

## 1 Title 46

## 2 PROFESSIONAL AND OCCUPATIONAL STANDARDS

## 3 Part LIII: Pharmacists

## 4 Chapter 11. Pharmacies

## 5 Subchapter D. Off-Site Services

## 6 §1139. Definitions

7 A. As used in this Subchapter, the following terms shall have the meaning ascribed to them in this Section, unless  
8 the context clearly indicates otherwise.

9 *Centralized Prescription Dispensing*—the fulfillment by one permitted pharmacy of a request from another  
10 permitted pharmacy to fill or refill a prescription drug order. The fulfillment necessarily includes return of the labeled  
11 and filled prescription to the on-site pharmacy for delivery to the patient.

12 *On-Site Pharmacy*—a permitted pharmacy which utilizes centralized prescription dispensing services from a  
13 remote dispenser or remote processing services from a remote processor.

14 *Remote Dispenser*—a Louisiana permitted pharmacy which provides centralized prescription dispensing services  
15 for another permitted pharmacy in Louisiana.

16 *Remote Processing Services*—the processing of a medical order or prescription drug order by one permitted  
17 pharmacy on behalf of another permitted pharmacy, including:

- 18 a. receipt, interpretation, or clarification of an order;  
19 b. data entry and information transfer;  
20 c. interpretation of clinical data;  
21 d. performance of drug utilization review; and  
22 e. provision of drug information concerning a patient's drug therapy; provided, however, that remote  
23 processing does not include the physical preparation or physical transfer of drugs.

24 *Remote Processor*—a Louisiana-permitted pharmacy which provides remote processing services for another  
25 permitted pharmacy in Louisiana.

26 AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

27 HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1131 (June 2007),  
28 amended LR 39:313 (February 2013).

## 29 §1141. Centralized Prescription Dispensing

## 30 A. General Requirements

31 1. An on-site pharmacy may obtain centralized prescription dispensing services from a remote dispenser  
32 provided the pharmacies:

- 33 a. have the same owner or have entered into a written contract or agreement that outlines the services to be  
34 provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws,  
35 rules, and regulations; and  
36 b. share a common electronic file or have appropriate technology to allow access to sufficient information  
37 necessary or required to provide the requested services.

2. The remote dispenser shall affix to the package a label in conformance with Section 2527 of this Part. The label shall contain the on-site pharmacy's name, address, and telephone number; and the remote dispenser's name with its Louisiana pharmacy permit number or DEA registration number, indicating that the prescription was filled at the remote dispenser. All drugs dispensed to a patient that have been dispensed by a remote dispenser shall bear a label containing an identifiable code that provides a complete audit trail of the dispensing of the drug and pharmacy primary care activities.

3. The remote dispenser shall return the labeled and filled prescription to the on-site pharmacy in such a manner to ensure the integrity of the drug which includes, but is not limited to, the drug's safety, identity, strength, quality, and purity.

4. Prepared prescriptions that leave the physical possession and environment control of a remote dispenser for delivery or shipment to the on-site pharmacy cannot be returned to the remote dispenser for reuse.

5. The on-site pharmacy shall return to the remote dispenser prepared prescriptions not dispensed to the patient, if the pharmacies do not have the same owner.

6. Centralized prescription dispensing involving controlled substances shall comply with Chapter 27 of this Part and 21 CFR Chapter II.

#### B. Policies and Procedures

1. On-site pharmacies and remote dispensers engaging in the acquisition or provision of centralized dispensing services shall maintain a policy and procedure manual for reference by all personnel; it shall be made available for inspection and copying by the board.

2. At a minimum, the manual shall include policies for:

- a. a description of how the parties will comply with federal and state laws and regulations;
- b. the maintenance of appropriate records to identify the responsible pharmacist(s) in the dispensing and counseling processes;
- c. the maintenance of a mechanism for tracking the prescription drug order during each step in the dispensing process;
- d. the maintenance of a mechanism to identify on the prescription label all pharmacies involved in the dispensing the prescription drug order; and
- e. the provision of adequate security to protect the confidentiality and integrity of patient information and to prevent its illegal use or disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1131 (June 2007), amended LR

### §1143. Remote Processing of Medical Orders or Prescription Drug Orders

#### A. General Requirements

1. An on-site pharmacy may obtain remote processing services from a remote processor provided the pharmacies:

a. have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws, rules, and regulations; and

b. share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to provide the requested services.

