

**Louisiana Administrative Code**

**Title 46 – Professional and Occupational Standards**

**Part LIII: Pharmacists**

**Chapter 24. Limited Service Providers**

**Subchapter E. Marijuana Pharmacy**

**§2441. Definitions**

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

*Advertisement* – all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of marijuana, excluding information of an educational nature designed to inform citizens of the nature and form of the state’s therapeutic marijuana program and its legally permitted products.

*Marijuana* – all parts of plants of the genus *Cannabis*, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination, or cannabidiol when contained in a drug product approved by the United States Food and Drug Administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1538 (August 2017), amended LR.

**§2443. Marijuana Products**

- D. Packaging and Labeling Requirements.

- 1. Packaging.

- a. – a.iii. ...
- b. ~~Any product containing pharmaceutical grade marijuana or its principal psychoactive constituent tetrahydrocannabinol (THC) shall be packaged so that one dose contains no more than 10 milligrams of THC.~~
- c. ~~If it is not intended for the entire product to be used at a single time, the packaging must be re-sealable in a manner that maintains its child-resistant property for multiple openings. Single doses may be placed in a package with other single doses; however, the total amount of active THC contained within the larger packaging shall not exceed 100 milligrams.~~
- d. – e.v. ...

- 2. Labeling.

- a. – a.vii. ...
- viii. A product identification code registered with the board.
- b. – E.4.f. ...

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AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.  
HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1540 (August 2017),  
amended LR.

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**§2447. Licensing Procedures**

A. Application for Initial Issuance of Permit

1. – 18. ...

19. Upon the approval of an application, the board shall ~~issue~~ award the marijuana pharmacy permit and state controlled dangerous substance license to the applicant. Upon completion of a satisfactory inspection of the pharmacy premises, the board shall issue the marijuana pharmacy permit and state controlled dangerous substance license to the applicant awarded the permit.

20. – D.9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.  
HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1544 (August 2017),  
amended LR.

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**§2457. Standards of Practice**

A. – C.2.a. ...

D. Recordkeeping Requirements

1. Prescription/recommendation/order (hereinafter, “request”) for Marijuana

~~a. Authorization for Emergency Dispensing.~~

~~An emergency situation exists when administration of the marijuana product is necessary for immediate treatment, an appropriate alternate treatment is not available, and the recommending physician cannot reasonably provide a written recommendation. In the case of an emergency situation, a pharmacist may dispense a marijuana product upon receiving oral authorization directly from a recommending physician, provided that:~~

~~i. the quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period (dispensing beyond the emergency period must be pursuant to a written recommendation signed by the recommending physician);~~

~~ii. the oral authorization shall be immediately reduced to written form by the pharmacist and shall contain, at a minimum, the following information:~~

- ~~(a) Full name and address of the patient;~~
- ~~(b) Drug product name, strength, and dosage form;~~
- ~~(c) Quantity of product recommended;~~
- ~~(d) Directions for use;~~
- ~~(e) Name, address, telephone number, and CDS license number of the recommending physician; and~~
- ~~(f) Name of the pharmacist receiving the oral authorization.~~

~~iii. if the recommending physician is not known to the pharmacist, he shall make a reasonable effort to determine that the oral authorization came from a physician authorized to recommend marijuana products in Louisiana, which may include a callback to the physician using his telephone number as listed in the telephone directory or other good faith efforts to insure his identity; and~~

~~iv. within seven days after authorizing an emergency oral recommendation, the physician shall cause a written recommendation for the emergency quantity authorized to be delivered to the dispensing pharmacist. The recommendation shall have written on its face “Authorization for Emergency Dispensing,” and the date of the oral authorization. The~~

106 written recommendation may be delivered to the pharmacist in person or by mail, but if  
 107 delivered by mail, it shall be postmarked within the seven day period. Upon receipt, the  
 108 dispensing pharmacist shall attach this recommendation to the oral emergency  
 109 authorization which had earlier been reduced to written form. The pharmacist shall notify  
 110 the board if the recommending physician fails to deliver a written recommendation to him  
 111 within the required time; failure of the pharmacist to do so shall void the authority  
 112 conferred by this paragraph to dispense without a written recommendation from the  
 113 recommending physician.

