Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 11. Pharmacies

§1103. Prescription Department Requirements
A. – B. …
C. Square Footage. A prescription department that is new or remodeled on or after January 1, 2004 shall
be not less than three hundred (300) total square feet, and shall be inaccessible to the public.
D. Prescription Counter. A prescription counter on which to compound or dispense medications shall
have a working surface of not less than a minimum of twenty-four (24) total square feet. The
minimum unobstructed free working surface shall be kept clear at all times for the compounding or
dispensing of prescriptions.
E. Prescription Aisle Space. The aisle space behind the prescription counter shall be not less than thirty
(30) inches in width.
F. – J. …
K. References. A printed copy of the current edition of the Louisiana Board of Pharmacy Laws and
Regulations shall be maintained and readily available within the prescription department of a
pharmacy. The pharmacy shall maintain access to current and appropriate reference materials
pertinent to the pharmacy practice, including but not limited to, pharmacology, drug interactions,
dosing, toxicity, and patient counseling.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310
(October 1997), amended LR 29:2087 (October 2003), effective January 1, 2004, amended LR 39:315 (February
2013), amended by Department of Health, Board of Pharmacy, LR.

§1105. Pharmacist-in-Charge
A. – I. …
J. Affidavit of Responsibility and Duties. The designated pharmacist-in-charge shall sign an affidavit on
a form supplied by the board indicating his understanding and acceptance of the duties and
responsibilities of a pharmacist-in-charge. This notarized document shall be submitted to the board for
inclusion in the pharmacy’s record in the board office.
K. …

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310
(October 1997), amended LR 29:2088 (October 2003), effective January 1, 2004, amended LR 38:1239 (May 2012),
amended by Department of Health, Board of Pharmacy, LR.

§1109. Pharmacist Temporary Absence
A. – E. …
F. If at any time the pharmacist deems it necessary to leave the on-site facility, the pharmacy shall be
closed in accordance with § Section 1111 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
§1113. Mechanical Drug Dispensing Devices
A. Dispensing of prescription drugs directly to a patient or caregiver by mechanical devices or machine is prohibited. This prohibition shall not apply to automated medication systems as defined and provided for in Chapter 12 of these regulations this Part.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1311 (October 1997), amended LR 29:2089 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR.

§1115. Advertising
A. False, fraudulent, deceptive, or misleading advertising as prohibited by R.S. 37:1241 of the Pharmacy Practice Act and this Section shall include, but is not limited to, any public misrepresentation done or made with the knowledge, whether actual or constructive, that is untrue or illegal, or is said to be done falsely when the meaning is that the party is in fault for its error. Actual or constructive knowledge as used in this context shall include intentionally, negligently, mistakenly, or accidentally representing an untrue fact.
B. – C. …
D. No advertising shall include any reference, direct or indirect, to any controlled dangerous substance as provided for in Schedules II, III, IV, or V of R.S. 40:964. The provision of coupons or vouchers for controlled substances through authorized prescribers, which accompany legitimate prescriptions for such controlled substances issued to patients, shall not be prohibited by this Section.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1311 (October 1997), amended LR 29:2089 (October 2003), effective January 1, 2004, amended LR 33:1131 (June 2007), amended by the Department of Health, Board of Pharmacy, LR.

§1119. Definitions
A. As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section:

“Chart order” means a lawful order entered on the electronic or paper chart or medical record of an inpatient or resident of an institutional facility by a practitioner or his licensed healthcare designee for a drug or device and shall be considered a prescription drug order provided it contains the following:
1. Full name of the patient.
2. Date of issuance.
3. Name, strength, and dosage form of the drug prescribed.
4. Directions for use.
5. Name of the prescribing practitioner.
6. The prescribing practitioner’s written or electronic signature or the written or electronic signature of the practitioner’s licensed healthcare designee, who shall be a licensed nurse, pharmacist, or physician practicing in a long-term care facility. The licensed healthcare designee shall be authorized to document a chart order in the patient’s medical record on behalf of the prescribing practitioner pending the prescribing practitioner’s signature, or to communicate a prescription to a pharmacy whether telephonically, by facsimile transmission, or electronically.

