



Louisiana Board of Pharmacy

3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700
Telephone 225.925.6496 ~ Facsimile 225.925.6499
www.pharmacy.la.gov ~ E-mail: info@pharmacy.la.gov



April 8, 2016

Senator John A. Alario, Jr, President
Louisiana Senate
PO Box 94183
Baton Rouge, LA 70804-9183

Via Email: APA.SenatePresident@legis.la.gov

Electronic Mail – Delivery Receipt Requested

Re: Report No. 1 of 3 for Regulatory Project 2016-2 ~ Pharmacist-in-Charge in Nonresident Pharmacy

Dear Senator Alario:

The Board has initiated the rulemaking process to amend the Board's rules for the pharmacist-in-charge of a nonresident pharmacy to require his physical presence in the pharmacy for a certain amount of time per week, as currently required for pharmacies located within the state. In connection with this regulatory project, you should find the following documents in this packet:

- Notice of Intent
- Proposed Rule
- Family Impact Statement
- Poverty Impact Statement
- Provider Impact Statement
- Regulatory Flexibility Analysis
- Solicitation of Comments
- Fiscal & Economic Impact Statement

As indicated in the solicitation, we will convene a public hearing on May 25, 2016 to receive public comments and testimony on this proposed rule change. We will summarize those comments and our responses thereto in our next report to you. In the event you have any questions or need additional 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 Health & Welfare Committee
Via Email: APA.S-H&W@legis.la.gov
Speaker, House of Representatives
Via Email: APA.HouseSpeaker@legis.la.gov
Chair, House Health & Welfare Committee
Via Email: APA.H-HW@legis.la.gov
Director, Community Outreach Services, La. Economic Development
Via Email: Pat.Witty@la.gov
Editor, *Louisiana Register*
Via Email: Reg.Submission@la.gov
Reference File

Notice of Intent

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

Pharmacist-in-Charge of Nonresident Pharmacy (LAC 46:LIII.Chapter 23)

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 *Chapter 23 – Out-of-State Pharmacy* of its rules. In particular, the board proposes to amend §2307 relative to the requirements for the pharmacist-in-charge of a nonresident pharmacy. In addition, the board intends to make technical changes in the chapter title and section headings to change “out-of-state” to “nonresident.”

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 23. ~~Out-of-State~~ Nonresident Pharmacy

...

§2303. ~~Out-of-State~~ Nonresident Pharmacy Requirements

...

§2305. ~~Out-of-State~~ Nonresident Permit Requirements

...

§2307. Pharmacist-in-Charge

- A. ~~Designation. A pharmacist licensed by the Louisiana Board of Pharmacy shall be named in the application as the pharmacy's pharmacist in charge for the Louisiana permit and shall be responsible for the pharmacy permit's compliance.~~
- B. ~~The pharmacist in charge shall have an active and current license in the state in which the pharmacy is located, and further, shall not have any restrictions that prohibit the position of pharmacist in charge.~~
- A. The opportunity to accept an appointment as the pharmacist-in-charge (PIC) of a pharmacy is a professional privilege. The following requirements are attached to a PIC privilege:
 - 1. The acquisition of the PIC privilege shall require:
 - a. Possession of an active Louisiana pharmacist license;
 - b. Possession of an active license in the state in which the pharmacy is located, and further, said license shall not have any restrictions which prohibit the position of pharmacist-in-charge;
 - c. Active practice as a pharmacist for a minimum of two years under the jurisdiction of any board of pharmacy in the United States; and
 - d. The completion of the *Affidavit of Responsibility and Duties* described below.
 - 2. The PIC shall be present and practicing at the pharmacy for which he holds the PIC position no less than 20 hours per week during the pharmacy's ordinary course of business. In the event the pharmacy's normal hours of business are less than 20 hours per week, the PIC shall be present and practicing at least 50 percent of the normal business hours.
- B. An initial and renewal pharmacy permit application shall designate and identify the licensed pharmacist-in-charge.
- C – J. ...

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 18:1381 (December 1992) effective January 1, 1993, amended LR 29:2100 (October 2003), effective January 1, 2004, amended LR 33:1133 (June 2007), amended LR

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§2317. ~~Out-of-State~~ Nonresident Pharmacy Closure Procedures

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FAMILY IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the rule proposed for adoption, repeal, or amendment. The following statements will be published in the Louisiana Register with the proposed agency rule.

I. The effect on the stability of the family.

We anticipate no effect on the stability of the family.

II. The effect on the authority and rights of parents regarding the education and supervision of their children.

We anticipate no effect on the authority and rights of parents regarding the education and supervision of their children.

III. The effect on the functioning of the family.

We anticipate no effect on the functioning of the family.

IV. The effect on family earnings and family budget.

We anticipate no effect on family earnings and the family budget.

