



# Louisiana Board of Pharmacy

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## Application for New Louisiana Pharmacy Permit for Nonresident Pharmacy

### Notices

- Chapter 11 of the Board's rules enumerates the minimum requirements for pharmacies and prescription departments, and Chapter 23 identifies the additional requirements for nonresident or out-of-state pharmacies. All of our laws and rules may be accessed on our website, at [www.pharmacy.la.gov](http://www.pharmacy.la.gov).
- We encourage you to type your entries on the application. If you choose to print, please do so legibly using blue or black ink. Do not use pencil. Applications completed in pencil, or those with illegible entries, shall be returned to the applicant's designated contact person.
- Please do not re-format the application to accommodate your entries. Applications reformatted from the posted version shall be returned to the applicant's designated contact person.
- Please do not use entries such as "See attached"; an appropriate entry shall be made in each section. Incomplete applications shall be returned to the applicant's designated contact person.
- Blank applications may be copied as needed; please use standard copy paper. Applications completed or reproduced on thermal or waxy paper will not be accepted, and they shall be returned to the applicant's designated contact person.
- We encourage you to review your application and attachments prior to submission to the Board. Our experience shows the most common reason to return an application is for incomplete documents. This will only delay the processing of your application.
- The application shall be submitted to the Board office, at the address noted hereinabove, at least thirty (30) days prior to the anticipated opening date of the new pharmacy or the ownership transfer; however, since CBC reports (see below) may take 6-8 weeks, applicants may wish to submit applications sooner.
- Upon receipt of your properly completed application, we will forward criminal background check (CBC) materials to the owner's managing officer, the pharmacist-in-charge, as well as any owner(s) identified as holding 20% or more share of the business. We must review the CBC reports from the La. State Police and FBI before issuing the permit; our historical experience for CBC report production and transmission to the Board is 6-8 weeks.
- Your application and fee will be valid for up to one year after the date of its receipt at the Board office. If the permit has not been issued by that date, the application shall be voided and all fees attached thereto shall be forfeited.
- Pharmacy permits expire at midnight on December 31 of every calendar year, regardless of the date of issuance. Pharmacies may not operate with expired permits.
- The pharmacist-in-charge (PIC) of a Louisiana pharmacy permit shall possess an active Louisiana pharmacist license as well as an unrestricted Louisiana PIC privilege. An application received without the Louisiana pharmacist license number of the PIC shall be returned.

- For those pharmacies engaging in the compounding of medications, you should be aware the Louisiana Board of Pharmacy requires compliance with current federal standards applicable to all compounding activities (USP Chapter 797 for sterile preparations and USP Chapter 795 for non-sterile preparations). Pharmacies electing to engage in such activities for the benefit of Louisiana residents shall demonstrate their compliance with current federal standards by the attachment of appropriate documentation to their application. The Louisiana Board of Pharmacy utilizes the Universal Inspection Form (NABP) for its inspections of in-state compounding pharmacies. If the inspection form offered by the nonresident pharmacy is not of equal or greater level of detail for the documentation of compliance with federal standards, the Board may not accept it, which would result in an incomplete application. In that event, the pharmacy will need to obtain an inspection from the resident board of pharmacy using the universal (or similar) form, or in the alternative, from NABP's Verified Pharmacy Practice (VPP) program.
- Beginning with the January 1, 2018 renewal, all pharmacies licensed by the Board (in-state and nonresident) will need to demonstrate a contemporary satisfactory inspection, the evidence of which will be an inspection form dated less than two years prior to the date of the renewal application.



## Section 4 – Individual Ownership Information

Identify and account for 100% of the ownership of the legal entity identified in Section 2 above. For each **person** so identified, please attach documentation of the following: (1) full legal name, (2) date of birth, (3) Social Security Number, (4) mailing address, (5) telephone number, and (6) percentage of ownership or fraction thereof. Further, in the event any owner holds, or has ever held, a professional license or other credential issued by any state government agency, please provide a legible copy of the credential [or website verification thereof], and indicate whether or not the credential has ever been sanctioned or disciplined by any state licensing agency, or by any local, state, or federal government agency, or by any local, state, or federal court. In the event of any sanction or discipline, or if an application for such a credential has ever been denied in any jurisdiction, please provide a copy of the board, agency, or court decision document. Finally, please alert any such person holding 20% or more ownership interest to expect a request and appropriate materials for a criminal background check from this office. We are unable to accept or rely on similar checks performed by other entities. For each **organization** so identified, please attach documentation of the following: (1) full legal name, (2) Federal Employer Identification Number, (3) mailing address, (4) telephone number, (5) percentage of ownership or fraction thereof, and (6) an accounting of 100% of the ownership of the organization. Where there are multiple levels, please provide an organizational chart clearly identifying the corporate relationships.