“Department” means the Louisiana Department of Health and Hospitals or its successor.

“Medical order” means a lawful order of a practitioner that may or may not include a prescription.

CODING: Underscored text is proposed for addition, and stricken text is proposed for deletion. Changes in yellow reviewed by committee; new text in blue requested by committee.
"Prescription" or "prescription drug order" means an order from a practitioner authorized by law to prescribe for a drug or device that is patient-specific and is communicated by any means to a pharmacist in a permitted pharmacy, and is to be preserved on file as required by law or regulation.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1312 (October 1997), amended LR 29:2090 (October 2003), effective January 1, 2004, amended LR 40:2252 (November 2014), effective January 1, 2015, amended by the Department of Health, Board of Pharmacy, LR

§1121. General Requirements

A. – A.1. …

2. All records required by the laws and regulations of the board shall be provided to the board, or its agents, within seventy-two (72) hours of request, unless a shorter period is required, as determined by the board or its agent.

3. The failure to produce any pharmacy records requested by the board or its agent within seventy-two (72) hours of such request shall substantiate a violation of R.S. 37:1241(A)(22).

B. – B.1. …

2. Disposition records – drugs dispensed pursuant to prescription drug orders or chart orders, administered pursuant to medical orders, or distributed pursuant to purchase orders, and

3. Inventory records – drugs in current possession.

C. Retention. Except as provided in Section 1123 of this Part, all records required by this Chapter Part and by Louisiana law shall be retained for a minimum of two years from the most recent transaction. The failure to retain such records for at least two years shall substantiate a violation of R.S. 37:1229.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1312 (October 1997), amended LR 29:2090 (October 2003), effective January 1, 2004, amended LR 40:2252 (November 2014), effective January 1, 2015, amended by the Department of Health, Board of Pharmacy, LR

§1123. Records of Prescription Drug Orders and Chart Orders

A. – A.4. …

B. A pharmacy may use one of the following types of pharmacy information systems:

1. A system that utilizes the original hard copy prescription or chart order to document the initial dispensing of a prescription, but utilizes a computerized system to dispense refills that does not document the positive identification of the pharmacist responsible for the practice of pharmacy. In order to document positive identification, this system shall require the manual signature or initials of a pharmacist on a hard copy record as specified in Paragraph E of this Section.

2. An electronic recordkeeping system that complies with the provisions of 21 CFR 1311 et seq. and documents the positive identification of the pharmacist responsible for the practice of pharmacy. Such systems shall provide for routine backups at least once per day.

C. All pharmacy information systems shall be capable of providing immediate retrieval (via display and hard copy printout or other mutually agreeable transfer media) of patient profile information for all prescriptions of drug orders and chart orders dispensed within the previous two years. This information shall include the following minimum data:

1. …

2. Date of issuance of the original prescription drug order or chart order by the prescriber;

3. – 8. …

9. The pharmacist responsible for prescription information entered into the computer system, the pharmacist responsible for prospective drug utilization review as defined in § Section 515 of these rules this Part, and the pharmacist responsible for dispensing;

10. …

11. The refill history of the prescription as defined in Paragraph Subsection D of this Section.

CODING: Underscored text is proposed for addition, and stricken text is proposed for deletion. Changes in yellow reviewed by committee; new text in blue requested by committee.
D. The refill history of the prescription record maintained in the pharmacy information system shall include, but is not limited to:

D.1. – D.4. …

5. The pharmacist responsible for prospective drug utilization review as defined in § Section 515 of these rules this Part, and the pharmacist responsible for dispensing each refill;

D.6 – E. …

F. Backup Support System

1. …

2. In the event the pharmacy information system experiences down time, a record of all refills dispensed during such time shall be recorded and then entered into the pharmacy information system as soon as it is available for use. During the time the pharmacy information system is not available, prescriptions drug orders and chart orders may only be refilled if, in the professional judgment of the pharmacist, the number of refills authorized by the prescriber has not been exceeded.