V. The effect on the behavior and personal responsibility of children.

We anticipate no effect on the behavior and personal responsibility of children.

VI. The ability of the family or a local government to perform the function as contained in the proposed rule.

We anticipate no effect on the ability of the family or a local government to perform the activity as contained in the proposed rule.

POVERTY IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the rule proposed for adoption, repeal, or amendment.

I. The effect on household income, assets, and financial security.

We anticipate no impact on household income, assets, and financial security.

II. The effect on early childhood development and preschool through postsecondary education development.

We anticipate no impact on early childhood development or preschool through postsecondary education development.

III. The effect on employment and workforce development.

We anticipate no impact on employment and workforce development.

IV. The effect on taxes and tax credits.

We anticipate no impact on taxes or tax credits.

V. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

We anticipate no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

PROVIDER IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

I. The effect on the staffing level requirements or qualifications required to provide the same level of service.

We anticipate no effect on the staffing level requirements or the qualifications for that staff to provide the same level of service.

II. The total direct and indirect effect on the cost to the provider to provide the same level of service.

We anticipate no costs to the provider to implement the requirements of the proposed rule.

III. The overall effect on the ability of the provider to provide the same level of service.

We anticipate no effect on the ability of the provider to provide the same level of service.

REGULATORY FLEXIBILITY ANALYSIS
FOR ADMINISTRATIVE RULES

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed rule on small businesses:

I. The establishment of less stringent compliance or reporting requirements for small businesses.

The proposed rule does not exempt small businesses from compliance with any of the requirements.

II. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

There are no reporting deadlines in the proposed rule.

III. The consolidation or simplification of compliance or reporting requirements for small businesses.

There are no reporting requirements in the proposed rule.

IV. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed rule.

The proposed rule identifies the performance standards for the pharmacist-in-charge of a nonresident pharmacy, which is the same standard used for a pharmacy located within the state. The rules do not provide for alternative options for small businesses.

V. The exemption of small businesses from all or any part of the requirements contained in the proposed rule.

There are no exemptions for small businesses.

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, May 25, 2016 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

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment:

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

The proposed rule change will amend the existing requirements for the pharmacist-in-charge of a nonresident pharmacy. The proposed rule change will result in a cost of approximately \$2,000 for printing costs. This includes \$1,000 for the proposed rule change in FY 16 and \$1,000 for the final rule in FY 17.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

There will be no impact on revenue collections of state or local governmental units from the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The persons directly affected by the proposed rule change are those pharmacists intending to serve as the pharmacist-in-charge (PIC) of a nonresident pharmacy. The change from the current rule will require the PIC to be physically present and practicing in the pharmacy for which he has accepted the PIC appointment. Another change from the current rule identifies the minimum amount of time the PIC must be physically present in the pharmacy. These proposed standards already exist for pharmacies located within the state but do not currently exist in nonresident pharmacies. To the extent a current PIC of a nonresident pharmacy is not physically present for the minimum amount of time in the pharmacy, there may be additional personnel costs to the pharmacy.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no impact on competition or employment, unless a nonresident pharmacy has previously been relying on a 'phantom' PIC, i.e., a PIC not physically present in the pharmacy. In that case, there could be a positive effect on employment in that pharmacy.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement: Malcolm J. Broussard Executive Director Dept.: Health and Hospitals
Phone: (225) 925-6481 Office: Board of Pharmacy
Return Address: 3388 Brentwood Drive Title: Pharmacist-in-Charge of Nonresident Pharmacy
Baton Rouge, LA 70809 Effective Date of Rule: July 20, 2016 (est.)

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

The proposed rule change will amend the existing requirements for the pharmacist-in-charge of a nonresident pharmacy. The proposed rule change will result in a cost of approximately \$2,000 for printing costs. This includes \$1,000 for the proposed rule change in FY 16 and \$1,000 for the final rule in FY 17.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

There will be no impact on revenue collections of state or local governmental units from the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The persons directly affected by the proposed rule change are those pharmacists intending to serve as the pharmacist-in-charge (PIC) of a nonresident pharmacy. The change from the current rule will require the PIC to be physically present and practicing in the pharmacy for which he has accepted the PIC appointment. Another proposed change from the current rule identifies the minimum amount of time the PIC must be physically present in the pharmacy. These proposed standards already exist for pharmacies located within the state but do not currently exist in nonresident pharmacies. To the extent a current PIC of a nonresident pharmacy is not physically present for the minimum amount of time in the pharmacy, there may be additional personnel costs to the pharmacy.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no impact on competition or employment, unless a nonresident pharmacy has previously been relying on a 'phantom' PIC, i.e., a PIC not physically present in the pharmacy. In that case, there could be a positive effect on employment in that pharmacy.