## Section 5 – Pharmacy Information

Trade Name [d/b/a]: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_ Email: \_\_\_\_\_

*\* May be used for official communications. \**

Mailing Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Toll-free Telephone Number: \_\_\_\_\_ *This number must appear on all prescription labels for Louisiana citizens.*

Resident State Pharmacy Permit No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Federal DEA Registration No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

National Provider Identifier (NPI) No.: \_\_\_\_\_ NABP e-Profile No.: \_\_\_\_\_

Medicare Provider No.: \_\_\_\_\_ Date of last inspection: \_\_\_\_\_

Louisiana Medicaid Provider No.: \_\_\_\_\_ *Attach copy of this inspection report.*

Has this pharmacy ever been the subject of any sanction or disciplinary action by any other state licensing agency, or by any other local, state, or federal government agency, or by any local, state, or federal law enforcement agency, or by any other local, state, or federal court?

Yes

No

In the event of an affirmative reply to this question, two attachments are required: (1) a letter of explanation, and (2) certified copies of the final decision document. Failure to disclose this information may result in the denial of the application and the refusal to issue the permit – or if already issued, the suspension or revocation of the permit.

## Section 6 – Registered Agent for Service of Process

Name: \_\_\_\_\_

Louisiana Mailing Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

## Section 7 – Special Services for Louisiana Residents

Has this pharmacy already dispensed any prescription medications or devices to Louisiana residents?  No  Yes\*

Will this pharmacy perform any non-sterile compounding services for Louisiana residents?  No  Yes\*\*

Will this pharmacy perform any sterile compounding services for Louisiana residents?  No  Yes\*\*

Will this pharmacy utilize an Automated Medication System (AMS) within Louisiana?  No  Yes

Will this pharmacy dispense or distribute any prescription medical devices to Louisiana residents?  No  Yes

Will this pharmacy dispense or distribute any medical gases to Louisiana residents?  No  Yes

\* *Please attach a detailed accounting for such prescriptions (transaction register is acceptable).*

\*\* *Please attach evidence of compliance with current federal standards as described in the United States Pharmacopoeia (USP).*

## Section 8 – Owner’s Managing Officer (OMO)

The individual identified in this section shall be the person authorized by the owner(s) to act on their behalf and shall be responsible to the Board for the proper operation of the pharmacy in compliance with all laws and regulations.

Name: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Corporate Position/Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_ Email: \_\_\_\_\_

La. R.S. 37:1216 authorizes the Board to conduct a criminal history record check on applicants for any credential issued by the Board as a condition for the issuance of that credential. La. R.S. 44:9 authorizes the Board to access and use records that have been expunged. Upon receipt of this properly completed application, the Board will provide the Owner’s Managing Officer with materials necessary to perform a criminal history record check with the Louisiana State Police and the Federal Bureau of Investigation. Previous reports generated for or by another agency cannot be accepted to satisfy this requirement. Your failure to disclose any prior disciplinary or criminal history – even if expunged – may result in the denial of this application and the refusal to issue the permit, or if already issued the suspension or revocation of the permit.

1.  Yes  No Have you ***ever*** been issued any of the following:
  - A citation or summons, *and/or*
  - Has/have warrant(s) been issued against you, *and/or*
  - Have you been arrested, charged, arraigned, indicted, convicted, *and/or*
  - Pled guilty / “no contest” / nolo contendere / “best interest” or any similar plea, *and/or*
  - Been sentenced or pardoned,for any criminal offense, including all misdemeanors and felonies, in any local, state, or federal jurisdiction?

Even though an arrest or conviction has been dismissed, deferred, diverted, expunged, or pardoned, and even if your civil rights have been restored, you must answer “Yes” and mail certified copies of the decision documents along with your personal letter of explanation.

  - Traffic violations such as speeding or parking tickets do not need to be reported; however,
  - DUI/DWI events must be reported, regardless of final disposition.
  
2.  Yes  No Have you ***ever*** had a professional license denied, suspended, revoked, or otherwise sanctioned or restricted or limited, including voluntary surrender of license, including restrictions associated with participation in confidential alternatives to disciplinary programs, *and/or*  
Do you now have any disciplinary action pending against you by any state licensing agency – other than the Louisiana Board of Pharmacy?

In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as certified copies of all related documents from the agency.
  
3.  Yes  No Have you been discharged from the military on ground(s) other than an honorable discharge?

In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as copies of the discharge and documentation of the underlying action(s) resulting in the discharge.
  
4.  Yes  No Have you been reported to the National Practitioner Data Bank (NPDB)?

In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as a copy of the report from the NPDB.
  
5.  Yes  No Have you filed an application for a credential in another state or jurisdiction but were denied or refused?

In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as a copy of the decision document.
  
6.  Yes  No Have you ever been licensed or credentialed in a country other than the United States?

In the event of an affirmative reply to this question, please provide a legible copy of that credential along with the name and address of the certifying authority.
  
7.  Yes  No Have you ever had a problem with, been diagnosed as dependent upon, or been treated for mood-altering substances, drugs, or alcohol?

In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as copies of any and all discharge summaries and other relevant medical and/or treatment records.

## Section 9 – Pharmacist-in-Charge (PIC)

No person may accept an appointment as the PIC of a Louisiana pharmacy permit until the Board has received his properly executed Affidavit of Acknowledgment and Acceptance of Responsibility of Pharmacist-in-Charge, a blank copy of which is accessible on the Board's website.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_ Email: \_\_\_\_\_

Resident State Pharmacist License No.: \_\_\_\_\_ Louisiana PST License No.: \_\_\_\_\_

Do you currently serve as the PIC of any other Louisiana pharmacy permit?  No  Yes [Permit No. PHY. \_\_\_\_\_ ]

La. R.S. 37:1216 authorizes the Board to conduct a criminal history record check on applicants for any credential issued by the Board as a condition for the issuance of that credential. La. R.S. 44:9 authorizes the Board to access and use records that have been expunged. Upon receipt of this properly completed application, the Board will provide the Pharmacist-in-Charge with materials necessary to perform a criminal history record check with the Louisiana State Police and the Federal Bureau of Investigation. Previous reports generated for or by another agency cannot be accepted to satisfy this requirement. Your failure to disclose any prior disciplinary or criminal history – even if expunged – may result in the denial of this application and the refusal to issue the permit, or if already issued the suspension or revocation of the permit.

1.  Yes  No Have you **ever** been issued any of the following:
- A citation or summons, *and/or*
  - Has/have warrant(s) been issued against you, *and/or*
  - Have you been arrested, charged, arraigned, indicted, convicted, *and/or*
  - Pled guilty / "no contest" / nolo contendere / "best interest" or any similar plea, *and/or*
  - Been sentenced or pardoned,
- for any criminal offense, including all misdemeanors and felonies, in any local, state, or federal jurisdiction?
- Even though an arrest or conviction has been dismissed, deferred, diverted, expunged, or pardoned, and even if your civil rights have been restored, you must answer "Yes" and mail certified copies of the decision documents along with your personal letter of explanation.
- Traffic violations such as speeding or parking tickets do not need to be reported; however,
  - DUI or DWI events must be reported, regardless of final disposition.
2.  Yes  No Have you had a professional license as a pharmacist or any other health care provider denied, suspended, revoked, or otherwise sanctioned or restricted or limited, including voluntary surrender of license, including restrictions associated with participation in confidential alternatives to disciplinary programs, *and/or* Do you now have any disciplinary action pending against you by any state licensing agency – other than the Louisiana Board of Pharmacy?
- In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as certified copies of all related documents from the agency.
3.  Yes  No Have you been named as a defendant in a civil/malpractice case relating to your practice of pharmacy? *and/or* Has a medical review panel opinion been rendered relating to your practice of pharmacy? *and/or* Have you been reported to the National Practitioner Data Bank (NPDB)? *and/or* Have your clinical privileges been limited, restricted, suspended, or revoked?
- In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as a copy of the malpractice suit or medical opinion or report from the NPDB.
4.  Yes  No Have you been diagnosed with, do you have, or have you had a medical, physical, mental, emotional, or psychiatric condition that might affect your ability to safely practice as a pharmacist?
- In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as copies of any and all treatment records and discharge summaries, as well as written statement(s) sent directly from treating physician(s) addressing current ability to safely practice pharmacy.
5.  Yes  No Have you ever had a problem with, been diagnosed as dependent upon, or been treated for mood-altering substances, drugs, or alcohol?
- In the event of an affirmative reply to this question, please provide your personal letter of explanation as well as copies of any and all treatment records and discharge summaries, as well as written statement(s) sent directly from treating physician(s) addressing current ability to safely practice pharmacy.