G. A pharmacy purging a pharmacy information system of prescription records shall develop a method of recordkeeping capable of providing retrieval (via display, hard copy printout, or other mutually agreeable transfer media) of prescription order information for all prescriptions drug orders or chart orders filled or refilled within the previous two years. This information shall include, at a minimum, the following data:

1. – 2. …

3. Date of issuance of the original prescription drug order or chart order by the prescriber;

4. – 10. …

11. Total number of refills dispensed to date for that prescription drug order or chart order.

G.12. – H.3. …

I. Prescription drug orders and chart orders entered into a pharmacy information system but not dispensed shall meet all of the following requirements:

I.1. – I.3. …

J. With respect to oral prescriptions received in the pharmacy and then transcribed to written form in the pharmacy, or written prescriptions drug orders or chart orders received by facsimile in the pharmacy, or written prescriptions drug orders or chart orders presented to the pharmacy, a pharmacy may use an electronic imaging system to preserve such prescriptions, but only if:

1. The system is capable of capturing, storing, and reproducing the exact image of a prescription, including the reverse side of the prescription form and its annotations;

2. – 5. …

K. Filing and Retention of Prescription Forms

1. Written prescription drug order or chart order forms (including transcriptions of verbal prescriptions received in the pharmacy, prescriptions drug orders or chart orders received by facsimile in the pharmacy, as well as written prescription drug order or chart order forms presented to the pharmacy shall be assembled and stored in prescription number sequence. Prescriptions for controlled dangerous substances listed in Schedule II shall be filed separately from all other prescriptions. Where multiple medications are ordered on a single prescription form and includes one or more controlled dangerous substances listed in Schedule II, then such forms shall be filed with other Schedule II prescriptions. These original hard copy prescription drug order and chart order forms shall be retained in the prescription department for a minimum of two years following the most recent transaction.

2. For those pharmacies utilizing an electronic imaging system as described in Paragraph Subsection J of this Section, written prescription drug order forms may be assembled and stored in prescription number sequence, or in the alternative, a date scanned sequence. Further, these original hard copy prescriptions drug orders shall be retained in the prescription department for a minimum of one year following the most recent transaction.

3. Prescription drug order and chart order forms received as an electronic image or electronic facsimile directly within the pharmacy information system shall be retained within the information system for a minimum of two years following the most recent transaction. Further, the pharmacy
may produce a hard copy of the prescription *drug order* form but shall not be required to do so merely for recordkeeping purposes.

4. Electronic prescriptions *drug orders and chart orders* – those generated electronically by the prescriber, transmitted electronically to the pharmacy, and then received electronically directly into the pharmacy information system – shall be retained within the information system for a minimum of two years following the most recent transaction. The pharmacy may produce a hard copy of the prescription *drug order or chart order*, but shall not be required to do so merely for recordkeeping purposes.

L. – L.1.a.vi. …

b. The patient’s drug therapy record, which shall contain at least the following information for all the prescriptions *drug orders and chart orders* that were filled at the pharmacy:

L.1.b.i – L.1.c. …

M. Exceptions

The provisions of this Section shall not apply to the following:

1. Pharmacies permitted as hospital pharmacies by the board shall comply with the provisions of Chapter 15 of these rules.

2. Other pharmacies providing medications and services to patients within facilities other than hospitals licensed by the department shall comply with the provisions of Section 1124 of these rules for those activities.

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


§1124. Records of Pharmacy Services for Patients in Licensed Healthcare Facilities Other than Hospitals

A. Definitions

*Dispensing of a drug pursuant to an inpatient prescription* – the professional review by a pharmacist required to place a specific drug in final association with the name of a particular inpatient pursuant to the lawful order of a prescriber. In the case of an automated medication system meeting the requirements of Chapter 12 of these rules this Part, the final association with the name of a particular inpatient will be deemed to have occurred when the pharmacist has given the final approval to the patient specific order in the system.

*Inpatient Prescription* – a written, electronic or oral order for a drug for use in treating a patient within a healthcare facility other than a hospital licensed by the department.