114 ~~b. In the event the pharmacy receives a request in written form by facsimile, the pharmacy may~~  
 115 ~~begin the preparation of the product to be dispensed, but the pharmacist shall not dispense the~~  
 116 ~~product until the original form of the request is delivered to him in the pharmacy and he has~~  
 117 ~~compared it to the product prepared for dispensing.~~

118 ~~c. The written request shall bear the manual signature of the recommending physician. No other~~  
 119 ~~form of signature shall be valid, including (but not limited to) stamps, computer generated~~  
 120 ~~signatures, or signatures of anyone other than the recommending physician.~~

121 d. ...

122 e. The request shall identify the physician issuing the request as well as the person and the  
 123 person's debilitating medical condition for which the marijuana product is intended.

124 2. - 6. ...

125 E. Professional Practice Standards

126 1. ...

127 2. Labeling of Marijuana Product Dispensed

128 a. - b.viii. ...

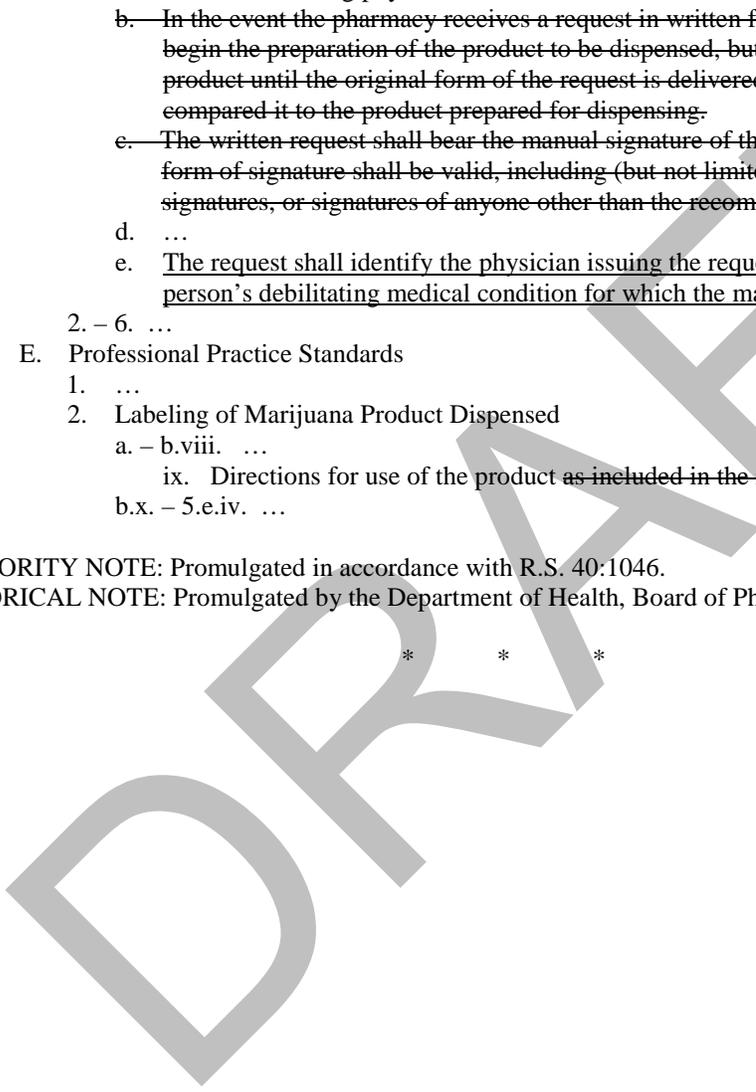
129 ix. Directions for use of the product as included in the recommending physician's request;

130 b.x. - 5.e.iv. ...

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 132 AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

133 HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1550 (August 2017).

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