



# Louisiana Board of Pharmacy

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April 10, 2017

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

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

## Electronic Mail – Delivery Receipt Requested

Re: Report No. 1 of 3 for Regulatory Project 2017-1 ~ Internship Requirements

Dear Senator Alario:

The Board has initiated the rulemaking process to amend its rules relative to pharmacy interns and the hours of practical experience required for pharmacist licensure. The Board proposes to update its rules to recognize current pharmacy education accreditation standards for such practical experience and simplify that portion of the requirements for pharmacist licensure. 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 30, 2017 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](mailto: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](mailto:APA.S-H&W@legis.la.gov)  
Speaker, House of Representatives  
Via Email: [APA.HouseSpeaker@legis.la.gov](mailto:APA.HouseSpeaker@legis.la.gov)  
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Reference File

**Notice of Intent**

**Department of Health  
Board of Pharmacy**

Pharmacy Internship Requirements (LAC 46:LIII.2707.C.4)

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 §703 and §705 of its rules. The amended rules will revise the professional experience requirements for pharmacy interns to qualify for pharmacist licensure.

# Louisiana Administrative Code

## Title 46 – Professional and Occupational Standards

### Part LIII: Pharmacists

#### Chapter 7. Pharmacy Interns

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#### §703. Registration

- A. All pharmacy interns shall meet the following requirements for registration:
1. All pharmacy interns shall register with the board. The failure to register may result in disciplinary action by the board.
    - a. The applicant shall submit to the board office a properly completed application no later than the end of the first semester of the first academic year at a board-approved college of pharmacy.
    - b. The board may issue an Intern Registration to the applicant, upon receipt of a properly completed application, appropriate fee, and any other documentation required by the board office.
    - c. The Intern Registration shall expire one year after the certification of graduation from a board-approved college of pharmacy.
      - (1) Intern registrations issued to foreign pharmacy graduates shall expire two years after the date of issue.
    - ~~d. The Intern Registration shall be conspicuously displayed at the preceptor site.~~
    - e. The board shall reserve the right to recall or refuse to issue any Intern Registration for cause.
  2. A pharmacy intern shall wear appropriate attire and be properly identified with his name and intern status while on duty at the preceptor site.
  3. A pharmacy intern shall notify the board in writing within ten days of a change of address. This notice shall include the pharmacy intern's name, registration number, and old and new addresses.
  4. A pharmacy intern shall notify the board in writing within ten days of a change in location(s) of employment. This notice shall include the pharmacy intern's name and registration number, the name and address of old and new employment, and the permit numbers of those pharmacies involved.
  5. The pharmacy intern shall be non-impaired.
    - a. The pharmacy intern is subject to confidential random drug screen testing and/or evaluations.
    - b. A positive drug screen may be self evident as proof of improper drug use. For the purposes of this chapter, a missed screen, a screen submitted beyond the mandated period, and/or any screen submitted indicating the sample provided is diluted, substituted, or in any way adulterated is considered to be a positive drug screen.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1211.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 26:2285 (October 2000), amended LR 29:2086 (October 2003), effective January 1, 2004, amended LR

#### §705. Practical Professional Experience

- A. All applicants for licensure by examination shall earn ~~practical~~ professional experience in the practice of pharmacy concurrent with attending or after graduation from a board-approved college of pharmacy.
- B. The practical experience shall be predominantly related to the provision of pharmacy primary care and the dispensing of drugs and medical supplies, the compounding of prescriptions, and the keeping of records and making of reports as required under federal and state law.
1. The practical experience earned shall have been under the supervision of a pharmacist, or in the alternative, a licensed practitioner.