*Positive identification* –

a. has the same meaning as defined in Section 1119 of these rules this Part, except that a specific facility having a closed electronic drug record keeping system may be permitted to use identifiers utilizing both a password combined with a personal identifier to document the positive identification of each user for the prescribing and administration of a drug, provided the pharmacist-in-charge has determined:

a.i. – a. v. …

b. All of the above notwithstanding, however, positive identification as defined in Section 1119 of these rules this Part shall always be used to document the:

b.i. – b.iii. …

B. – B.1. …

2. Inventories. The pharmacist-in-charge shall be responsible for the performance of an annual inventory of all controlled dangerous substances within his span of control, in compliance with the provisions of Section 2733 of these rules this Part.
B.3. – B.3.b.ii.(d) …

iii. Records of drugs dispensed to patients for use outside the facility shall be maintained in compliance with Section 1123 of these rules this Part.

c. A record of all drugs compounded or prepackaged for use only within a healthcare facility, which shall include at least the following:

B.3.c.i – B.3.e.iii. …

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 40:2255 (November 2014), effective January 1, 2015, amended by Department of Health, Board of Pharmacy, LR.

§1145. Remote Access to Prescription Drug Orders, Medical Orders, and Chart Orders

A. Notwithstanding any provision of rules to the contrary, nothing shall prohibit a Louisiana-licensed pharmacist who is an employee of or under contract with a pharmacy in Louisiana from accessing that pharmacy’s dispensing information system from a location other than the pharmacy in order to process prescription drug orders, medical orders, or chart orders, but only when all of the following conditions are satisfied:

1. The pharmacy establishes controls to protect the privacy and security of confidential records;
2. The pharmacist does not engage in the receiving of written prescription drug orders or medical orders or chart orders or the maintenance of such orders; and
3. No part of the pharmacy’s dispensing information system is duplicated, downloaded, or removed from the pharmacy’s dispensing information system.

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

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

§1147. Starter Doses for Patients in Licensed Healthcare Facilities

A. Definitions

“Starter dose order” means a prescription drug order or chart order transmitted by a vendor pharmacy to a starter dose pharmacy for the purpose of obtaining medication for a patient in a licensed healthcare facility.

“Starter dose pharmacy” means a Louisiana-licensed pharmacy that dispenses a starter dose of medication to a patient in a licensed healthcare facility pursuant to a starter dose order.

“Vendor pharmacy” means a Louisiana-licensed pharmacy which has a contract with a licensed healthcare facility to dispense medications to patients within that facility.

B. A vendor pharmacy may share a chart order with a starter dose pharmacy without the necessity of transferring such order, for the purpose of authorizing the starter dose pharmacy to dispense starter doses of medication to a patient in a licensed healthcare facility under the following circumstances:

1. The vendor pharmacy has secured authorization from the facility to utilize a starter dose pharmacy;
2. The vendor pharmacy is in possession of a valid chart order and is unable to furnish the medication ordered in a timely manner; and
3. The vendor pharmacy and starter dose pharmacy maintain records of all chart orders and starter dose orders for a period of not less than two years following date of transmission of such orders.

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

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR.
Chapter 12. Automated Medication Systems

§1201. Definitions

* * *

* Off-Site Facility – the location of a building that houses a licensee of the Department of Health and Hospitals, but which does not house a board permitted pharmacy.

* * *

Authority Note: Promulgated in accordance with R.S. 37:1182.A.

Historical Note: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended by Department of Health, Board of Pharmacy, LR.

§1203. System(s) Registration

A. The entire system shall be registered with the board and facilities shall meet the following conditions:
   1. Facility shall possess a:
      a. license from the Health Standards Section of the Department of Health and Hospitals, or
      b. Controlled Dangerous Substance License from the Health Standards Section of the Department of Health and Hospitals, or

   A.1.c – A.8. …

Authority Note: Promulgated in accordance with R.S. 37:1182.A.

Historical Note: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended LR 38:1235 (May 2012), amended by Department of Health, Board of Pharmacy, LR.

