Operations
1. The remote processor pharmacy shall comply with the provisions of Section 1143 of the board's rules.
 2. The remote processor shall comply with the recordkeeping provisions of Section 1123 of the board's rules.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 41:2149 (October 2015).