September 27, 2017

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

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

Electronic Mail – Delivery Receipt Requested

Re: Report No. 2 of 3 for Regulatory Project 2017-1 – Internship Requirements

Dear Senator Alario:

As we indicated in our first report to you on April 10, 2017, the Board is currently amending 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. Subsequent to our Notice of Intent published in the April 20, 2017 edition of the Louisiana Register, and in accordance with the Administrative Procedures Act, we conducted a public hearing at the Board office on May 30, 2017.

We received one written comment which was further amplified by verbal testimony. The commentator requested the Board's consideration of changes in the pharmacist licensure requirements designed to favor applicants for pharmacy residency programs. The Board has taken notice of that request and noted the solution to that issue is legislative as opposed to regulatory. The commentator then confirmed she had no suggested revision for the proposed rule at issue. The Board has determined no revisions are necessary to the proposed rule as originally published, and further, determined it appropriate to move forward with the proposed rule.

You should find the following documents appended to this letter:

- Notice of Intent, as published in the April 2017 Louisiana Register
- Summary of Comments from May 30, 2017 Public Hearing
- Comments and Board replies to commentator
- Full text of proposed rule

Subject to review by the Joint Legislative Oversight Committee on Health & Welfare, the Board proposes to publish the original proposed rule as a Final Rule in the November 20, 2017 edition of the Louisiana Register, with a delayed effective date of January 1, 2018. If you have any questions about the enclosed information or our procedures, 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 and Welfare – APA.S-H&W@legis.la.gov
Speaker, House of Representatives – APA.HouseSpeaker@legis.la.gov
Chair, House Committee on Health and Welfare – APA.H-HW@legis.la.gov
Editor, Louisiana Register – Req.Submission@la.gov
Reference File
NOTICE OF INTENT
Department of Health
Board of Pharmacy
Pharmacy Internship
(LAC 46:LIII.703 and 705)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (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.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LIII. Pharmacists
Chapter 7. Pharmacy Interns
§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.
      i. Intern registrations issued to foreign pharmacy graduates shall expire two years after the date of issue.
   d. 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 by the Department of Health, Board of Pharmacy, LR 43:

§705. Professional Experience
A. All applicants for licensure by examination shall earn 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.
pharmacy intern shall not practice under the supervision of a pharmacist or other licensed practitioner whose license is on probation with their primary professional licensing agency.

C. Professional Experience Hours. To qualify for pharmacist licensure, an intern shall supply evidence of the acquisition of at least 1,740 hours of 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 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. In the event an applicant for pharmacist licensure by examination is unable to document the acquisition of 1,740 hours of 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.

3. 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.

4. Certification of Hours to and From another Jurisdiction

   a. Interns enrolled in a board-approved college of pharmacy in Louisiana who earn hours of professional experience in another jurisdiction, as well as interns enrolled in a board-approved college of pharmacy in another jurisdiction who earn hours of 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 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 professional experience hours earned in Louisiana to a board of pharmacy in another jurisdiction.

5. Credited hours of experience shall expire 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.


Family Impact Statement

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.

1. The effect on the stability of the family. The proposed Rule will have no effect on the stability of the family.

2. 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.

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

4. 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.

5. 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.

6. 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

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.

1. 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.

2. 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.

3. 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.

4. The effect on taxes and tax credits. The proposed Rule will have no effect on taxes or tax credits.

5. 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

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 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:

1. 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.

2. The total direct and indirect cost on 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.

3. 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.

Small Business Analysis

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule 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:

1. 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.

2. 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.

3. The consolidation or simplification of compliance or reporting requirements for small businesses. There are no reporting requirements in the proposed Rule for small businesses.

4. 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.

5. 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.

Public Comments

Interested persons may submit written comments to Malcolm J. Broussard, Executive Director, Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding this proposed Rule.

Public Hearing

A public hearing on this proposed Rule is scheduled for Tuesday, May 30, 2017 at 9 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 noon that same day.

