



# Louisiana Board of Pharmacy

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## BULLETIN No. 19-01

To: All pharmacies, pharmacists, interns, technicians, and technician candidates  
From: Malcolm J Broussard, Executive Director  
Date: July 1, 2019  
Re: New Laws from 2019 Legislature Affecting Pharmacy Practice

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### [Act 52 \(SB 99\) effective August 1, 2019](#)

This legislation amended the eligibility criteria for pharmacist members of the Board of Pharmacy by reducing the amount of practice experience required prior to appointment, from five years to two years.

### [Act 80 \(SB 53\) effective August 1, 2019](#)

The Board sponsored this legislation to authorize the state prescription monitoring program to share information with federal jurisdictions. The federal government has established a prescription monitoring program for all federal jurisdictions and has recently changed their law to authorize the sharing of their information with state jurisdictions.

### [Act 124 \(SB 41\) effective August 1, 2019 and July 1, 2020](#)

This legislation established a regulatory structure for the licensure and regulation of pharmacy benefit managers by the state insurance department and the Board of Pharmacy. All but one section of the law takes effect on July 1, 2020; the 20-member advisory council becomes operational on August 1, 2019. The insurance department and the Board are authorized to promulgate rules to implement the regulatory structure, and both entities are authorized to issue credentials to PBMs operating within the state and performing certain specified activities.

### [Act 161 \(HB 433\) effective June 6, 2019](#)

This legislation authorizes a pharmacist to decline to dispense a prescription if the reimbursement for the drug, device, or service is less than the acquisition price of the drug, device, or service.

**Act 164 (HB 491) effective June 6, 2019 and January 1, 2020**

This legislation authorized the establishment of a statewide industrial hemp program to be administered by the state department of agriculture and forestry in compliance with the 2018 Federal Farm Bill. The new state law removed hemp, and hemp-derived CBD oil (but not marijuana-derived CBD oil), from the state list of controlled substances. The legislation also authorized the production and sale of hemp-derived CBD oil products under a new regulatory structure, wherein the products shall be registered with the state department of health and the sellers shall be registered with the state alcohol and tobacco control unit. The criminal penalties for the unlawful sale of CBD oil products become effective on January 1, 2020.

**Act 219 (HB 375) effective August 1, 2019**

The Board sponsored this legislation to authorize the Board to require an applicant for a state controlled dangerous substance (CDS) license to submit to a criminal history record check. Almost all of the current CDS license applicants hold professional licenses from other agencies and have already submitted to such checks. There are a few categories of applicants, e.g., drug detection canine trainers, who are not otherwise licensed and will be required to submit to a criminal history record check when they apply for a CDS license.

**Act 284 (HB 358) effective August 1, 2019**

This legislation amended the therapeutic cannabis law to authorize the Board to update its rules for therapeutic cannabis products to add metered-dose inhalers to the list of allowable dosage forms.

**Act 354 (HB 138) effective August 1, 2019**

The Board sponsored this legislation which updates the state's list of controlled substances with the changes made to the federal list of controlled substance since last year's legislative session, including the removal of hemp and hemp-derived CBD oil and the exclusion of tetrahydrocannabinol (THC) found in hemp.

**Act 426 (HB 284) effective August 1, 2019**

This legislation amended the controlled substance law relative to prescriptions for opioid medications. With respect to the 2018 law imposing a seven-day supply limit on new prescriptions for acute medical conditions, and more particularly with respect to the list of exceptions to that seven-day supply limit, the new law provides that when the prescriber believes that more than a seven-day supply limit is necessary for that patient, then the prescriber shall indicate on the prescription that more than a seven-day supply is medically necessary.