§1205. Pharmacist-in-Charge Responsibilities

A. The pharmacist-in-charge shall be a Louisiana licensed pharmacist and has the following responsibilities:
   A.1. – A.2. …
   3. provide 30 days written notice to the board of removal of the system.
   4. define access to the system in policy and procedures of the pharmacy, in compliance with state and federal regulations.
   5. assign, discontinue, or change access to the system.
   6. ensure that access to the medications complies with state and federal regulations as applicable.
   7. ensure that the system is stocked/restocked accurately and in accordance with established written pharmacy policies and procedures.
   8. maintain or have access to all records of documentation specified in this Section for two years or as otherwise required by law.
   9. notify each licensed prescriber that his medication orders/prescriptions are not restricted to the limited number of medications which are stocked within a facility’s automated medication system by placing a prominent notice to that effect on the cover of or near the beginning of each patient’s medical chart or medical record.

Authority Note: Promulgated in accordance with R.S. 37:1182.A.

Historical Note: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended by Department of Health, Board of Pharmacy, LR.

§1207. Pharmacist Review

A. System shall be used in settings that ensure medication orders are reviewed by a pharmacist prior to administration and in accordance with established policies and procedures and good pharmacy practice. A policy and procedure protocol shall be adopted to retrospectively review medications which cannot be reviewed prior to administration, as provided in LAC 46:LIII.1209.2 Section 1209 of this Chapter.

CODING: Underscored text is proposed for addition, and stricken text is proposed for deletion. Changes in yellow reviewed by committee; new text in blue requested by committee.
AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.A.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended by Department of Health, Board of Pharmacy, LR.

§1209. Policies and Procedures
A. The development of an automated medication system policy and procedures is the responsibility of the pharmacist-in-charge, who shall submit the complete automated medication system policy and procedures to the board for approval, on request. These policies and procedures shall be reviewed by the pharmacist-in-charge, at least annually and modified if needed, and such review documented. They shall include, but are not limited to, the following:
1. criteria for selection of medications to be stored in each system, provided that in facilities licensed by the Department of Health and Hospitals, but not by the board, the selection criteria shall not include the substitution by the pharmacist of a product that is not an equivalent drug product to the product originally prescribed by the physician or practitioner without the explicit consent of the physician or practitioner;

A.2. – A.3.r. …

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended LR 40:2256 (November 2014), effective January 1, 2015, amended by Department of Health, Board of Pharmacy, LR.

§1213. Records
A. – A.1. …
2. In the event controlled substances are stored in the system, the records shall include the positive identification (as defined in Section 1119 of the Board’s rules this Part) of the personnel retrieving and administering the controlled substances to the patient.

A.3. – A.3.g. …

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended LR 41:1488 (August 2015), amended by Department of Health, Board of Pharmacy, L.R.

§1217. Stocking and Restocking
A. – C.2 …
3. When a bar code verification, electronic verification, or similar verification process is utilized as specified in the this Paragraph Subsection, and in the absence of any human intervention in the product selection process following pharmacist verification, the stocking and restocking functions in systems located either on-site or off-site may be performed by a pharmacy technician without the necessity of direct pharmacist supervision.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271 (June 2000) effective July 1, 2000, amended LR 41:1488 (August 2015), amended by Department of Health, Board of Pharmacy, L.R.

§1229. Violations; Penalties
A. The board may refuse to issue or renew, or may revoke, summarily suspend, suspend, place on probation, censure, reprimand, issue a warning against, or issue a cease and desist order against, the
licenses or the registration of, or assess a fine/civil penalty or costs/administrative costs against any
person pursuant to the procedures set forth in R.S. 37:1245, for any violation of the provisions of this
Section Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.A.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 26:1271
(June 2000) effective July 1, 2000, amended by Department of Health, Board of Pharmacy, LR.

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Chapter 15. Hospital Pharmacy

§1501. Cross References

A. For all regulations that apply to permitted hospital pharmacies concerning pharmacy practices and
records not specifically stated in this Chapter, refer to Chapters 11 and 25 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:808
(October 1988), effective January 1, 1989, amended LR 29:2093 (October 2003), effective January 1, 2004,
amended LR 38:1235 (May 2012), amended by Department of Health, Board of Pharmacy, LR.

