



Louisiana Board of Pharmacy
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Annual Report

Fiscal Year 2021-2022

July 1, 2022

Mission

Created by the Louisiana Legislature in 1888, the mission of the Louisiana Board of Pharmacy remains unchanged over a century later: to regulate the practice of pharmacy in such a manner as to protect the public health, safety, and welfare of the citizens of Louisiana. Toward that goal, the Louisiana Pharmacy Practice Act specifically authorizes the Board to restrict the practice of pharmacy to qualified persons as well as regulate all persons and sites that sell prescription drugs or devices or provide pharmacy care services to consumers in this state.

Licensure

In order to facilitate the restriction of practice to qualified persons, the Board has established educational, experiential, and examination requirements for the initial credentialing of pharmacists and pharmacy technicians. As authorized by the legislature, the Board has contracted its high-stakes examination procedures with professional testing services.

A. Examinations for Pharmacists

The North American Pharmacist Licensure Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Examination (MPJE) are administered by the National Association of Boards of Pharmacy (NABP). Initial licensure as a pharmacist requires completion of both tests; a pharmacist licensed elsewhere seeking transfer of licensure to Louisiana need only complete the MPJE. These computer adaptive tests are administered in continuous window opportunities at multiple sites throughout the state.

B. Examinations for Pharmacy Technicians

The Board has approved two pharmacy technician certification examinations – the Pharmacy Technician Certification Examination (PTCE) administered by the Pharmacy Technician Certification Board and the Examination for Certified Pharmacy Technicians (ExCPT) administered by National Healthcareer Association (NHA). Initial certification as a pharmacy technician requires completion of one of these two tests. Both examinations are computer adaptive tests which are administered in continuous window opportunities at multiple sites throughout the state.

C. New Credentials

During Fiscal Year 2021-2022, the Board issued 5,004 new credentials in the Pharmacy Program and 2,365 new credentials in the CDS Program. Of note within the Pharmacy Program, we issued 455 new pharmacist licenses, 455 new pharmacy technician certificates, and 1,017 new pharmacy technician candidate registrations during the past fiscal year. Of note within the CDS Program, we issued new CDS licenses to 1,322 physicians, interns and residents, as well as 585 advanced practice registered nurses, and 122 dentists.

D. License Transfer (Reciprocity)

Persons already licensed as a pharmacist by any other state who wish to obtain a license in Louisiana must complete the required application form, submit to a criminal background check and successfully complete the MPJE test. Of the 455 new

pharmacist licenses issued this past fiscal year, 279 were issued subsequent to completion of the reciprocity process.

E. Census Data

At the close of the fiscal year on June 30, 2022, a review of our credential records yielded the following census information:

	<u>2020</u>	<u>2021</u>	<u>2022</u>
• Pharmacy Program			
1. Pharmacists			
> Number of active licenses	9,147	9,317	9,572
> Number of licensees within state	5,858	5,925	5,984
2. Pharmacy Interns			
> Number of active registrations	1,213	1,233	1,159
3. Pharmacy technicians			
> Number of active certificates	7,219	7,406	7,449
4. Pharmacy technician candidates			
> Number of active registrations	1,917	1,752	1,861
	<u>2020</u>	<u>2021</u>	<u>2022</u>
5 Pharmacies			
> Number of active permits	2,029	2,060	2,118
- Community – Independent	624	622	629
- Community – Chain	572	577	579
- Hospital and institutional	200	204	203
- Marijuana	9	9	9
- Nuclear	12	10	10
- Charitable	9	8	9
- Correctional	4	4	4
- Remote processor	1	1	1
- Telepharmacy dispensing site	0	1	2
- Nonresident	598	624	672
6. Equipment Permits			
> Emergency drug kit (EDK)	409	417	423
> Automated medication systems (AMS)	456	464	160
> Durable medical equipment (DME)	650	665	659
7. Special Activity Credentials			
> CDTM Registration	85	98	103
> Med. Administration Registration	3,325	4,041	3,393
> Special Work Permits	75	102	121
> Marijuana Pharmacy Designations	151	182	236
> PMP Access Registrations	<u>21,882</u>	<u>22,420</u>	<u>23,258</u>
<i>Subtotal of Credentials in Pharmacy Program</i>	<i>48,558</i>	<i>50,157</i>	<i>50,525</i>
• CDS Program			
1. Automated Medication System (AMS)	48	49	53
2. Advanced Practice RN (APRN)	3,880	4,245	4,625
3. Dentist	2,327	2,287	2,270
4. Drug Detection / Canine	7	6	5
5. Distributor	279	256	260