Malcolm J. Broussard
Signature of Agency Head or Designee

Malcolm J Broussard, Executive Director
Typed Name and Title of Agency Head or Designee

April 8, 2016
Date of Signature

Evan Brasseaux, Staff Director
Legislative Fiscal Officer or Designee

4/8/17
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule change.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Board proposes to amend Chapter 23 of its rules to amend the section relative to the pharmacist-in-charge (PIC) of a nonresident pharmacy. In addition, the Board proposes to make technical changes to the chapter's title and section headings.

- B. Summarize the circumstances that require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The board has noticed an increased use of 'phantom' pharmacists-in-charge of nonresident pharmacies; i.e., the absence of the PIC from the pharmacy for which they have accepted the PIC responsibility. The Board has an existing rule for PICs of in-state pharmacies requiring their physical presence and practice in the pharmacy, and now seeks to replicate that rule to apply to nonresident pharmacies. The technical changes in the title and section headings were authorized by Act 282 of the 2013 Legislature. A copy of that legislation is appended.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session:

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The Board anticipates an expenditure of approximately \$2,000 for the printing of the proposed and final rules – half in FY 16 and half in FY 17. Those funds are budgeted and available from self-generated agency funds.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ___ Yes. If yes, attach documentation.

(b) X No. If no, provide justification as to why this rule change should be published at this time.

The Board operates totally on self-generated funds.

- D. Compliance with Act 820 of the 2008 Regular Session

(1) An identification and estimate of the number of small businesses subject to the proposed rule.

Given the criteria in the statutory definition of "small businesses", we are unable to specifically identify small businesses because the Board does not collect information from pharmacies concerning the number of employees or any information on sales, net worth, or other financial data. To the extent that all of the pharmacies licensed by the Board may meet the statutory definition of a small business, there are 1,981 pharmacies currently licensed by the Board.

(2) The projected reporting, record keeping, and other administrative costs required for compliance with the proposed rule change, including the type of professional skills necessary for preparation of the report or record.

The proposed rule change contains no requirements for reporting or record keeping.

(3) A statement of the probable effect on impacted small businesses.

The proposed rule change will have the same effect on nonresident pharmacies as the in-state pharmacies.

(4) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule.

There are no alternative methods for achieving the purpose of the proposed rule change.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

<u>COSTS</u>	<u>FY 15-16</u>	<u>FY 16-17</u>	<u>FY 17-18</u>
PERSONAL SERVICES	\$ 0	\$ 0	\$ 0
OPERATING EXPENSES	\$ 1,000	\$ 1,000	\$ 0
PROFESSIONAL SERVICES	\$ 0	\$ 0	\$ 0
OTHER CHARGES	\$ 0	\$ 0	\$ 0
EQUIPMENT	\$ 0	\$ 0	\$ 0
MAJOR REPAIR & CONSTR.	\$ 0	\$ 0	\$ 0
TOTAL	\$ 1,000	\$ 1,000	\$ 0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The Board has allocated \$1,000 for the printing of the Notice of Intent in FY 16 as well as \$1,000 for the printing of the final rule in FY 17.

3. Sources of funding for implementing the proposed rule change or rule change.

<u>SOURCE</u>	<u>FY 15-16</u>	<u>FY 16-17</u>	<u>FY 17-18</u>
STATE GENERAL FUND	\$ 0	\$ 0	\$ 0
AGENCY SELF-GENERATED	\$ 1,000	\$ 1,000	\$ 0
DEDICATED	\$ 0	\$ 0	\$ 0
FEDERAL FUNDS	\$ 0	\$ 0	\$ 0
OTHER (Specify)	\$ 0	\$ 0	\$ 0
TOTAL	\$ 1,000	\$ 1,000	\$ 0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The Board has sufficient funds budgeted and available to complete the rulemaking project.

B. COST SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

2. Indicate the source of funding of the local governmental unit that will be affected by these costs or savings.

There will be no cost savings for local governmental units resulting from the proposed rule change.

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

<u>SOURCE</u>	<u>FY 15-16</u>	<u>FY 16-17</u>	<u>FY 17-18</u>
STATE GENERAL FUND	\$ 0	\$ 0	\$ 0
AGENCY SELF-GENERATED	\$ 0	\$ 0	\$ 0
DEDICATED FUNDS	\$ 0	\$ 0	\$ 0
FEDERAL FUNDS	\$ 0	\$ 0	\$ 0
LOCAL FUNDS	\$ 0	\$ 0	\$ 0
TOTAL	\$ 0	\$ 0	\$ 0

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A". Describe all data, assumptions, and methods used in calculating these increases or decreases.