2. A pharmacy intern shall not practice in a permitted pharmacy site that is on probation with the board. A pharmacy intern shall not practice under the supervision of a pharmacist or other licensed practitioner whose license is on probation with ~~the board~~ their primary professional licensing agency.
- C. ~~Practical~~ Professional Experience Hours. To qualify for pharmacist licensure, an intern shall supply evidence of the acquisition of at least ~~4,500~~ 1,740 hours of ~~practical~~ professional experience, of which at least 1,500 hours of which shall be practical experience as described in Subsection B above.
1. The board shall award ~~4,000~~ 1,740 hours credit to an intern for his successful completion of a professional experience curriculum at a board-approved college of pharmacy. The dean of the board-approved college of pharmacy shall certify the completion of this requirement in the manner prescribed by the board office.
  2. ~~The intern shall earn at least 500 hours of practical experience in a permitted pharmacy site under the supervision of a pharmacist with no less than two years of experience as a licensed pharmacist. Further, neither the pharmacist's license nor the pharmacy's permit may be on probation with the board at the time the practical experience is earned.~~
  3. In the event an applicant for pharmacist licensure by examination is unable to document the acquisition of 1,740 hours of ~~practical~~ professional experience through the successful completion of a professional experience curriculum at a board-approved college of pharmacy by means of an attestation from the dean of that college, then the applicant shall demonstrate the acquisition of at least 1,740 hours of pre-licensure practical experience in a licensed pharmacy, subject to the following limitations:
    - a. The pharmacy permit shall not have been on probation or otherwise restricted during the time the hours were earned.
    - b. The license of the pharmacist supervising the intern and signing the affidavit shall have been issued no less than two years before supervising the intern, and further, shall not have been on probation or otherwise restricted during the time the hours were earned.
  4. Practical experience hours that are submitted to the board for credit consideration (other than those attested to by the dean of the college of pharmacy for the successful completion of a professional experience curriculum at a board-approved college of pharmacy) shall be listed on an affidavit form supplied by the board office, and signed by the supervising pharmacist and pharmacy intern.
    - a. A pharmacy intern may receive credit for a maximum of 50 hours per week.
    - b. A separate affidavit shall be required from each permitted pharmacy site.
    - c. No credit shall be awarded for hours earned within the professional experience curriculum of a board-approved college of pharmacy, nor for hours earned outside the professional experience curriculum but at the same time and location as hours earned for that professional experience curriculum.
  5. Certification of Hours To and From Another Jurisdiction.
    - a. Interns enrolled in a board-approved college of pharmacy in Louisiana who earn hours of ~~practical~~ professional experience in another jurisdiction, as well as interns enrolled in a board-approved college of pharmacy in another jurisdiction who earn hours of ~~practical~~ professional experience in another jurisdiction, may transfer those hours to Louisiana under the following conditions:
      - i. The hours of practical experience shall be listed on an affidavit form supplied by the Louisiana Board of Pharmacy, signed by the ~~preceptor~~ supervising pharmacist and the intern, and submitted to the Louisiana Board of Pharmacy for consideration of credit; and
      - ii. The board of pharmacy in the jurisdiction where the hours were earned shall certify those hours to the Louisiana Board of Pharmacy.
      - iii. The Louisiana Board of Pharmacy may grant credit for all hours that comply with the Louisiana Board of Pharmacy's requirements as delineated in this section.
    - b. Upon written request by the pharmacy intern, the Louisiana Board of Pharmacy may certify ~~practical~~ professional experience hours earned in Louisiana to a board of pharmacy in another jurisdiction.
  6. Credited hours of ~~practical~~ experience shall expire ~~on two years after~~ the expiration date of the Intern Registration and shall no longer be valid for licensure purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1211.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 26:2285 (October 2000), amended LR 29:2086 (October 2003), effective January 1, 2004, LR 32:636 (April 2006), amended LR 33:1130 (June 2007), amended LR 34:1409 (July 2008), amended LR

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.

The proposed rule will have 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.

The proposed rule will have 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.

The proposed rule will have no effect on the functioning of the family.

IV. The effect on family earnings and family budget.

To the extent a pharmacy intern may qualify for pharmacist licensure earlier than currently possible, the proposed rule could improve the family earnings and budget, due to the salary differential between pharmacy interns and licensed pharmacists.

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

The proposed rule will have 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.

The proposed rule will have 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.

To the extent a pharmacy intern may qualify for pharmacist licensure earlier than currently possible, the proposed rule could improve the household income, due to the salary differential between pharmacy interns and licensed pharmacists. With the improved income, there may be a positive effect on assets and financial security.

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

The proposed rule will have no effect on early childhood development or preschool through postsecondary education development.

III. The effect on employment and workforce development.

To the extent a pharmacy intern may qualify for pharmacist licensure earlier than currently possible, the proposed rule may have a positive effect on employment for that individual.

IV. The effect on taxes and tax credits.

The proposed rule will have no effect on taxes or tax credits.

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

The proposed rule will have 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.

The proposed rule will have 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.

The proposed rule will have no effect on the total direct and indirect costs to the provider to provide the same level of service.

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

The proposed rule will have 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 affect small businesses, or any of their current compliance or reporting 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 for small businesses.

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

There are no reporting requirements in the proposed rule for small businesses.

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

There are no design or operational standards required in the propose rule.

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.

## SOLICITATION OF COMMENTS

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 Tuesday, May 30, 2017 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)

Other than the publication fee associated with the proposed rule changes, which are estimated to cost the Board of Pharmacy \$2,000, it is not anticipated that state or local governmental units will incur any other costs or savings. The proposed rule revises the internship requirements imposed on pharmacy interns to qualify for a Louisiana pharmacist license. The proposed rule would (1) increase the number of hours of experience required for pharmacy interns from 1,500 to 1,740; (2) recognize the 1,740 hours of experience acquired during the professional pharmacy degree program in a college of pharmacy in satisfaction of that requirement; (3) revise the expiration date of hours of experience from one year to two years after the intern registration; (4) provide an alternative pathway to licensure for applicants unable to demonstrate hours earned during pharmacy school; and (5) apply a two year expiration date to intern registrations issued to foreign pharmacy graduates.

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

The proposed rule change will not affect state or local government revenue collections. Since the proposed rule has no impact on the registration fee charged to pharmacy interns or the pharmacist application fee, there is no impact on the Board's revenue collections.

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

There is an economic benefit to pharmacy interns who historically earned the required hours of experience after graduating from a college of pharmacy. Since the proposed rule will no longer require interns to earn hours outside their professional degree program, it is possible to qualify for a pharmacist license sooner, allowing them to earn a higher salary as a pharmacist as opposed to the lower salary of a pharmacy intern. Therefore, this may increase the number of pharmacists in the first year, and then level off to historical levels in subsequent years. Additionally, there may be an economic benefit to pharmacy interns due to the extended expiration date of hours of experience from one year to two years after the intern registration. This allows pharmacy interns to extend the time that hours of experience earned can be used to qualify for licensure.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The ability for pharmacy interns to qualify for their pharmacist licenses earlier should have a favorable effect on their employment.