2. A contract or agreement for remote processing services shall not relieve the on-site pharmacy from employing or contracting with a pharmacist to provide routine pharmacy services. The activities authorized by this section are intended to supplement pharmacy services and are not intended to eliminate the need for an on-site pharmacy or pharmacist.

a. In the event the pharmacy soliciting remote processing services is located within a hospital with more than 100 occupied beds, there shall be at least one pharmacist on duty at that hospital at all times, and any remote processing services provided to that pharmacy shall be supplemental in nature.

#### B. Access to Patient Information

1. The pharmacist at the remote processor shall have secure electronic access to the on-site pharmacy's patient information system and to all other electronic systems directly involved with the preparation of prescriptions that the on-site pharmacy's pharmacist has access to when the on-site pharmacy is operating. The pharmacist at the remote processor shall receive training in the use of the on-site pharmacy's electronic systems.

2. If an on-site pharmacy is not able to provide remote electronic access to the remote processor, both pharmacies shall have appropriate technology to allow access to the required patient information.

#### C. Policies and Procedures

1. On-site pharmacies and remote processors engaging in the acquisition or provision of remote processing services shall maintain a policy and procedure manual for reference by all personnel; it shall also be available for inspection and copying by the board.

2. At a minimum, the manual shall include policies and procedures for:

- a. identification of the responsibilities of each of the pharmacies;
- b. protection of the integrity and confidentiality of patient information;
- c. maintenance of appropriate records to identify the name, initials, or unique identification code of each pharmacist performing processing functions, the specific services performed, and the date of such services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1132 (June 2007), amended LR 38:1240 (May 2012), LR 39:313 (February 2013), LR 41:2148 (October 2015).

### **§1145. Remote Access to Prescription Drug Orders, Medical Orders, and Chart Orders**

A. Notwithstanding any provision of rules to the contrary, nothing shall prohibit a Louisiana-licensed pharmacist who is an employee of or under contract with a pharmacy in Louisiana from accessing that pharmacy's dispensing information system from a location other than the pharmacy in order to process prescription drug orders, medical orders, or chart orders, but only when all of the following conditions are satisfied:

- 1. the pharmacy establishes controls to protect the privacy and security of confidential records;

2. the pharmacist does not engage in the receiving of written prescription drug orders or medical orders or chart orders or the maintenance of such orders; and

3. no part of the pharmacy's dispensing information system is duplicated, downloaded, or removed from the pharmacy's dispensing information system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 46:582 (April 2020).

#### **§1147. Starter Doses for Patients in Licensed Healthcare Facilities**

##### **A. Definitions**

*Starter Dose Order*—a prescription drug order or chart order transmitted by a vendor pharmacy to a starter dose pharmacy for the purpose of obtaining medication for a patient in a licensed health care facility.

*Starter dose pharmacy*—a Louisiana-licensed pharmacy that dispenses a starter dose of medication to a patient in a licensed health care facility pursuant to a starter dose order.

*Vendor Pharmacy*—a Louisiana-licensed pharmacy which has a contract with a licensed health facility to dispense medications to patients within that facility.

B. A vendor pharmacy may share a chart order with a starter dose pharmacy without the necessity of transferring such order, for the purpose of authorizing the starter dose pharmacy to dispense starter doses of medication to a patient in a licensed health care facility under the following circumstances:

1. the vendor pharmacy has secured authorization from the facility to utilize a starter dose pharmacy;
2. the vendor pharmacy is in possession of a valid chart order and is unable to furnish the medication ordered in a timely manner; and
3. the vendor pharmacy and starter dose pharmacy maintain records of all chart orders and starter dose orders for a period of not less than two years following date of transmission of such orders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 46:582 (April 2020).