



# Louisiana Board of Pharmacy

3388 Brentwood Drive  
Baton Rouge, Louisiana 70809-1700  
Telephone 225.925.6496 ~ E-mail: [info@pharmacy.la.gov](mailto:info@pharmacy.la.gov)



## BULLETIN No. 20-01

To: All pharmacies, pharmacists, interns, technicians, and technician candidates

From: Malcolm J Broussard, Executive Director

Date: April 20, 2020

Re: New & Revised Rules effective April 20, 2020

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The Board has completed the rulemaking process for several new and revised rules, and they were published in the April 20, 2020 edition of the [Louisiana Register](#) with immediate effective dates. All of the revised chapters of rules have been posted on the [Laws & Rules](#) page of the Board's website. A summary of the changes is presented here:

### Chapter 1 – Introduction

- Section 113 is a new section relative to rulemaking procedures, as required by the state administrative procedure act.

### Chapter 5 – Pharmacists

- Section 503 was revised to eliminate the automatic one-year delay following the third failure of a pharmacist licensure examination. Applicants now may repeat any licensure examination in compliance with the wait time policy of the test administrator, subject to the lifetime maximum number of examination attempts.
- Section 507 was revised to remove the requirement for pharmacists to maintain paper copies of their CPE certificates at their primary practice sites; that was replaced by a new requirement for pharmacists to maintain their CPE records at CPE Monitor and provide a copy of their CPE Monitor transcript when requested by the Board.
- Section 521 was revised to
  - require an immunizing pharmacist or his designee to report all immunizations to the state immunization registry within 72 hours of the immunization; and
  - require a pharmacy hosting immunization activities – as well as pharmacists hosting immunization activities at a location other than a pharmacy – to ensure sufficient staffing available for the pharmacist to administer the immunization and monitor the patient afterward without distraction from other responsibilities; and further, to ensure adequate supplies of medication, equipment, and pre-determined procedures to facilitate emergency management of anaphylactic reactions.

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**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](mailto: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](mailto: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](mailto:s&g@legis.la.gov)

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## Chapter 9 – Pharmacy Technicians

- Section 903 was revised to
  - remove the requirement for a pharmacy technician licensed and practicing in another state moving to Louisiana to obtain a pharmacy technician candidate registration; and
  - eliminate the automatic one-year delay following the third failure of a technician certification examination. Applicants now may repeat the certification examination in compliance with the wait time policy of the test administrator, subject to the lifetime maximum number of examination attempts.
- Section 905 was revised to authorize pharmacy technicians licensed by another state board of pharmacy and who have been practicing as a pharmacy technician in that state and who have passed a board-approved pharmacy technician certification examination to apply for a pharmacy technician certificate.

## Chapter 11 – Pharmacies

- Section 1103 was revised to remove the requirement for a pharmacy to maintain a printed copy of the pharmacy law book. The pharmacy must still maintain a current version of that reference but it can be either electronic or printed.
- Section 1105 was revised to remove the requirement for the PIC affidavit to be notarized.
- Section 1119 was revised to introduce a new type of record in pharmacy rules – a chart order as is commonly used in institutions such as hospitals and long-term care facilities.
- Section 1123 was revised to incorporate chart orders.
- Section 1145 is a new section which permits a pharmacy to allow one or more of its pharmacists to remotely access the pharmacy's dispensing information system to process prescription or chart orders.
- Section 1147 is a new section which permits a healthcare facility to share a prescription or chart order with a pharmacy for the purpose of obtaining starter doses for a patient in the facility.

## Chapter 15 – Hospital Pharmacy

- Section 1503 was revised to amend the definition of 'hospital pharmacy' to include a pharmacy within a veterinary teaching hospital owned or operated by a public university in the state.
- Section 1517 was revised to require the pharmacist-in-charge of a veterinary hospital pharmacy approve policies and procedures detailing authorized access to the pharmacy after-hours.
- Section 1529 is a new section authorizing hospital pharmacies participating in clinical drug studies to dispense both investigational and commercial drug products to all patients enrolled in the study whether or not the patient is a registered patient of the hospital.

## Chapter 17 – Institutional Pharmacy

- Section 1711 was revised to
  - remove the requirement for an EDK permit to be publicly displayed at the supplier pharmacy, in favor of a requirement for it to be readily retrievable; and
  - provide a mechanism for the cancellation of an EDK permit prior to its renewal.

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## **Chapter 18 – Correctional Center (f/k/a penal) Pharmacy**

Multiple sections of this chapter were revised to allow such pharmacies to serve offenders in not only those correctional centers operated by the state corrections department but also by local law enforcement agencies.

## **Chapter 23 – Nonresident Pharmacy**

- Section 2303 was revised to update the nonresident correctional center pharmacy permit to include offenders in correctional centers operated by local law enforcement agencies.

## **Chapter 24 – Limited Service Providers**

- Section 2425 was revised to
  - reduce the mileage radius restriction around a telepharmacy dispensing site; and
  - change the previous requirement that a telepharmacy dispensing site close permanently in the event a community pharmacy opened within 20 miles of the dispensing site to a new requirement that a telepharmacy dispensing site dispensing an average of 100 or more prescriptions per day convert their permit to a community pharmacy permit before the expiration of the telepharmacy dispensing site permit.
- Section 2443 was revised to add metered-dose inhalers as an allowable dosage form for medical cannabis products.
- Section 2447 was revised to require the inspection of a marijuana pharmacy prior to the issuance of a permit to that pharmacy.

## **Chapter 25 – Prescriptions, Drugs, and Devices**

- Section 2505 was revised to provide minimum standards for all pharmacies dispensing investigational drug products.
- Section 2511 was revised to
  - incorporate the use of chart orders; and
  - insert a new subsection to provide guidance on the data that can be added or changed on incomplete prescriptions and chart orders.
- Section 2513 was revised to incorporate the use of chart orders.
- Section 2519 was revised to add a new subsection to prohibit the dispensing of previously authorized refills without the patient or caregiver's request or approval.
- Section 2535 was revised to provide standards for the compounding of copies of commercially available drug products.

## **Chapter 27 – Controlled Dangerous Substances**

- Several sections were revised to incorporate third-party logistics providers (a type of distributor which does not take legal title to drugs and devices they warehouse or deliver), including definitions in 2701, licensing procedures in 2705, and recordkeeping in 2731, 2733, 2735, 2741, and 2751.
- Section 2747 was revised to add a new Subparagraph (B.5.a) to describe the requirements for the partial filling of Schedule II prescriptions in locations other than long-term care or hospice.

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