§1503. Definitions

A. As used in this chapter, the following terms shall have the meaning ascribed to them in this Section:

Dispensing of a drug pursuant to a hospital prescription – the professional review by a pharmacist
required to place a specific drug in final association with the name of a particular hospital patient
pursuant to the lawful order of a prescriber. In the case of an automated medication system meeting
the requirements of Chapter 12 of these rules, the final association with the name of a particular
hospital patient will be deemed to have occurred when the pharmacist has given the final approval to
the patient specific order in the system.

Hospital Off-Site Satellite Pharmacy – a pharmacy located within a hospital licensed by the Louisiana
Department of Health and Hospitals, or its successor, the location of which is physically separate from
the location of the provider pharmacy.

Hospital Pharmacy – a pharmacy department permitted by the board and located in a hospital licensed
pursuant to R.S. 40:2100 et seq. For the purposes of this Chapter, a hospital pharmacy is one example
of a primary care treatment modality pharmacy.

Hospital Prescription – a written, electronic or oral order for a drug for use in treating a hospital
patient.

Positive identification –

1. has the same meaning as defined in Section 1119 of these rules this Part, except that a specific
hospital having a closed electronic drug record keeping system may be permitted to use
identifiers utilizing both a password combined with a personal identifier to document the
positive identification of each user for the prescribing and administration of a drug, provided
the pharmacist-in-charge has determined:

1.a. – 1.e. …

2. All of the above notwithstanding, however, positive identification as defined in Section 1119
of these rules this Part shall always be used to document the:

2.a. – 2.c. …

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
§1505. Hospital Pharmacy Permit

A. A hospital pharmacy permit shall be required to operate a pharmacy department located within a hospital for registered patients in a hospital. The permit shall be applied for, and renewed, in the manner prescribed by the board in Chapter 11 of these regulations this Part.

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

§1507. Pharmacist-in-Charge

A. The pharmacist-in-charge of a hospital pharmacy permit shall have had at least two years of experience as a licensed and practicing pharmacist prior to accepting the appointment.

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

§1509. Drug Distribution Control

A. – A.3.b.ii.(d) …

iii. Records of drugs dispensed to patients for use outside the hospital shall be maintained in compliance with Section 1123 of these rules this Part.

A.3.c. – A.3.e.iii. …

B. Automated Medication Systems. A hospital pharmacy may use one or more automated medication systems in compliance with the provisions of Chapter 12 – Automated Medication Systems of the Board’s rules this Part.

1. When the pharmacy uses an electronic product verification process as described in § Section 1217 of the Board’s rules this Part, and in the absence of any subsequent human intervention in the automated drug product selection process, the pharmacist-in-charge may elect to forego manual checks of drug products selected in that manner, provided however, that such selection by the pharmacist-in-charge shall require an initial quality assurance validation followed by an ongoing quality review at intervals no greater than 90 days since the previous review, all conducted by a pharmacist.

2. …

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

§1525. Hospital Off-Site Satellite Pharmacy

A. – B.4. …

5. When the hospital off-site satellite pharmacy is closed or there is no pharmacist on duty, other individuals shall not have access to the hospital off-site satellite pharmacy except for temporary absences as provided for in Chapter 11 of these rules this Part.

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6. – 6.b. ... 
7. The hospital off-site satellite pharmacy shall comply with the recordkeeping provisions identified in Chapter 11 of these rules this Part.

8. ... 

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 39:1283 (May 2013), amended by Department of Health, Board of Pharmacy, LR.

