



Louisiana Board of Pharmacy

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



July 7, 2022

Senator P. Page Cortez
President, Louisiana Senate
Via Email: APA.SenatePresident@legis.la.gov

Electronic Mail – Delivery Receipt Requested

Re: Report No. 1 of 3 for Regulatory Project 2022-6 ~ Nonresident Pharmacies

Dear Senator Cortez:

The Board seeks to amend its rules for nonresident pharmacies to replace the term “out-of-state” with “nonresident”, create parity between nonresident and resident pharmacies chapter requirements, clarify intent, and modifies the responsibility on the pharmacist-in-charge in the matter of policy and procedures. The proposed rule amendment also removes the requirement for nonresident pharmacies to designate a resident agent and registered office in Louisiana.

The Occupational Licensing Review Commission approved the initiation of this project during their May 13, 2022 meeting. In connection with this regulatory project, the following items are appended:

- Notice of Intent Page 2
- Fiscal & Economic Impact Statement Page 7

As indicated in the solicitation, we will convene a public hearing on August 26, 2022 to receive public comments and testimony on these proposed rule changes. We will summarize those comments and our responses thereto in our next report to you. In the event you have any questions or need additional information about this project, please contact me directly at jfontenot@pharmacy.la.gov or 225.925.6481.

For the Board:

M. Joseph Fontenot Jr.
Executive Director

cc: Chair, Senate Health & Welfare Committee
Via Email: APA.S-H&W@legis.la.gov
Speaker, House of Representatives
Via Email: APA.HouseSpeaker@legis.la.gov
Chair, House Health & Welfare Committee
Via Email: APA.H-HW@legis.la.gov
Director, Community Competitiveness & Small Business Services, La. Economic Development
Via Email: Witty@la.gov
Editor, *Louisiana Register*
Via Email: Reg.Submission@la.gov
Reference File

NOTICE OF INTENT

Department of Health Board of Pharmacy

Nonresident Pharmacies (LAC 46:LIII.2301, 2303, 2305, 2307, 2309, 2311, 2317, & 2319)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Louisiana Board of Pharmacy hereby gives notice of its intent to amend several sections of its rules relative to nonresident pharmacies. Proposed changes in §§2301, 2305, 2309, 2311, 2317, and 2319 include the replacement of the term “out of state” with “nonresident” making it consistent with the chapter and section titles. The proposed change in §2303.A is meant to clarify the intent for a nonresident pharmacy to hold a current pharmacy permit in their resident state. The proposed change in §2303.B removes the plural form of word “state” to clarify the intent for the pharmacist to be licensed in the state in which the pharmacy permit is located. The proposed change in §2303.C removes the requirement for a nonresident pharmacy to designate a resident agent and a registered office in Louisiana which eliminates an unnecessary regulatory burden. The proposed change in §2305.B replaces the statutory reference used for the annual permit fee because the current fee has been moved to proposed rule. The proposed change in §2307.D modifies the responsibility on the pharmacist-in-charge from developing and maintaining policies to implementing policies and procedures which more accurately reflects current trends. The proposed changes in §2307.I extend the notification requirement regarding a change of pharmacist-in-charge on the nonresident pharmacy permit holder and on a newly appointed pharmacist-in-charge to match the requirement for resident pharmacies – from 10 days to 30 days. The proposed changes in §2307.J removes the requirement for notarization of the affidavit and also makes a correction to which record the document is filed.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII: Pharmacists

Chapter 23. Nonresident Pharmacy

§2301. Purpose

A. ~~Out-of-State~~ Nonresident pharmacies shall comply with the provisions of this Chapter in order to be and remain permitted to operate in Louisiana as an ~~out-of-state~~ nonresident pharmacy.

B. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1380 (December 1992) effective January 1, 1993, LR 29:2099 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

§2303. Nonresident Pharmacy Requirements

A. The nonresident pharmacy shall hold a current pharmacy permit in good standing in the state(s) in which it is located ~~and/or practicing pharmacy~~.

B. Each pharmacist dispensing drugs into Louisiana shall be licensed as a pharmacist in good standing in the state(s) where he practices.

