



Louisiana Board of Pharmacy

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BULLETIN No. 21-01

To: All pharmacies, pharmacists, interns, technicians, and technician candidates
From: Malcolm J Broussard, Executive Director
Date: December 1, 2021
Re: New Rules Effective November 2021

The Board completed the rulemaking process for two regulatory projects with publication of the rule changes in the November 20, 2021 edition of the Louisiana Register, all with immediate effective dates.

Regulatory Project 2020-10 ~ CDS License for Hemp Facility amended the Board's rules for controlled dangerous substance (CDS) licenses by adding a hemp facility as a type of laboratory eligible to apply for a CDS license. Hemp facilities need to test their hemp crop materials to ensure they contain less than the maximum amount of tetrahydrocannabinol (THC) legally permissible. If the THC level exceeds the maximum amount permissible, it is no longer considered hemp and instead is deemed marijuana, a controlled substance listed in Schedule I of both federal and state lists of controlled substances; the hemp facility must then follow prescribed procedures for the destruction of such materials.

Regulatory Project 2021-1 ~ Pharmacists, Pharmacies and Prescriptions amended several chapters of the Board's rules. Some of the rule changes are summarized here:

- The changes in Section 521 – Administration of Medications removed the previous requirement for a separate Authority to Administer document and clarified the existing eligibility criteria for the medication administration registration.
- The changes in Section 1103 – Prescription Department Requirements removed the previous requirements for 300 square feet of floor space, 24 square feet of counter space, and 30 inches of aisle space, in favor of resources “commensurate with the nature and scope of the pharmacy practice.” In addition, those pharmacies offering veterinary pharmacy services shall maintain appropriate reference materials for that practice.
- The changes in Section 1105 – Pharmacist-in-Charge provide additional time for pharmacies and pharmacists to report changes of the PIC to the Board office. While a PIC shall continue to give the Board and permit owner at least 10 days written notice prior to vacating that position, and the pharmacy shall continue to appoint a PIC no later than 10 days after the departure of the prior PIC, the new PIC and the pharmacy will have up to 30 days to report those changes to the Board office.
- The change to Section 1107 – Pharmacy Operation includes a new provision that no person credentialed by the Board shall be required to engage in the practice of pharmacy for longer than six hours without a rest break.

- The changes in Section 1123 – Records of Prescription Drug Orders and Chart Orders permit the disposal of hard copy prescription records after they have been imaged and stored in the electronic recordkeeping system, subject to the limitations identified in that rule.
- The changes in Section 2425 – Telepharmacy Dispensing Site removed outdated minimum specifications, similar to those made in Section 1103 described above, provides that pharmacy technician candidates and pharmacy interns may not practice in telepharmacy dispensing site, and clarify the pharmacist's responsibilities for patient counseling and drug utilization review in such practice sites.
- The changes in Section 2513 – Receipt and Verification of Prescription Drug Orders and Chart Orders clarifies that the receiving pharmacist is responsible for verification of the authenticity of a prescription and the dispensing pharmacist is responsible for the accuracy of the medication or devices dispensed.
- The change in Section 2521 – Emergency Refills increases the quantity of medication a pharmacist may dispense for an emergency refill, from the previous 72-hour supply to now a 30-day supply.
- The changes in Sections 2519, 2525, 2745, and 2747 all relate to the expiration date and refill limitations for prescriptions for controlled substances listed in Schedule V. Previously, such prescriptions were treated the same as prescriptions for medications listed in Schedules III and IV – a six-month expiration date and a maximum of five refills. Under the new rule, Schedule V prescriptions are treated the same as prescriptions for other non-controlled prescription medications – a one year expiration date and no limits on refills subject to the one year expiration date. These changes make Louisiana rules for Schedule V prescriptions consistent with federal rules.

Replacement chapters with the new rules have been posted on the [Laws & Rules](#) page of the Board's website.