6.	Podiatrist	167	171	167
7.	Veterinarian	1,308	1,260	1,285
8.	Animal Euthanasia Technician	29	22	19
9.	Hospital	315	318	323
10.	Laboratory	13	13	13
11.	Physicians & Interns/Residents	14,636	15,436	15,435
12.	Manufacturer	43	37	38
13.	Medical Psychologist	93	96	98
14.	Optometrist	363	373	371
15.	Pharmacies	1,293	1,294	1,293
16.	Physician Assistant	1,030	1,119	1,195
17.	Registered Outsourcing Facility	16	19	23
18.	Researcher	127	114	111
19.	Substance Abuse Clinic	6	9	9
20.	Third-Party Logistics Providers	<u>0</u>	<u>45</u>	<u>51</u>
	<i>Subtotal of Credentials in CDS Program</i>	<i>25,980</i>	<i>27,169</i>	<i>27,644</i>
<u>Total Active Credentials under Management</u>		74,538	77,326	78,169

Compliance

A. Enforcement

In order to control and regulate the practice of pharmacy in Louisiana, the Board employs seven pharmacist compliance officers to perform routine inspections and special investigations throughout the year in all places under the Board's jurisdiction. In addition to pharmacies, the compliance officers also inspect healthcare facilities to monitor compliance with controlled substance requirements. The compliance officers visited 1,580 pharmacies and other facilities during the year to perform routine inspections, site visits for permit changes and other calls for assistance. The compliance and administrative officers began the fiscal year with 174 cases from the previous fiscal years, received 377 new cases, and closed 441 cases, leaving 110 cases for the next fiscal year. Of the 441 cases closed during the fiscal year: 15 of the original complaints were withdrawn, 12 resulted from completion of previously imposed probationary periods, 114 were determined to be without violation, 9 cases were referred to other agencies, 91 resulted in field/administrative corrections, 34 resulted in administrative sanctions, and 166 cases were referred to the Board's committees. Those committees took no action in 23 of their cases, issued non-disciplinary letters of non-compliance in 39 cases, and then recommended voluntary consent agreements for 104 cases. Of that number, all but four accepted the proposed Board decision; those four respondents were referred for formal administrative hearings. The decisions from the formal administrative hearings resulted in suspension and assessments in the four cases.

Compliance officers coordinate other investigative activities with a wide range of agencies, including local police departments, parish sheriff departments, other state regulatory and law enforcement agencies, and federal agencies such as the Drug Enforcement Administration, the Food and Drug Administration, and the Consumer Product Safety Commission. Though the compliance officers utilize the educational approach as the preferred mechanism to achieve compliance, certain circumstances warrant formal Board action.

B. Adjudications

During the past fiscal year, the Board conducted four formal administrative hearings and levied formal disciplinary action against several credentials. A summary of all the Board's disciplinary decisions is presented here:

	<u>Pharmacist</u>	<u>Intern</u>	<u>Technician</u>	<u>Candidate</u>	<u>Pharmacies</u>	<u>CDS</u>
<u>Sanction</u>						
Denial / Refusal to Issue	0	0	1	0	0	0
Reinstatement	4	0	23	0	0	1
Assessment	10	0	9	0	22	0
Letter of Warning	3	0	2	0	0	0
Letter of Reprimand	10	0	9	0	4	0
Voluntary Surrender	2	0	1	0	0	0
Probation / Restriction	6	0	0	1	0	0
Suspension	0	0	5	0	0	0
Revocation	<u>0</u>	<u>0</u>	<u>3</u>	<u>3</u>	<u>0</u>	<u>0</u>
Totals	35	0	53	4	26	1

C. Disciplinary Restrictions

From time to time, the Board imposes disciplinary restrictions on various credentials, including probation, suspension, and other practice restrictions. Probationary periods are typically imposed for defined periods of time, whereas suspensions may be imposed for defined or indefinite periods of time. As of July 1, 2022 there were several credentials on probation, including 36 pharmacist licenses, six pharmacy technician certificates, four pharmacy permits, and one controlled substance license at a pharmacy. The number of credentials on active suspension include 82 pharmacist licenses, four pharmacy intern registrations, 109 pharmacy technician certificates, 25 pharmacy technician candidate registrations, two special work permits, 13 pharmacy permits, and seven controlled substance licenses for pharmacies.

D. Practitioner Recovery Program

The Board established its program in 1988 to assist practitioners to obtain treatment for their impairment, maintain their recovery, and assist their re-entry into professional practice. As of July 1, 2022 there were 28 pharmacists and four pharmacy technicians actively engaged in the recovery program. They surrendered their credentials while in treatment; following treatment and upon favorable recommendation by board-certified addiction medicine specialists, they applied for the reinstatement of their credentials. The Board reinstated their credentials on probation, and the licensees practice under various restrictions designed to monitor their re-entry to professional practice.

Board Activity

A. Legislative

During the 2022 regular session, the Board sponsored several bills.

- HB 378 (Act 46) - to update the state list of controlled substances consistent with recent federal controlled substance scheduling actions. The legislature passed that bill and Governor Edwards signed that measure as Act 46 of the 2022 Legislature and it became effective August 1, 2022.
- SB 121 (Act 298) – to amend pharmacy law to repeal the requirement to display pharmacy permits. The legislature passed that bill and Governor Edwards signed that measure as Act 298 of the 2022 Legislature and it became effective August 1, 2022.
- SB 99 (Act 536) – to amend the Pharmacy Benefit Manager Licensing Law to require PBMs engaged in the practice of pharmacy to obtain a PBM permit from the Board of Pharmacy. The legislature passed that bill and Governor Edwards signed that measure as Act 536 of the 2022 Legislature and it became effective August 1, 2022.
- SB 97 (Act 666) – to amend pharmacy law relative to the requirements for pharmacist licensure by reciprocity. The legislature passed that bill and Governor Edwards signed that measure as Act 666 of the 2022 Legislature and it became effective August 1, 2022.

B. Regulatory

The Board's Regulation Revision Committee is tasked with the continuous review of the Board's rules and their recommendation for revision as appropriate. The Board completed four regulatory projects during the fiscal year:

- *Project 2021-1 ~ Pharmacists, Pharmacies, & Prescriptions* – pursuant to Act 454 of the 2018 Legislature, the Board conducted a public hearing to solicit comments and testimony as to whether any of its rules were contrary to law, outdated, unnecessary, overly complex, or burdensome. After its evaluation of those comments, the Board solicited additional stakeholder input in formulating the proposed rule changes included in this project.
- *Project 2021-2 ~ Transfer of Marijuana Recommendations* revised the rules for marijuana pharmacies to require them to transfer a physician's recommendation for marijuana products when requested to do so by the patient or his caregiver.
- *Project 2021-3 ~ Hemp Facility* revised the rule for CDS licenses for hemp facilities, to remove the laboratory accreditation requirement.
- *Project 2021-4 ~ Medication Administration* amended Sec. 521 of the Board's rules relative to medication administration, to add pharmacy technicians to the education and training requirement, remove the requirement to obtain a separate medication administration registration from the Board, and update the rules for pharmacy interns, pharmacy technicians, and pharmacies to incorporate new medication administration standards.

C. *Prescription Monitoring Program*

The Board continued its operation of Louisiana's Prescription Monitoring Program (PMP). The vendor contract to operate the program is held by Bamboo Health, based in Louisville, KY. The vendor's operating platform is PMP AWARe. Further, through its PMP InterConnect portal, the Louisiana PMP connects to prescription monitoring programs in over 35 state and federal jurisdictions to allow for seamless interstate data inquiries. The number of prescribers and dispensers authorized to access the program's database continues to increase, with more than 26,000 providers using the system as of June 30, 2022. The downward trend for the dispensing of opioid medications has continued. Since the program is required to file an annual report to the legislature, we have appended that report to this one to facilitate its separation.

Board Office

The Board currently employs 23 people on a full-time basis in a variety of professional, technical, and clerical roles; the Board also supports the local Cooperative Office Education (COE) program in Baton Rouge area high schools by hiring high school senior students on a temporary basis. The physical and mailing address of the Board office is:

Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700

The Board's website address is www.pharmacy.la.gov and general email is received at info@pharmacy.la.gov.

Conclusion

The Board has had an active year on several fronts, and all of these activities have contributed to the overall mission of the board. The officers and members of the Board, as well as the entire office staff, are committed to achieving our goal of protecting the public's health, safety and welfare through appropriate regulation of the practice of pharmacy in this state. We understand that public service is a privilege, and we endeavor to render that service honorably.

Respectfully submitted,
Joe Fontenot
Executive Director



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Prescription Monitoring Program Annual Report

Fiscal Year 2021-2022

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Introduction

The Louisiana Prescription Monitoring Program (PMP) is an electronic database used to collect and monitor prescription data for all Schedule II, III, IV, and V controlled substances, marijuana recommendations, as well as certain drugs of concern, dispensed by a pharmacy in Louisiana or to a Louisiana resident from a pharmacy located in another state. The PMP also provides a venue for monitoring patient prescription history for practitioners.

Act 676 of the 2006 Louisiana Legislature authorized the development, implementation, operation, and evaluation of an electronic system for the monitoring of controlled substances and other drugs of concern that are dispensed within the state or to state residents by pharmacies located in other states. The goal of the program is to improve the state's ability to identify and inhibit the diversion of controlled substances and drugs of concern in an efficient and cost-effective manner and in a manner that shall not impede the appropriate utilization of these drugs for legitimate medical purposes.

The PMP was implemented in August 2008. Pharmacies and dispensing prescribers were instructed how and when to transmit their dispensing transactions to the program vendor for assimilation into the PMP database. Prescribers, dispensers, and other persons authorized to access PMP information were instructed how to secure their access privileges. The web portal to the PMP database was opened to queries on January 1, 2009, and the program remains fully operational.

Advisory Council

The enabling legislation created the PMP Advisory Council to assist the Board in the development and operation of the program. The council consists of the following members, each of whom may appoint a designee:

1. The president of the Louisiana State Board of Medical Examiners;
2. The president of the Louisiana State Board of Dentistry;
3. The president of the Louisiana State Board of Nursing;
4. The president of the Louisiana State Board of Optometry Examiners;
5. The president of the Louisiana Academy of Physician Assistants;
6. The president of the Louisiana Board of Pharmacy;
7. The superintendent of the Louisiana State Police;
8. The administrator of the United States Drug Enforcement Administration;
9. The speaker of the Louisiana House of Representatives;
10. The president of the Louisiana Senate;
11. The chairman of the House Committee on Health and Welfare;
12. The chairman of the Senate Committee on Health and Welfare;
13. The secretary of the Department of Health;
14. The president of the Louisiana State Medical Society;
15. The president of the Louisiana Dental Association;
16. The president of the Louisiana Association of Nurse Practitioners;
17. The president of the Optometry Association of Louisiana;
18. The president of the Louisiana Pharmacists Association;

19. The president of the Louisiana Independent Pharmacies Association;
20. The president of the National Association of Chain Drug Stores;
21. The president of the Louisiana Sheriffs' Association;
22. The president of the Louisiana District Attorneys Association;
23. The president of the Pharmaceutical Research and Manufacturers of America;
24. The president of the Louisiana Academy of Medical Psychologists.

During Fiscal Year 2021-2022, the council convened on each of their regularly scheduled quarterly meetings. The program staff presented data concerning the number of prescription transactions reported to the program database as well as the number of queries to the database by prescribers, dispensers, law enforcement, and regulatory agencies. The staff also reported on the addition of new states available through the PMP InterConnect interstate network, as well as the increased utilization by the private sector of the PMP Gateway service, which integrates the PMP access portal into existing practice information systems in a variety of settings, including hospitals, clinics, practitioner offices, and pharmacies. The council also reviewed new legislation adopted during the 2021 legislative session.

Program Highlights

- *July 15, 2021* – Louisiana began sharing PMP information through PMP InterConnect with the state of Colorado.
- *September 28, 2021* - Louisiana began sharing PMP information through PMP InterConnect with the state of Rhode Island.
- *March 23, 2022* – The Louisiana Department of Health (LDH), Office of Public Health (OPH), Bureau of Community Preparedness (BCP) provided \$500,000 in federal grant funds to cover the PMP integration licensing fees for healthcare provider users for the period beginning May 1, 2022 ending December 31, 2022.
- *June 30, 2022* – as of this date, the Louisiana PMP is sharing with 35 PMPs: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, D.C., Military Health System – Dept. of Defense (MHS-DOD), Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia and West Virginia.