C. ~~Every nonresident pharmacy doing business in Louisiana by dispensing and delivering prescription drugs and devices to Louisiana residents shall designate a resident agent and a registered office in Louisiana for the service of process.~~

~~D.~~ Every nonresident pharmacy doing business in Louisiana by dispensing and delivering prescription drugs and devices to offenders in the custody of the Louisiana Department of Public Safety and Corrections or local law enforcement agency shall

obtain and maintain a nonresident correctional center pharmacy permit, and further, shall comply with the provisions of Chapter 18 of this Part, with the single exception of the necessity for acquiring a separate correctional center pharmacy permit.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1380 (December 1992) effective January 1, 1993, LR 29:2100 (October 2003), effective January 1, 2004, LR 39:3074 (November 2013), amended by the Department of Health, Board of Pharmacy, LR 46:574 (April 2020), amended LR

§2305. Nonresident Pharmacy Permit Requirements

A. The ~~out-of-state~~ nonresident pharmacy shall apply for a permit and annual permit renewals on forms provided by the board. The board may require such information as reasonably necessary to carry out the provisions of R.S. 37:1232, including, without limitation, the name, address, and position of each officer and director of a corporation or of the owners, if the pharmacy is not a corporation.

B. The ~~out-of-state~~ nonresident pharmacy shall pay an annual permit fee as defined ~~in R.S. 37:1184~~ by the Board.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1380 (December 1992) effective January 1, 1993, LR 29:2100 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

§2307. Pharmacist-in-Charge

A. – C. ...

D. Policy and Procedure Manual. The pharmacist-in-charge shall be responsible for the ~~development and maintenance~~ implementation of policies and procedures regarding quality pharmacy services including drug control, distribution, patient compliance accountability, inspection, and record keeping.

E. – H. ...

I. Change of Pharmacist-in-Charge. Written notice to the board shall be required when the pharmacist-in-charge designation for a pharmacy has changed.

1. The permit holder shall notify the board within ~~ten~~ 30 days of the prior pharmacist-in-charge's departure date. The permit holder shall designate a new pharmacist-in-charge within ~~ten~~ 10 days of the departure of the prior pharmacist-in-charge.

2. The new pharmacist-in-charge shall afford the board written notice of his newly designated pharmacist-in-charge status within ~~ten~~ 30 days of the departure of the prior pharmacist-in-charge.

3. A pharmacist-in-charge who voluntarily leaves a pharmacy shall give written notice to the board and the owner of the permit at least ~~ten~~ 10 days prior to this voluntary departure, unless replaced in a shorter period of time.

J. Affidavit of Responsibility and Duties. The designated pharmacist-in-charge shall sign an affidavit on a form supplied by the board indicating his understanding and acceptance of the duties and responsibilities of a pharmacist-in-charge. This ~~notarized~~ document shall be submitted to the board for inclusion in the ~~pharmacy's~~ pharmacist's record in the board office.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992) effective January 1, 1993, LR 29:2100 (October 2003), effective January 1, 2004, LR 33:1133 (June 2007), amended by the Department of Health, Board of Pharmacy, LR 43:50 (January 2017), amended LR

§2309. Applicable Laws and Regulations

A. Louisiana pharmacy laws and regulations shall be applicable to regulate the practice of pharmacy for that portion of the ~~out-~~ of-state nonresident pharmacy's Louisiana pharmacy practice or operation.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992) effective January 1, 1993, LR 29:2100 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

§2311. Inspection

A. The facilities and records of the ~~out-of-state~~ nonresident pharmacy shall be subject to inspection by the board or its designated agent(s).

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992) effective January 1, 1993, LR 29:2101 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

* * *

§2317. Nonresident Pharmacy Closure Procedures

A. Notice. Notice shall be afforded the board not less than 10 days prior to the anticipated closure date of an ~~out-of-state~~ nonresident pharmacy. Said notice shall include the location of all transferred prescription files for Louisiana residents.

B. Permit. The ~~out-of-state~~ nonresident pharmacy permit holder shall surrender the pharmacy permit to the board upon closure.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992) effective January 1, 1993, LR 29:2101 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

§2319. Jurisdiction

A. ~~Out-of-state~~ Nonresident pharmacies soliciting, receiving, and dispensing and delivering prescription drugs and devices, including controlled dangerous substances as defined in 21 USC §1, *et seq.* and 21 CFR 1 *et seq.*, or their successors, and delivered to residents in Louisiana constitutes doing business in Louisiana.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992) effective January 1, 1993, LR 29:2101 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR

Family Impact Statement

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed rule changes will have no effect on the stability of the family.
2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed rule changes will have no effect on the authority and rights of parents regarding the education and supervision of their children.
3. The Effect on the Functioning of the Family. The proposed rule changes will have no effect on the functioning of the family.
4. The Effect on Family Earnings and Family Budget. The proposed rule changes will have no effect on family earnings and family budget.
5. The Effect on the Behavior and Personal Responsibility of Children. The proposed rule changes will have no effect on the behavior and personal responsibility of children.
6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed rule changes will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed rule.