§1527. Remote Access to Medical Orders
A. Notwithstanding any provision of rules to the contrary, nothing shall prohibit a Louisiana-licensed pharmacist who is an employee of or under contract with a hospital pharmacy in Louisiana from accessing that pharmacy's dispensing information system from a location other than the pharmacy in order to process prescription drug orders or medical orders, but only when all of the following conditions are satisfied:
1. The pharmacy establishes controls to protect the privacy and security of confidential records;
2. The pharmacist does not engage in the receiving of written prescription drug orders or medical orders or the maintenance of prescription drug orders or medical orders; and
3. No part of the pharmacy’s dispensing information system is duplicated, downloaded, or removed from the pharmacy’s dispensing information system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 41:2147 (October 2015).

Chapter 17. Institutional Pharmacy

§1701. Cross References
A. For all regulations that apply to permitted institutional pharmacies concerning pharmacy practices and records not specifically stated in this chapter, refer to Chapter 11 of this Part.

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 29:2094 (October 2003), effective January 1, 2004,

§1703. Definitions
A. As used in this Chapter, the following terms shall have the meaning ascribed to them in this section:

* Long Term Care Facility – a nursing home, retirement center, mental care, or other facility or institution that provides extended health care to a residential patient, including but not limited to health care facilities licensed by the Department of Health and Hospitals.

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 29:2094 (October 2003), effective January 1, 2004,

§1705. Institutional Pharmacy Permit
A. An institutional pharmacy permit shall be required to operate a pharmacy department located within an institutional facility, other than a hospital or penal institution, for residents or patients of that institutional facility. The permit shall be applied for, and renewed, in the manner prescribed by the

CODING: Underscored text is proposed for addition, and stricken text is proposed for deletion. Changes in yellow reviewed by committee; new text in blue requested by committee.
board in Chapter 11 of these regulations this Part.

B. Pharmacies operated within a hospital shall be operated in accordance with Chapter 15 of these regulations this Part.

C. Pharmacies operated within a penal institution correctional center shall be operated in accordance with Chapter 18 of these regulations this Part.

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 29:2095 (October 2003), effective January 1, 2004, amended LR 39:313 (February 2013), amended by Department of Health, Board of Pharmacy, LR,

§1711. Emergency Drug Kit Permit

A. – B.5. …

6. The original EDK permit shall be conspicuously displayed readily retrievable at the provider pharmacy. A copy of the EDK permit shall be maintained in the room where the EDK is located.

C. – D. …

E. Cancellation Prior to Renewal. In the event the facility or provider pharmacy elects to cancel the permit prior to the renewal, the pharmacy shall relinquish the permit to the board office no later than ten days following the date of cancellation.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2095 (October 2003), effective January 1, 2004, amended by the Department of Health Board of Pharmacy, LR,

§1713. Emergency Drug Kit Requirements

A. – H. …

I. Inspection.

1. The provider pharmacy shall inspect the EDK every thirty (30) days, plus or minus five (5) days. Proper documentation of these inspections, EDK inventory, and all records of use shall be maintained and made available to the board upon request.

I.2 – J.11. …

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2096 (October 2003), effective January 1, 2004, amended LR 39:312 (February 2013), amended by Department of Health, Board of Pharmacy, LR,

§1717. Cross References

A. For all regulations that apply to drug abuse treatment center pharmacies concerning pharmacy practices not specifically stated in this subchapter, refer to Chapter 11 of this Part.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2096 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR,

§1719. Definitions

A. As used in this Subchapter, the following terms shall have the meaning ascribed to them in this section:

* * *

Drug Abuse Treatment Center – means any establishment, facility, or institution, public or private, whether operated for profit or not, which primarily offers, or purports to offer, maintain, or operate

CODING: Underscored text is proposed for addition, and stricken text is proposed for deletion. Changes in yellow reviewed by committee; new text in blue requested by committee.
facilities for the residential or outpatient diagnosis, care, treatment, or rehabilitation of two or more non-related individuals, who are patients as defined herein, excluding, however, any hospital or mental hospital otherwise licensed by the Department of Health and Hospitals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2096 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR.

§1721. Drug Abuse Treatment Center Pharmacy Permit

A. A drug abuse treatment center pharmacy permit shall be required to operate a pharmacy department located within a drug abuse treatment facility for patients of that facility. The permit shall be applied for, and renewed, in the manner prescribed by the board in Chapter 11 of these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2097 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR.

§1725. Records and Reports of Drug Abuse Treatment Centers

A. All persons licensed by the Department of Health and Hospitals to operate a drug abuse treatment center and who possess a Drug Enforcement Administration (DEA) registration to purchase, possess, and use CDS shall keep the following records:

A.1. – B. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2097 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR.

Chapter 25. Prescriptions, Drugs, and Devices

§2507. Veterinary Prescription Drugs

A. – B. …

C. Labeling Requirements. Veterinary prescription drugs shall be dispensed in an appropriate container, and in addition to the labeling requirements in Chapter 11 of these regulations, shall contain the following information:

C.1. – C.2. …

D. Prescription Form Requirements. Prescriptions issued by a licensed veterinarian shall conform to Section 2511 of these regulations.

E. …

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 29:2102 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR.

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Changes in yellow reviewed by committee; new text in blue requested by committee.
Subchapter B. Prescriptions and Chart Orders

§2511. Prescriptions and Chart Orders

A. Definitions. As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section:

"Chart Order" is a lawful order entered on the electronic or paper chart or medical record of an inpatient or resident of an institutional facility by a practitioner or his licensed healthcare designee for a drug or device and shall be considered a prescription drug order if it contains the following:

1. Full name of the patient;

2. Date of issuance;

3. Name, strength, and dosage form of the drug prescribed;

4. Directions for use;

5. Name of the prescribing practitioner;

6. The prescribing practitioner’s written or electronic signature or the written or electronic signature of the practitioner’s licensed healthcare designee, who shall be a licensed nurse, pharmacist, or physician practicing in a long-term care facility. The licensed healthcare designee shall be authorized to document a chart order in the patient’s medical record on behalf of the prescribing practitioner pending the prescribing practitioner’s signature, or to communicate a prescription to a pharmacy whether telephonically, by facsimile transmission, or electronically.

B. – C.5.d. …

6. Chart orders and forms used by pharmacists to record telephoned or transferred prescriptions are exempt from the format requirements listed above.

D. – E.1. …

F. Completion of Prescription Orders and Chart Orders. In the event a pharmacist receives a prescription order or chart order lacking certain required information, the pharmacist may consult with the prescriber to clarify the prescriber’s intent. Following a consultation with the prescriber and the appropriate documentation thereof on the order:

1. A pharmacist may add the following data elements on the order:
   a. Patient’s address;
   b. Drug dosage form.

2. A pharmacist may record changes in the following data elements on the order:
   a. Patient’s address;
   b. Drug strength;
   c. Quantity prescribed;
   d. Directions for use.

3. A pharmacist shall never add or make changes to the following date elements on the order:
   a. Patient’s name;
   b. Date of issue;
   c. Drug name (except for generic interchange as permitted by law);
   d. Prescriber signature
§2513. **Prescription Receipt and Verification of Prescription Drug Orders and Chart Orders**

A. Receipt of a Prescription

1. Written. A pharmacist may receive and dispense a prescription drug order or chart order that has been written and/or signed by the practitioner.

2. Oral. A pharmacist may receive and dispense a prescription drug order or chart order that has been orally communicated by the practitioner when the prescription order has been reduced to hard copy.

B. Verification. Verification of the accuracy and authenticity of any prescription drug order or chart order is the responsibility of the pharmacist.

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 29:2103 (October 2003), effective January 1, 2004, amended by Department of Health, Board of Pharmacy, LR.

§2519. **Prescription Refills; Medication Synchronization and Refill Consolidation**

A. – C. …

2. With respect to prescriptions for controlled substances where refills have been authorized, pharmacists may utilize partial fills, as described in § Section 2747.C.5 of the board’s rules this Part, but may not exceed the dispensing quantity noted on the original prescription.

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


§2521. **Emergency Refills**

A. Using sound professional judgment, a pharmacist may refill adequate medication for a seventy-two (72) hour regimen when an emergency for medication has been adequately demonstrated and the prescribing practitioner is not available.

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 29:2104 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR.