



# Louisiana Board of Pharmacy

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March 22, 2020

Office of the Governor  
PO Box 94004  
Baton Rouge LA 70804-9004  
[Matthew.Block@la.gov](mailto:Matthew.Block@la.gov)

## Electronic Mail – Delivery Receipt Requested

Re: Notice of Emergency Rule

Dear Governor Edwards:

In compliance with the provisions of La. R.S. 49:953(B), this will serve notice of the Board's adoption of an Emergency Rule today with an immediate effective date. The Emergency Rule will place limits on the dispensing of chloroquine and hydroxychloroquine for COVID-19 to patients with a documented confirmed COVID-19 diagnosis. Copies of the Declaration of Emergency and the Emergency Rule are enclosed. 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:

A handwritten signature in blue ink that reads "Malcolm Broussard".

Malcolm J Broussard  
Executive Director

cc: Office of the Attorney General – [executive@ag.state.la.us](mailto:executive@ag.state.la.us)  
President, Louisiana Senate – [apa.senatepresident@legis.la.gov](mailto:apa.senatepresident@legis.la.gov)  
Chair, Senate Health & Welfare Committee – [apa.s-h&w@legis.la.gov](mailto:apa.s-h&w@legis.la.gov)  
Speaker, Louisiana House of Representatives – [apa.housespeaker@legis.la.gov](mailto:apa.housespeaker@legis.la.gov)  
Chair, House Health & Welfare Committee – [apa.h-hw@legis.la.gov](mailto:apa.h-hw@legis.la.gov)  
Director, Office of the State Register – [reg.submission@la.gov](mailto:reg.submission@la.gov)

## **DECLARATION OF EMERGENCY**

Department of Health  
Board of Pharmacy

### **Limitation on Dispensing Chloroquine and Hydroxychloroquine for COVID-19 – LAC 46:LIII.1145**

The Louisiana Board of Pharmacy is exercising the emergency provisions of the Administrative Procedure Act, specifically at R.S. 49:953.B, to promulgate a new rule to limit the dispensing of chloroquine and hydroxychloroquine for COVID-19 by pharmacists.

Federal and state governments are responding to an outbreak of respiratory disease caused by a coronavirus identified as SARS-CoV-2 and the disease it causes, Coronavirus disease 2019, which is abbreviated COVID-19.

The Board has become aware of a significant increase in the prescribing of chloroquine and hydroxychloroquine as a result of the COVID-19 outbreak. Further, we have received reports of inappropriate use, hoarding, and restricted distribution of the drug. As a consequence, hospitals treating confirmed cases of the disease are having difficulty obtaining adequate supplies of the drugs.

While the drug manufacturers have committed to increasing their production, it will take time for that supply chain to be replenished. In the interim, the Board intends to limit the dispensing of chloroquine and hydroxychloroquine by pharmacists.

The Board has determined this emergency rule is necessary to prevent imminent peril to the public health, safety, and welfare. This declaration of emergency is effective March 22, 2020 and shall remain in effect for the maximum time period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever shall first occur.

Malcolm J Broussard  
Executive Director  
Louisiana Board of Pharmacy

**Louisiana Administrative Code**

**Title 46 – Professional and Occupational Standards**

**Part LIII: Pharmacists**

**Chapter 11. Pharmacies**

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**§1145. State of Emergency**

- A. Limitation on Dispensing Chloroquine and Hydroxychloroquine for COVID-19
  - 1. No prescription or medical order for chloroquine or hydroxychloroquine may be dispensed by a pharmacist for a COVID-19 diagnosis unless all of the following apply:
    - a. The prescription or medical order bears a diagnosis code from the prescriber;
    - b. The diagnosis has been confirmed by a positive test result which is documented on the prescription or medical order;
    - c. The dispensing quantity shall be limited to a maximum of a 14-day supply; and
    - d. No refills may be permitted unless a new prescription or medical order is furnished.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR