



# Louisiana Board of Pharmacy

5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808-2537

[www.labp.com](http://www.labp.com)



February 25, 2010

Senator Joel T. Chaisson, President  
Louisiana Senate  
P. O. Box 94183  
Baton Rouge, LA 70804

Re: **Report No. 2 of 3 for Regulatory Project 2009-1 ~ Drugs of Concern**  
Report No. 2 of 3 for Regulatory Project 2009-2 ~ Pharmacy Interns  
Report No. 2 of 3 for Regulatory Project 2009-3 ~ Prescription Transfers  
Report No. 2 of 3 for Regulatory Project 2009-4 ~ Digital Imaging of Prescriptions

Dear Senator Chaisson:

As we indicated in our first report to you on December 10, 2009, the Board is currently promulgating amendments to four different sections of its rules as described above. Subsequent to our Notices of Intent published in the December 20, 2009 edition of the *Louisiana Register*, and in accordance with the Administrative Procedures Act, we conducted a public hearing at the Board office on January 27, 2010. The Board received no written comments or verbal testimony on any of the four proposals. The Board considered the absence of comments during their February 3, 2010 meeting and determined that no revisions were necessary. Further, the Board has determined it appropriate to move forward with the proposed amendments as published.

For each of the four projects identified above, you should find the following documents appended to this letter:

- Notice of Intent
- Full Text of Proposed Rule

Subject to review by the Joint Legislative Oversight Committee on Health and Welfare, the Board proposes to publish the original proposed rules as Final Rules in the April 20, 2010 edition of the *Louisiana Register*. If you have any questions about the enclosed information or our procedures, please contact me directly at 225.925.6496 or [mbroussard@labp.com](mailto:mbroussard@labp.com).

For the Board:

Malcolm J. Broussard  
Executive Director

## NOTICE OF INTENT

### Department of Health and Hospitals Board of Pharmacy

LAC 46:LIII.2901

In accordance with the provisions of the Administrative Procedure Act (La. R.S. 49:950 *et seq.*) and the Louisiana Pharmacy Practice Act (La. R.S. 37:1161 *et seq.*), the Louisiana Board of Pharmacy hereby gives notice of its intent to amend the definition of one term found in §2901 of Chapter 29 – Prescription Monitoring Program. In particular, the proposed rule will identify two drug products in the definition of ‘drugs of concern.’

Interested persons may submit written comments to Malcolm J Broussard, Executive Director, Louisiana Board of Pharmacy, 5615 Corporate Blvd., 8<sup>th</sup> Floor, Baton Rouge, LA 70808-2537. He is responsible for responding to inquiries regarding this proposed rule. A public hearing on these proposed rules is scheduled for Wednesday, January 27, 2010 at 9:00 a.m. in the Board office. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. The deadline for the receipt of all comments is 12:00 noon that same day.

Malcolm J Broussard  
Executive Director  
Louisiana Board of Pharmacy

**Louisiana Administrative Code**

**Title 46 – Professional and Occupational Standards**

**Part LIII: Pharmacists**

\* \* \*

**Chapter 29. Prescription Monitoring Program**

**Subchapter A. General Operations**

**§2901. Definitions**

\* \* \*

“Drugs of concern’ means drugs other than controlled substances which demonstrate a potential for abuse, including any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, esters, ethers, isomers, and salts of isomers [whenever the existence of such salts, esters, ethers, isomers, and salts of isomers is possible within the specific chemical designation]: (1) butalbital when in combination with at least three hundred twenty five milligrams of acetaminophen per dosage unit, and (2) tramadol.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1011.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1345 (July 2007), amended LR