

C. Administrative Procedure Act

1. When the board approves a regulatory proposal for rulemaking, the board shall comply with the Administrative Procedure Act at R.S. 49:950 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:953.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 46:586 (April 2020).

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Executive Director

2004#037

RULE

**Department of Health
Board of Pharmacy**

Rulemaking Procedures (LAC 46:LIII.113)

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 has promulgated a new §113 to establish rules relative to rulemaking procedures. The Administrative Procedure Act requires agencies to establish rules describing a process for the public to petition the agency to adopt or amend rules. The new section of rules describes a process for the public to request the board to engage in rulemaking. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LIII. Pharmacists

Chapter 1. Introduction

§113. Rulemaking Procedures

A. Petitions from Interested Persons

1. All petitions, whether requesting the adoption, amendment, or repeal of a rule shall be submitted in written form on plain white bond paper which is letter size (8 1/2" by 11"). The text shall be framed with a margin of at least one inch on all sides, shall have a pitch of not less than 10 characters per inch, and shall be double-spaced; provided however that quotations may be single-spaced as may other matter customarily presented in that manner.

2. The petition shall include the name, address, telephone number and email address of the petitioner as well as any organization the petitioner represents.

3. The petition shall explain the reason(s) for the requested action as well as what results would be expected from such action. The petition shall provide an estimate of the revenues and expenditures expected if the requested action is adopted,

4. The petition shall be considered by the board at its next regular meeting provided the complete petition is received at least 30 days prior to that meeting.

B. Board Initiatives

1. The board may refer topics to the Regulation Revision Committee, either during a board meeting or through the president in the interim between board meetings.