## Section 10 – Required Attachments

Please verify the presence of the required attachments:

- All Pharmacies
  - (1) IRS document from Section 2.
  - (2) Individual ownership information from Section 4.
  - (3) Pharmacy disciplinary information from Section 5.
  - (4) Copy of most recent inspection report from Section 5.
  - (5) Compliance documentation for special services in Section 7.
  - (6) Documents required from OMO in Section 8.
  - (7) Documents required from PIC in Section 9.
  
- Ownership Transfers

By the attached letter, the owner of the existing pharmacy permit shall confirm the pending sale to the applicant as well as the anticipated transfer date recorded in Section 1. The new owner shall confirm the sale with a copy of the Bill of Sale or similar legal document.

## Section 11 – Attestations

By their signatures below, the Owner's Managing Officer (OMO) and the Pharmacist-in-Charge (PIC) attest their knowledge and agreement with the following statements:

We understand and agree that no person shall open, establish, operate, or maintain a pharmacy or dispense prescriptions to Louisiana residents unless the pharmacy is issued a permit by the Board.

We understand and agree that no permit to operate a pharmacy shall be granted or renewed unless evidence satisfactory to the Board ensures that a pharmacist will be on duty during normal business hours.

We understand and agree that the parties executing this application may be required to personally appear before the Board prior to any decision on the permit application.

We understand and agree that no person shall carry on, conduct, or transact business under a name which contains a part thereof the words "pharmacist", "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "druggist", "drugs", or any word or words of similar or like import, or in any manner by advertisement, circular, poster, sign, or otherwise describe or refer to a place of business by the terms of "pharmacy", "apothecary", "apothecary shop", "chemist's shop", "drug store", "drugs", or any word or words of similar or like import, unless the place of business is validly permitted by the Board.

We understand and agree a prescription issued solely on the results of answers to an electronic questionnaire, in the absence of a documented patient evaluation including a physical examination by the prescriber, is issued outside the context of a valid physician-patient relationship, and is not a valid prescription, and further, that a pharmacist who dispenses prescription drugs in violation of Section 2515 of the Board's rules is not acting in the best interest of the patient and is dispensing outside the course of the professional practice of pharmacy.

We understand and agree that a permit to operate a pharmacy shall not be transferable to a new owner.

We understand and agree that this pharmacy shall be operated in compliance with the Louisiana Pharmacy Practice Act (La. R.S. 37:1161 to 1250) and the professional and occupational standards found in Part LIII of Title 46 of the Louisiana Administrative Code, as well as all other federal and state laws and rules that may be applicable to the scope of services rendered to Louisiana residents at this pharmacy.

The individual identified in Section 8 of the application form is required to sign and date this block, which shall be done only in the presence of a notary public.

**Owner's Managing Officer**

Having been duly sworn by the undersigned notary, I hereby certify that all of the foregoing and attached information is true and correct to the best of my knowledge, and further, that I have read, do understand, and do agree with the provisions referenced above in this section, and further, that this pharmacy will be operated in full compliance with all federal and state laws and regulations pertaining to the practice of pharmacy.

\_\_\_\_\_  
Printed Name of Owner's Managing Officer

\_\_\_\_\_  
Signature of Owner's Managing Officer

I hereby certify that the Attestations of the Owner's Managing Officer were signed, subscribed, and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

Seal

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Parish or County

\_\_\_\_\_  
Expiration Date of Commission

The individual identified in Section 9 of the application is required to sign and date this block, which shall be done only in the presence of a notary public.

**Pharmacist-in-Charge**

Having been duly sworn by the undersigned notary, I hereby certify that all of the foregoing and attached information is true and correct to the best of my knowledge, and further, that I have read, do understand, and do agree with the provisions referenced above in this section, and further, that this pharmacy will be operated in full compliance with all federal and state laws and regulations pertaining to the practice of pharmacy.

\_\_\_\_\_  
Printed Name of Pharmacist-in-Charge

\_\_\_\_\_  
Signature of Pharmacist-in-Charge

I hereby certify that the Attestations of the Pharmacist-in-Charge were signed, subscribed, and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

Seal

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Parish or County

\_\_\_\_\_  
Expiration Date of Commission