Louisiana PMP Statewide Integration Project

On January 1, 2019, the Board partnered with the Louisiana Dept. of Health's Office of Public Health, Bureau of Community Preparedness (LDH-OPH-BCP) and Appriss Health to provide a statewide PMP integration option to all healthcare providers in Louisiana utilizing a service called PMP Gateway®. Gateway offers healthcare providers an option to integrate PMP data within the provider's electronic health record

(EHR) or pharmacy information system to provide a streamlined clinical workflow for providers. The integration eliminates the need for providers to log in separately to the PMP web portal; instead, the EHR automatically initiates a patient query and returns the patient's PMP information directly within the provider's EHR or pharmacy information system.

Included as part of the integration, users now have access to an advanced analytics and patient support tool called NarxCare®. In addition to the existing Louisiana PMP functionality, NarxCare aggregates and analyzes prescription information from pharmacies and presents visual interactive information, as well as advanced analytic insights, machine learning risk scores and more to help prescribers and pharmacists provide better patient safety and outcomes for every patient. NarxCare also provides tools and resources that support patients' needs and assists a healthcare provider to connect their patient to treatment when appropriate. The statewide initiative was originally funded by a Centers for Disease Control and Prevention (CDC) grant awarded to LDH-OPH-BCP and covers the costs of the licensing fees associated with the integration and NarxCare service. The original grant funding ended on April 30, 2021. LDH-OPH-BCP was able to provide additional grant funding which extended the project until December 31, 2022.

As of June 30, 2022, the Louisiana PMP was interoperable with 424 licensees (EHRs and pharmacy management systems) across the state. The 424 licensees represent more than 2,300 facilities in Louisiana and were responsible for 2,401,407 PMP requests in the month of June 2022. There are an additional 227 licensee applicants pending.

Program Metrics

The data on the following pages provide summary data for the operational aspects of the program for Calendar Year 2021. The first graphic presents information about the use of the information by the authorized users as identified in the governing legislation. Data for the different categories of prescribers are presented, including the number of prescribers authorized to obtain PMP access privileges, the number with active access privileges and the number of queries to the PMP database by those prescribers. Other authorized users include law enforcement and regulatory agencies; information concerning the number of queries originating from those entities is also presented.

The second graphic presents information concerning the numbers of controlled substance prescriptions dispense in the state, including summary data for different types of drugs like opioids and benzodiazepines. Just over 12.1 million prescriptions for controlled substances and drugs of concern were dispensed in the state during Calendar Year 2021, with an average of 2.466 prescriptions per Louisiana resident. Specifically looking at opioid prescriptions, the state saw a reduction in the number of opioid prescriptions dispensed by 2.9% compared to Calendar Year 2020.

Calendar Year 2021 PMP User Statistics

PMP User Stats for 2021 (01/01/2021 - 12/31/2021)				
PMP Healthcare Provider Role	Number of Providers Eligible for PMP Access (as of 12/31/2021)	Number of Providers with Active PMP Access Privileges (as of 12/31/2021)	Number of PMP Requests by Providers through AWAxE® During 2021	Number of PMP Requests by Providers through Gateway® During 2021
Physician (MD, DO)	13,471	9,045	1,890,987	15,812,933
Nurse Practitioner (APRN)	4,464	3,519	749,611	1,742,488
Dentist (DDS)	2,265	1,509	22,342	3,352
Physician Assistant (PA)	1,171	918	125,075	205,304
Optometrist (OD)	371	160	13	0
Podiatrist (DPM)	165	117	5,450	0
Medical Psychologist (MP)	96	91	38,168	21,200
Medical Intern/Resident	1,590	1,400	57,364	10,608
Prescriber's Delegate	NA	3,381	796,522	0
Pharmacist (PST)	9,549	4,928	3,762,368	7,665,079
Pharmacist's Delegate	NA	1,509	406,788	0
Totals	33,142	26,577	7,854,688	25,460,964

Law Enforcement, Prosecutorial Officials, & Specialty Courts	Calendar Year 2021 Searches
DEA (Patient Requests)	259
Specialty Court	35
FBI	15
Homeland Security	7
Local Law Enforcement	127
Multijurisdictional Task Force	2
State Attorney General	23
State Police	13
Total Searches	481

Regulatory Agencies	CY 2021 Searches
Board of Pharmacy	1847
Board of Dentistry	22
Board of Medicine	694
Board of Nursing	73
Board of Optometry Investigator	13
DEA (Licensee/Registrant Request)	545
Total Searches	3194

Other Roles	Searches
Medical Examiner/Coroner	248
Louisiana Medicaid Program	135
Total Searches	383

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Quick Slicers:



