



MEMORANDUM

To: Licensees & Interested Parties
From: Malcolm J Broussard, Executive Director
Date: March 13, 2020 (clarified Item IV on March 18)
Re: COVID-19 Guidance Information

I. Declaration of Emergency

Gov. Edwards issued [Proclamation No. 25 JBE 2020: Public Health Emergency – COVID-19](#) on March 11, 2020; it shall remain in effect through April 9, 2020 unless terminated sooner.

II. Prescription Dispensing

Even without a declaration of emergency, pharmacists have considerable discretion in the dispensing of prescription medications. This will remind our licensees of two standing rules as well as one rule activated by a declared emergency. The first is useful when there are existing refills previously authorized, and the second is useful when previously authorized refills have been exhausted and the prescriber is not available.

§2519. Medication Refills; Medication Synchronization, and Refill Consolidation

A. – B. ...

C. Medication Synchronization and Refill Consolidation. These terms refer to a service which a pharmacist may perform for his patient, at the request of the patient, wherein he may proactively adjust the medication dispensing quantity and/or the refill schedule of a prescription in order to manage the patient's medication therapy, with the goal of improved medication adherence by the patient.

1. For the performance of this service, the pharmacist may adjust the dispensing quantity and/or the refill schedule originally ordered by the prescriber; however, the pharmacist shall not exceed the total quantity prescribed [dispensing quantity multiplied by the total number of fills authorized (original plus refills)], or what is otherwise allowed by law.
2. With respect to prescriptions for controlled substances where refills have been authorized, pharmacists may utilize partial fills, as described in §2747.C.5 of the board's rules, but may not exceed the dispensing quantity noted on the original prescription.

§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.

NOTICE: In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.*

NOTICE: In compliance with Act 655 of the 2018 Louisiana Legislature, the Board gives notice to its licensees and applicants of their opportunity to file a complaint about the Board's actions or procedures. You may submit such complaints to one or more of the following: (1) Louisiana Board of Pharmacy; 3388 Brentwood Dr., Baton Rouge, La 70809; 225.925.6496; info@pharmacy.la.gov (2) Committee on House & Governmental Affairs; La. House of Representatives; PO Box 44486; Baton Rouge, LA 70804; 225.342.2403; h&ga@legis.la.gov (3) Committee on Senate & Governmental Affairs; La. Senate; PO Box 94183; Baton Rouge, LA 70804; 225.342.9845; s&g@legis.la.gov

§519 of the Board's rules is automatically activated upon the declaration of an emergency by the Governor. Although the Board's rule is specific for a State of Emergency for disasters, the Board has interpreted the rule to be partially applicable to this Public Health Emergency. In particular, the first part of the rule allows pharmacists to dispense an emergency prescription. The second part of the rule permits pharmacists not licensed in Louisiana to come to the state and practice in disaster areas. Since we are not aware of a need for pharmacists from other states at this time, the second part of the rule is not applicable for the Public Health Emergency. In the event our awareness changes, that decision could be re-visited. For now, Subsection A.1 of §519 is in effect for the duration of the Public Health Emergency.

§519. State of Emergency

- A. When the Governor issues, or renews, a "State of Emergency" pursuant to the Emergency Assistance and Disaster Act of 1993, [R.S. 29:721 et seq.](#):
1. A pharmacist may work in the affected parish(es) and may dispense a one-time emergency prescription of up to a 30-day supply of a prescribed medication if:
 - a. in the pharmacist's professional opinion, the medication is essential to the maintenance of life or to the continuation of therapy; and
 - b. the pharmacist makes a good faith effort to reduce the information to a written prescription marked "Emergency Prescription", then file and maintain the prescription as required by law.
- B. The authority provided for in this Section shall cease with the termination of the state of emergency.

III. Compounding of Sterile Preparations

The shortage of masks, gloves, and other garbing required for the compounding of sterile preparations has precipitated the development of guidance for healthcare providers by both the [CDC](#) and [FDA](#). The guidance reflects best practices to maintain the state of microbial control in the critical compounding area. The Board requires compliance with the provisions of USP Chapter 797 but will accept variations as recommended by CDC. Pharmacies intending to vary from these provisions are requested to contact their pharmacist compliance officer with information about their action plan.

IV. Rule Waivers

The Board has received multiple requests from pharmacies seeking guidance on whether pharmacy personnel may practice from home. "Practicing from home" has the potential to cover many different types of activities, some of which may not be subject to the Board's rules. To the extent those activities include the processing of prescriptions or medical orders, the Board has identified one rule which is applicable. In particular, §1527 of the Board's rules permit hospital pharmacies to allow ~~one of~~ their pharmacists to have remote access to their pharmacy's dispensing information system under certain conditions. That rule is replicated here:

§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

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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.

The Board has determined it appropriate to extend the allowance provided by this rule to all pharmacies licensed by the Board, for the duration of the Public Health Emergency.

V. Board Office & Operations

In the interest of public health and safety, the Board office has been temporarily closed to visitors until further notice. In the event you feel it necessary to personally deliver materials to the office, please place those items in a sealed envelope and insert the envelope in the mail drop located to the right of the front doors. In the alternative, we recommend you send those materials by mail, by email to info@pharmacy.la.gov, or by fax to 225.925.6499.

We will maintain our normal business hours as long as we are able to do so, and we will maintain our telephone, fax, and email communications. We have established a dedicated webpage for COVID-19 Public Health Emergency information; the link to that page is located in the upper left corner of the Board's website at www.pharmacy.la.gov.

Like all other places of business, we are monitoring federal and state official communications and guidance. In the event we need to make changes to our operations, we will communicate that information to you in a timely manner by email distribution as well as website updates.

Finally, as you might expect, the number of inbound communications has increased significantly. We appreciate your patience as we reply to each one.

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