Malcolm J. Broussard
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Pharmacy Internship Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT 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 GOVERNMENT 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 NONGOVERNMENTAL 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

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

Malcolm J. Broussard
Executive Director
1704#040

Evan Brasseaux
Staff Director
Legislative Fiscal Office
Summary of Testimony & Public Comments

re

Regulatory Project 2017-1 ~ Pharmacy Internship

at

May 30, 2017 Public Hearing

1. May 30, 2017 letter and testimony from Dr. Stephanie Anders, Ochsner Health System

   Expressed concern for difficulties PGY-2 residents have in obtaining pharmacist licensure which is required for them to participate and complete their residency training. In particular, she cited the current requirement for one year of post-licensure experience to qualify for licensure by reciprocity. Offered examples of laws, rules, exemptions and exceptions available at other state boards of pharmacy.

   Did not request any specific changes in the proposed rule.
Louisiana Board of Pharmacy  
3388 Brentwood Drive  
Baton Rouge, LA 70809-1700  
www.pharmacy.la.gov

Public Hearing  
Tuesday, May 30, 2017

Guest Register

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May 30, 2017

Malcolm Broussard
Executive Director
Louisiana Board of Pharmacy
5533 Brentwood Drive
Baton Rouge, Louisiana 70809

RE: Regulatory Project 2017-1, Internship Requirements

Dear Malcolm Broussard:

As program directors of the three Post-Graduate Year 2 (PGY-2) training programs in the state of Louisiana, we applaud the Board's effort to address the obstacles in licensure attainment by pharmacists who participate in PGY2 training programs in the state. However, Regulatory Project 2017-1 (Internship Requirements) will not solve this issue for these pharmacists.

We would like to highlight why it is important that the state support these training programs. First, the number of PGY-2 residency training programs in this state lags significantly behind the number in other states. The American Society of Health Systems Pharmacists (ASHP) supports expansion of these training programs. ASHP believes these programs are essential to advancing the profession, as well as, increasing the number of pharmacists practicing with advanced training. Additionally, having these PGY2 training programs in our community attracts pharmacists with PGY2 training to relocate to Louisiana. Lastly, residents trained here are more likely to stay in the state and practice.

There are many obstacles that we have encountered in obtaining timely licensure for PGY2 residents whose primary license is out of state. Most PGY1 residents become licensed as Registered Pharmacists in July - September. Under the current law, these residents are not eligible to apply for reciprocity (Licensure Transfer) until July-September of the following year. Because of this, PGY2 residents would likely not be licensed (by reciprocity) until August - October. As program directors, we cannot allow residents to start that late into the training program. As a result, residents who match into our programs from out-of-state are required to obtain a new license by testing. This requires residents to retake the NAPLEX and MPJE. This is problematic financially for the resident and requires that a resident study for these exams during their PGY1 residency training program. This is a significant deterrent in recruiting candidates from out of state. Of note, this is unlikely to affect PGY-1 residents because they are typically new graduates and can obtain a Louisiana Pharmacy Intern License and start their training programs as a Pharmacy Intern until they obtain their license as a Registered Pharmacist.
There are only five states in the country that have a requirement for one year of licensure in another state in order to be eligible for reciprocity. These states are New York, Colorado, Tennessee, Oregon, and Louisiana. Three of these states make exceptions for pharmacists participating in approved residency training programs. New York treats pharmacists in training programs as "Score Transfer Candidates", disregarding the 90 day rule for score transfer of the original NAPLEX results. Colorado allows pharmacists in residency training programs to be exempt from licensure in Colorado, as long as they are licensed in another state. In Oregon, pharmacy residents are given an exception to the one year rule for licensure.

Please consider a rule change to address the difficulty in licensure for pharmacists seeking PGY2 residency training in our state. Potential options may include amending the rule regarding the one year licensure requirement to be eligible for reciprocity or the generation of a Graduate Intern license that may allow pharmacists in training programs to begin their programs prior to receiving their Pharmacist License in Louisiana. Proposed rule changes would apply to a very small number of pharmacists each year (generally less than three) and would be more consistent with the regulations regarding reciprocation for residents in the rest of the country.