2017 2018 2019 2020 **2021** 2022



State Rx per Capita
2.466



Prescriptions
12,115,900

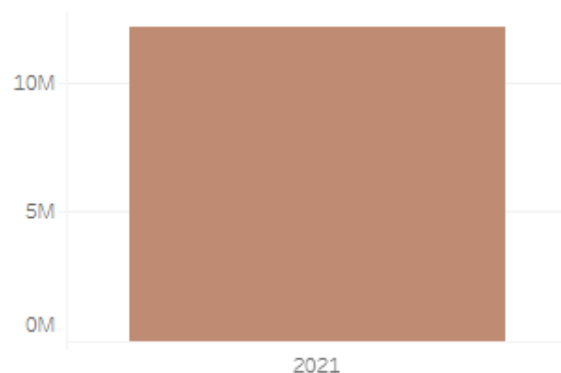
Quantity
Dispensed

each (tablets, kits, etc.) 594,356K
grams (solids) 3,252K
milliliters (liquids) 96,186K
UNSPECIFIED 0K



Days Supply
305,046,623

YoY Prescriptions (#)



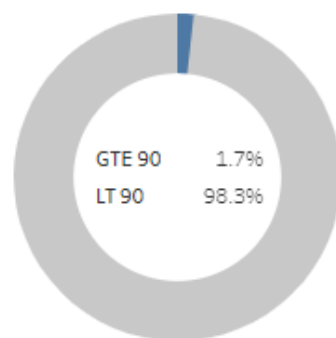
YoY Prescriptions (#) by Drug Schedule

2	2021	4,680,694
3	2021	750,763
4	2021	4,006,623
5	2021	429,381
*	2021	2,248,439

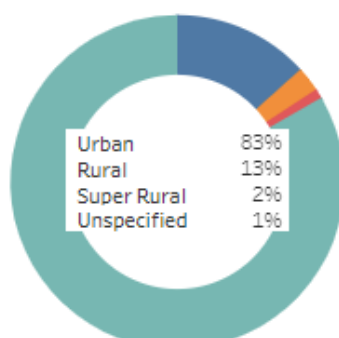
YoY Prescriptions (#) by Drug Classes

Opioid	2021	3,884,707
Benzo	2021	2,255,762
Anxiolytic, Hypnotics, Se..	2021	960,922
Other	2021	5,014,509

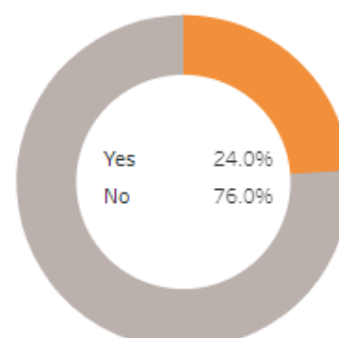
Prescriptions >= 90 MME vs. All



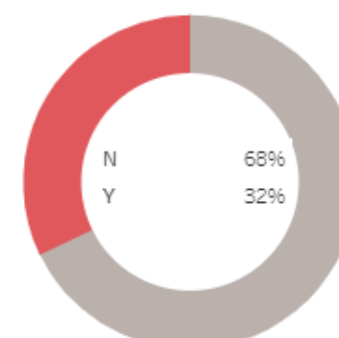
Rx by Prescriber Environment



New vs. Refill Prescriptions



Opioids vs. Non Opioids (%)



Disclaimer: Appriss is the sole owner of all intellectual property rights in and to the Appriss Property. "Appriss Property" means all of the following: (i) the AWARe Service and any user guides or manuals related thereto; (ii) any deliverables and/or work product developed while providing the AWARe Service; (iii) enhancements, modifications or derivative works to the AWARe Service; and (iv) any patient consolidation identifier mechanisms and other data fields source from a third party.

Conclusion

The program has completed 13 years of operation. Based on feedback from authorized users, it appears to represent an efficient and cost-effective use of resources. Data from the program suggests we have made some progress in the reduction of diversion of controlled substances. Our interstate collaborations have yielded high marks for our program design and operation. We look forward to fully developing the potential of our program to identify and inhibit the diversion of controlled substances in Louisiana.

We value and appreciate the contributions from and collaboration with our partners on the Prescription Monitoring Program Advisory Council. We also acknowledge the contributions from our administrative coordinators, Ms. Reshmi Ravindranath, Ms. Carley Leach, and Ms. Nerissa Montgomery for their assistance with the development of this report and administrative oversight of the program.

Respectfully submitted,
Joe Fontenot
Executive Director