Poverty Impact Statement

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed rule changes will have no effect on household income, assets, or financial security.
2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed rule changes will have no effect on early childhood development or preschool through postsecondary education development.
3. The Effect on Employment and Workforce Development. The proposed rule changes will have no effect on employment or workforce development.
4. The Effect on Taxes and Tax Credits. The proposed rule changes will have no effect on taxes or tax credits.
5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed rule changes will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

Small Business Analysis

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed rule changes in §2307.I will provide additional time to the owner of the nonresident pharmacy permit to report a change in pharmacist-in-charge to the Board – from 10 days to 30 days.
2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed rule changes in §2307.I will provide additional time to the owner of the nonresident pharmacy permit to report a change in pharmacist-in-charge to the Board – from 10 days to 30 days.
3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed rule changes will have no effect on consolidation or simplification of compliance or reporting requirements for small business.
4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the Proposed Rule. The proposed rule changes will have no effect on standards..
5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the Proposed Rule. There are no exemptions for small businesses in the proposed rule changes.

Provider Impact Statement

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed rule changes will have no effect on the staffing level requirements or qualifications required to provide the same level of service.
2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed rule changes will have no effect on the cost to the provider to provide the same level of service.
3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed rule changes will have no effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, via United States Postal Service or other mail carrier, or in the alternative by personal delivery to M. Joseph Fontenot Jr., Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule.

Public Hearing

A public hearing to solicit comments and testimony on the proposed rule changes is scheduled for 9:00 a.m. on Friday, August 26, 2022 at the Board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and

testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. noon that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.

Executive Director – Designate

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Nonresident Pharmacies

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will require the Louisiana Board of Pharmacy (LBP) to publish the proposed and final rules in the state register, resulting in printing expenses of \$2,000 in FY 2023. There will be no additional expenditures or cost savings for LBP.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

These changes will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes replace the term “out-of-state” with “nonresident” and create parity between nonresident and resident pharmacies chapter requirements. The proposed rule could benefit nonresident pharmacy permit owners by removing the requirement to designate a resident agent and registered office in Louisiana thereby eliminating potential costs for doing so. Resident pharmacies had a similar requirement in the past, though this was removed.

The primary reason for the removal of the registered office and resident agent requirement is that existing regulation exceeds the authority of current law, which specifies a pharmacy “may” have a resident agent and registered office, while existing regulation states they “shall.”

The other proposed language changes have no costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will have no effect on competition or employment.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

Person Preparing Statement:	M. Joseph Fontenot, Jr. Executive Director	Dept.: Dept. of Health
Telephone:	225.925.6481	Office: Board of Pharmacy
Return Address:	3388 Brentwood Drive Baton Rouge, LA 70809	Title: Nonresident Pharmacies
		Effective Date of Rule: Upon promulgation Dec. 20, 2022 (est.)

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will require the Louisiana Board of Pharmacy (LBP) to publish the proposed and final rules in the state register, resulting in printing expenses of \$2,000 in FY 2023. There will be no additional expenditures or cost savings for LBP.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

These changes will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes replace the term "out-of-state" with "nonresident" and create parity between nonresident and resident pharmacies chapter requirements. The proposed rule could benefit nonresident pharmacy permit owners by removing the requirement to designate a resident agent and registered office in Louisiana thereby eliminating potential costs for doing so. Resident pharmacies had a similar requirement in the past, though this was removed.

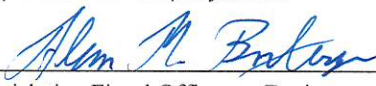
The primary reason for the removal of the registered office and resident agent requirement is that existing regulation exceeds the authority of current law, which specifies a pharmacy "may" have a resident agent and registered office, while existing regulation states they "shall."

The other proposed language changes have no costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will have no effect on competition or employment.