Sincerely,

Stephanie Anders, Pharm.D., BCPS
Residency Program Director, PGY-2 Solid Organ Transplant
Guest Surveyor for Residency Accreditation, ASHP
sanders@ochsner.org

Nicole Fabre'-Lacoste, Pharm.D., BCPS, BCGP
Assistant Director of Pharmacy- Medication Use, Safety and Quality
PGY-1 Pharmacy Residency Director
Residency Program Director, PGY-2 Internal Medicine

Catherine B. Oliver, Pharm.D., BCPS
Assistant Director of Pharmacy- Clinical Services

Deborah Simonson, Pharm.D.
VP, Pharmacy
Residency Program Director, PGY-2 Health Systems Pharmacy Administration
Dr. Anders,

Thank you for taking the time to participate in the May 30 public hearing on the proposed rule, and for submitting comments on the proposed rule for the Board’s consideration. As I prepare a summary of comments for the Board’s consideration, I wanted to ensure I properly characterize your comments. I did not see any recommendations for changes to any specific portion of the proposed rule.

I did take note of your recommendation for a change in the one year licensure requirement for reciprocity. That is not a rule; it is part of the licensing law. That change must be made by the legislature. I also took note of your recommendation for a Graduate Intern license that would allow participation in residency programs prior to pharmacist licensure. The Board’s current rule for pharmacy interns contains a definition of that term, and that definition includes an individual participating in a residency. For your convenience, I have reproduced that definition here from the Board’s rules.

§701. Definition
A. A pharmacy intern is an individual who is not yet licensed as a pharmacist in any jurisdiction, and is:
1. engaged in the practice of pharmacy while under the direct and immediate supervision of a pharmacist for the purpose of obtaining practical experience for licensure as a pharmacist, and is satisfactorily progressing in a board-approved college of pharmacy; or
2. a graduate of a board-approved college of pharmacy awaiting examination for licensure; or
3. a graduate who has established educational equivalency through a program approved by the board; or
4. an individual participating in a residency or fellowship.

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

For now, I would like to obtain clarification of your comment as to whether you have any recommendations for specific changes to the proposed rule, a copy of which I have attached to this message.

Malcolm J Broussard
Executive Director
Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, LA 70809-1700
USA ~ GMT-6
Telephone +1.225.925.6481
See attached.

Thank you for your time. Please contact me with questions or concerns.

Stephanie Anders, Pharm.D., BCPS
Clinical Specialist, Abdominal Transplant
Residency Program Director, PGY2 Solid Organ Transplant
Ochsner Medical Center, New Orleans
July 19, 2017

Carl Aron, President, Louisiana Board of Pharmacy
Malcolm Broussard, Executive Director, Louisiana Board of Pharmacy

Louisiana Board of Pharmacy
5533 Brentwood Drive
Baton Rouge, Louisiana 70809

RE: Regulatory Project 2017-1, Internship Requirements

Dear Board Members:

Thank you for your explanation regarding the rule making process for the Board of Pharmacy. With a better understanding of this process, I do not have further comment regarding Regulatory Project 2017-1.

However, there are still significant issues with recruiting pharmacists to enter Post-Graduate Year 2 (PGY-2) pharmacy training programs in Louisiana. The primary deterrent is the process for licensure for these pharmacists.

Supporting PGY-2 pharmacy training programs should be a priority in our state. The number of PGY-2 residency training programs in Louisiana lags significantly behind other states. The American Society of Health Systems Pharmacists (ASHP) supports expansion of these training program. ASHP believes these programs are essential to advancing the profession, as well as, increasing the number of pharmacists practicing with advanced training. Additionally, having these PGY2 training programs in our community attracts pharmacists with PGY2 training to relocate to Louisiana and residents who train here are more likely to stay in the state to practice.

