

Title: COVID-19 Public Health Emergency:  
Special Work Permits for Non-licensed  
Pharmacists to Administer Medications

Policy No. I.D.27

Approved: 12-30-2020

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1. Rule §519 – State of Emergency, when activated by gubernatorial proclamation, provides temporary authority for pharmacists [and by historical Board interpretation, pharmacy technicians] licensed elsewhere but not in Louisiana to participate in a disaster relief effort within the state. The rule requires the pharmacist to provide evidence of active and unrestricted licensure in another jurisdiction.
  2. The Board is currently operating under an interpretation of §519 – State of Emergency such that the rule is also applicable to the public health emergency declaration statute in addition to the natural disaster declaration statute specified in the rule [*Interim Policy PPM.I.D.1 – State of Emergency, issued March 13, 2020*].
  3. Rule §521 – Prescription Orders to Administer Medications specifies the education, training and continuing competency required of a Louisiana-licensed pharmacist to obtain and maintain a Medication Administration (MA) registration which authorizes that pharmacist to administer medications.
  4. Pursuant to the federal declaration of the COVID-19 public health emergency, the Secretary of the U.S. Dept. of Health & Human Services (HHS) issued a Declaration Under PREP Act for Medical Countermeasures Against COVID-19 on March 10, 2020. The Declaration describes the Covered Persons and Covered Countermeasures eligible for liability immunity under the PREP Act. The Declaration has been amended multiple times and has been the subject of multiple guidance documents and advisory opinions from that office.
  5. Included within the HHS Declaration and its related documents resides an authority for state-licensed pharmacists to administer immunizations and related medications to patients provided they comply with certain requirements enumerated within the Declaration and its related documents. Moreover, the Declaration and its related documents specify the preemption of any contrary state laws and rules.
  6. As the pharmacy community begins to provide COVID-19 immunizations to the American population as rapidly as possible, it is evident pharmacist immunizers licensed in other states but not in this state would be a beneficial asset to Louisiana citizens.
  7. To facilitate the rapid credentialing of non-licensed pharmacist immunizers to provide immunization services to Louisiana citizens, and to comply with the

requirement for non-licensed pharmacists seeking temporary permission to practice within the state to provide evidence of active and unrestricted licensure in at least one other state, and in compliance with the provisions of *Gubernatorial Proclamation No. 210-JBE-2020: Renewal of State of Emergency for COVID-19 / Extension of Emergency Provisions*, the Board has authorized staff to accept and process an application from a non-licensed pharmacist and issue a *Special Work Permit for Pharmacist*.

8. The non-licensed pharmacist shall complete the online application for the *Special Work Permit for Pharmacist* at the Board's website, or in the alternative, obtain the single-paged application form from the Board's website. As part of the application process, the applicant seeking a permit to authorize COVID-19 medication administration shall indicate his agreement to comply with all terms and conditions of the federal HHS Declaration and all amendments thereto.
9. The Board staff shall verify the applicant's active and unrestricted licensure and then issue the *Special Work Permit for Pharmacist* to the applicant. The credential is virtual, meaning no paper form exists; it is verifiable at the Board's website.
10. The permit obtained for COVID-19 medication administration shall expire 90 days after the date of issue. The permit holder may submit a written request (email or mail) for an extension of the expiration date. The Board may extend the expiration date at its discretion.
11. Upon a finding that a pharmacy regulatory authority in another state has taken disciplinary action against any credential held by a pharmacist holding a *Special Work Permit for Pharmacist*, the Louisiana Board may, in its discretion, terminate its permit.
12. Given that time is of the essence and in lieu of waiting until the next scheduled Board meeting on February 24, 2021, the Board's First Vice President, Marty R. McKay, approved the issuance of this policy effective December 30, 2020.