Since the proposed rule change does not impact fees, there will be no impact on revenue collections for state or local governmental units from the proposed rule change.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The persons directly affected by the proposed rule change are those pharmacists intending to serve as the pharmacist-in-charge (PIC) of a nonresident pharmacy. The change from the current rule will require the PIC to be physically present and practicing in the pharmacy for which he has accepted the PIC appointment. Another change from the current rule identifies the minimum amount of time the PIC must be physically present in the pharmacy. These proposed standards already exist for pharmacies located within the state but do not currently exist in nonresident pharmacies. To the extent a current PIC of a nonresident pharmacy is not physically present for the minimum amount of time in the pharmacy, the proposed rule change will require the PIC to be physically present. There may or may not be any costs involved in that change.

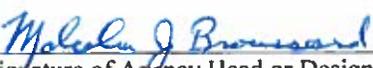
Also provide an estimate and a narrative description of any impact on receipts and/or income (revenue) resulting from this rule or rule change to these groups.

There will be no impact on receipts or revenue from the proposed rule change.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule change will have no impact on competition or employment, unless a nonresident pharmacy has previously been relying on a 'phantom' PIC, i.e., a PIC not physically present in the pharmacy. In that case, there could be a positive effect on employment in that pharmacy with an increase in cost.


Signature of Agency Head or Designee

Malcolm J Broussard, Executive Director
Typed Name and Title of Agency Head or Designee

April 8, 2016
Date of Signature

Regular Session, 2013

ACT No. 282

HOUSE BILL NO. 391

BY REPRESENTATIVE LEBAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 37:1232 and to enact R.S. 37:1182(B)(9), relative to the Louisiana Board of Pharmacy; to add to the board's powers and duties with respect to nonresident licensees; to provide relative to nonresident pharmacies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1232 is hereby amended and reenacted and R.S. 37:1182(B)(9) is hereby enacted to read as follows:

§1182. Powers and duties of the board

* * *

B. The board may:

* * *

(9) Assess and collect expenses incurred for the inspection of nonresident licensees.

* * *

§1232. ~~Out-of-state~~ Nonresident pharmacy

A. A pharmacy located outside this state which does business in this state within the meaning of this Chapter shall hold a current pharmacy permit as provided in this Chapter. The pharmacy shall be designated ~~an "out-of-state~~ a "nonresident pharmacy" and the permit shall be designated ~~an "out-of-state~~ a "nonresident pharmacy permit".

B. ~~An out-of-state~~ A nonresident pharmacy granted ~~an out-of-state~~ a nonresident pharmacy permit by the board shall disclose to the board the location,

1 names, and titles of all principal corporate officers, as well as the owner's managing
2 officer and pharmacist-in-charge. A report containing this information shall be made
3 to the board on an annual basis and within thirty business days after any change of
4 office, corporate officer, or within ten business days of the departure of the prior
5 owner's managing officer or pharmacist-in-charge.

6 C. The ~~out-of-state~~ nonresident pharmacy shall maintain at all times
7 authorization to conduct the pharmacy in compliance with the laws of the state in
8 which it is a resident. As a prerequisite to seeking a permit from the board, the ~~out-~~
9 ~~of-state~~ nonresident pharmacy shall submit a copy of the most recent inspection
10 report resulting from an inspection conducted by the regulatory or licensing agency
11 of the state in which it is located, as well as any other state pharmacy licensing
12 agency or any agent thereof, and any inspection reports produced by the federal Food
13 and Drug Administration or the federal Drug Enforcement Administration.
14 Thereafter, the ~~out-of-state~~ nonresident pharmacy granted a permit shall submit to
15 the board a copy of any subsequent inspection report on the pharmacy conducted by
16 the regulatory or licensing body of the state in which it is located, or by any other
17 state pharmacy licensing agency, or any agent thereof, or by the federal Food and
18 Drug Administration or the federal Drug Enforcement Administration. In addition
19 to or in lieu of an inspection by the regulatory or licensing body of the state in which
20 it is a resident, or any agent thereof, the nonresident pharmacy shall be subject to an
21 inspection by the board. When the board conducts an inspection of a nonresident
22 pharmacy, the board shall recover its expenses from the nonresident pharmacy in
23 addition to the applicable permit fee authorized by this Chapter.

24 D. ~~An out-of-state~~ A nonresident pharmacy granted ~~an out-of-state a~~
25 nonresident pharmacy permit by the board shall maintain records of any controlled
26 substances or dangerous drugs or devices dispensed to patients in this state so that
27 the records are readily retrievable from the records of other drugs dispensed.

28 E. Records for all prescriptions and products delivered into the state shall be
29 readily retrievable from the other prescription records of the ~~out-of-state~~ nonresident

1 pharmacy and shall be in compliance with all federal laws and with regulations as
2 may be required by this state.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____