There are significant obstacles in obtaining timely licensure for pharmacists who accept positions in PGY2 pharmacy training programs. For these pharmacists who complete their first year of post-graduate training in other states and have their primary license from other states, they generally have only been licensed 10-11 months when the PGY2 training program is scheduled to start July 1st. Under the current law, these pharmacists are not eligible to apply for reciprocity (Licensure Transfer) until July or August. As a result, these pharmacists may not be licensed (by reciprocity) until as late as October. As program directors, we cannot allow residents to start that late into the training program. As a result, residents who match into our programs from out-of-state are required to obtain a new license by testing which requires residents to retake the NAPLEX and MPJE. This is problematic financially
for the resident and requires that a resident study for these exams during their PGY1 residency training program. This is a significant deterrent in recruiting candidates from out of state. Of note, this is unlikely to affect PGY-1 residents because they are typically new graduates and can obtain a Louisiana Pharmacy Intern License and start their training programs as a Pharmacy Intern until they obtain their license as a Registered Pharmacist.

We are asking that the board consider altering licensure requirements for pharmacists enrolled in PGY-2 training programs in Louisiana. One possible solution would be to expand §506. Preferential licensing procedures for military-trained applicants and their spouses to include pharmacists in PGY2 training programs. Please consider adding this important matter to the August 23rd Board of Pharmacy agenda. We would be glad to come to the August Board meeting to discuss. Please let us know.

Sincerely,

Stephanie Anders, Pharm.D., BCPS
Residency Program Director, PGY-2 Solid Organ Transplant
Guest Surveyor for Residency Accreditation, ASHP
sanders@ochsner.org

Nicole Fabre'-Lacoste, Pharm.D., BCPS, BCGP
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Deborah Simonson, Pharm.D.
VP, Pharmacy
Residency Program Director, PGY-2 Health Systems Pharmacy Administration
September 25, 2017

Stephanie Anders, PharmD, BCPS
Ochsner Health System
1514 Jefferson Highway
New Orleans, LA 70121

Re: Regulatory Project 2017-1 ~ Pharmacy Internship

Dear Dr. Anders:

Thank you for your interest in the Board’s regulatory initiative to update its rules relative to the practical experience requirement for pharmacy interns. We appreciate your comments at the May 30 public hearing and your subsequent letters. The Board has taken notice of your concern for the pharmacist licensure requirements and their impact on applicants for pharmacy residencies in Louisiana; however, the solution to that issue is legislative as opposed to regulatory. You have confirmed you have no suggestion for amendment to the Board’s proposed rule relative to pharmacy internships.

The Board has determined no revisions of the original proposed rule are necessary. We will submit the required report to the Joint Legislative Oversight Committee on Health and Welfare. Following their review of that report, we intend to publish the original proposed rule as a Final Rule in the Louisiana Register, with a delayed effective date of January 1, 2018.

For the Board:

Malcolm J. Broussard
Executive Director
§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.
      i. Intern registrations issued to foreign pharmacy graduates shall expire two years after the date of issue.
   d. 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.

§705. Professional Experience

A. All applicants for licensure by examination shall earn 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 their primary professional licensing agency.

C. Professional Experience Hours. To qualify for pharmacist licensure, an intern shall supply evidence of the acquisition of at least 1,740 hours of 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 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. In the event an applicant for pharmacist licensure by examination is unable to document the acquisition of 1,740 hours of 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.
   3. 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.
   4. Certification of Hours To and From Another Jurisdiction.
      a. Interns enrolled in a board-approved college of pharmacy in Louisiana who earn hours of professional experience in another jurisdiction, as well as interns enrolled in a board-approved college of pharmacy in another jurisdiction who earn hours of 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 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 professional experience hours earned in Louisiana to a board of pharmacy in another jurisdiction.
   5. Credited hours of experience shall expire two years after the expiration date of the Intern Registration and shall no longer be valid for licensure purposes.