Joe Fontenot
Digitally signed by Joe Fontenot
DN: cn=Joe Fontenot, o=Louisiana Board of Pharmacy, ou=Executive
Director, email=jfontenot@pharmacy.la.gov, c=US
Date: 2022.07.01 12:19:06 -05'00'
Signature of Agency Head or Designee


Legislative Fiscal Officer or Designee

M. Joseph Fontenot, Jr., Executive Director
Typed Name and Title of Agency Head

7/1/22
Date of Signature

July 1, 2022
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
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The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Proposed rule changes in Sections 2301, 2305, 2309, 2311, 2317, and 2319 include the replacement of the term "out of state" with "nonresident" making it consistent with the chapter and section titles. The proposed deletion of language in Subsection 2303(A) is meant to clarify the intent for a nonresident pharmacy to hold a current pharmacy permit in their resident state. The proposed rule change in Subsection 2303(B) removes the plural form of the word "state" to clarify the intent for the pharmacist to be licensed in the state in which the pharmacy permit is located. The proposed rule change in Subsection 2303(C) removes the requirement for a nonresident pharmacy to designate a resident agent and a registered office in Louisiana which eliminates an unnecessary regulatory burden. The proposed rule change in Subsection 2305(B) removes reference to a statutory citation for the annual permit fee because the current fee has been moved to proposed rule. The proposed rule change in Subsection 2307(D) modifies the responsibility on the pharmacist-in-charge from developing and maintaining policies to implementing policies and procedures which more accurately reflects current trends. The proposed rule changes in Subsection 2307(I) extends the notification requirement regarding a change of pharmacist-in-charge on the nonresident pharmacy permit holder and on a newly appointed pharmacist-in-charge to match the requirement for resident pharmacies – from 10 days to 30 days. The proposed changes in Subsection 2307(J) removes the requirement for notarization of the affidavit and also makes a correction to which record the document is filed. A copy of the notice of intent is appended.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule changes in Chapter 23 were determined by the Board of Pharmacy to be necessary in order to mirror previous changes made to the resident pharmacy chapter.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

LBP has allocated \$2,000 in FY 2023 for printing the Notice of Intent and the Rule. LBP operates on self-generated funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) _____ Yes. If yes, attach documentation.
- (b) No NO. If no, provide justification as to why this rule change should be published at this time

LBP operates on self-generated funds, and they have determined the proposed rule changes are in the public's best interest.

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 23	FY 24	FY 25
Personal Services			
Operating Expenses	\$2,000		
Professional Services			
Other Charges			
Equipment			
Major Repairs & Constr.			
TOTAL	\$2,000		None
POSITIONS (#)	None	None	None

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

FISCAL AND ECONOMIC IMPACT STATEMENT
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The proposed changes will require LBP to print the Notice of Intent and Rule in the state register at a cost of \$2,000 in FY 2023.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 23	FY 24	FY 25
State General Fund			
Agency Self-Generated	\$ 2,000		
Dedicated			
Federal Funds			
Other (Specify)			
TOTAL	\$2,000		None

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

LBP has sufficient self-generated funds available to implement the proposed rule changes.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.
2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

SOURCE	FY 23	FY 24	FY 25
State General Fund			
Agency Self-Generated			
Dedicated			
Federal Funds			
Other (Specify)			
TOTAL	None	None	None

The proposed rule change does not impact local governmental units.

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

The proposed rule changes will not affect revenue collections of state or local governmental units.

REVENUE INCREASE/DECREASE	FY 23	FY 24	FY 25
State General Fund			
Agency Self-Generated			
Dedicated Funds*			
Federal Funds			
Local Funds			
TOTAL	None	None	None

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The proposed rule changes will not affect revenue collections of state or local governmental units.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional

**FISCAL AND ECONOMIC IMPACT STATEMENT
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documentation, etc.), they may have to incur as a result of the proposed action.

To the extent there is no other state requirement, the proposed rule change in Subsection 2303(C) could benefit nonresident pharmacy permit owners by removing the requirement to designate a resident agent and registered office in Louisiana thereby eliminating potential costs for doing so. An online search for a registered agent indicates fees of approximately \$50.00 to \$100.00 annually. The other proposed rule changes have no costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule changes will not impact a nonresident pharmacy permit owner's receipts or revenue.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule changes will have no effect on competition or employment.