Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 25. Prescriptions, Drugs, and Devices

§2511. Prescriptions and Chart Orders

A. Definitions. As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section:

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Electronic Prescription – a prescription generated, signed and transmitted in electronic form which complies with the provisions of 21 CFR 1311 or its successor, excluding electronically transmitted facsimile documents.

~~*Practice Affiliation* – a practice relationship, collaboration, or practice under the supervision of a physician licensed to practice medicine.~~

Practitioner – an individual currently licensed, registered, or otherwise authorized by the appropriate licensing board to prescribe and administer drugs in the course of professional practice.

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B. Patient Authority to Acquire Prescription Drug

1. A prescription or chart order represents the lawful authority for a person to acquire a prescription drug from a pharmacy licensed to dispense prescription drugs.
2. In the absence of refill instructions on the original prescription, the prescription shall not be refilled. A pharmacy may dispense the total quantity authorized in one transaction, or in the alternative, may dispense partial quantities in multiple transactions, provided however that the sum of the partial quantities shall not exceed the total quantity authorized.
3. In the event a prescription contains refill instructions, the prescription may be refilled when requested by the person or caregiver. A pharmacy may dispense the quantity authorized for each refill in a single transaction, or in the alternative, may dispense partial quantities in multiple transactions, provided however that the sum of the partial quantities shall not exceed the total quantity authorized.
4. While the documentation of a prescription or chart order shall be retained by the dispensing pharmacy as evidence of its lawful dispensing of the prescription drug, the person's lawful authority to obtain the drug conveyed by the prescription or chart order shall continue to exist until the earliest of the expiration date of the prescription or chart order, or in the alternative, when the total quantity authorized has been dispensed.
5. In the event a person requests a pharmacy to transfer an unfilled prescription to another pharmacy, the pharmacy shall comply with that request as soon as possible, but no later than the end of the next business day. In the event a person requests a pharmacy to transfer the remainder of an unexpired prescription to

another pharmacy, the pharmacy shall transfer that prescription information in compliance with the provisions of this Chapter as soon as possible but no later than the end of the next business day. A pharmacy shall not cancel the remainder of an unexpired prescription unless such action is required by law or rule or is requested by the prescriber.

C. Practitioners Authorized to Issue Prescriptions and Chart Orders

1. A pharmacist may dispense a prescription drug or device when the prescription or chart order is issued by any of the following practitioners.
   a. advanced practice registered nurse
   b. dentist
   c. medical psychologist
   d. optometrist
   e. physician
   f. physician assistant
   g. podiatrist
   h. veterinarian
2. A prescription may be prepared by the secretary or agent of the prescriber for the signature of the prescriber, but the prescriber retains accountability for the proper issuance of a valid prescription. A prescriber's secretary or agent may communicate a valid prescription to a pharmacy.
3. In the event a practitioner's authority to issue prescriptions is restricted by his licensing authority, the pharmacist shall dispense any prescriptions issued by that practitioner according to such restriction(s).
4. In the event a pharmacist receives a prescription issued by a practitioner in another jurisdiction, the pharmacist may dispense a prescription issued in conformance with the requirements of that jurisdiction. However, a prescription issued by a practitioner in another jurisdiction not in conformance with the requirements of that jurisdiction shall not be considered a valid prescription in this state, and the pharmacist shall not dispense medication pursuant to an invalid prescription.

~~B~~ D. ~~Requirements~~ Required Information.

1. A prescription shall contain the following data elements:
   ~~1~~ a. Prescriber's name, licensure designation, address, telephone number, and if for a controlled substance, the Drug Enforcement Administration (DEA) registration number;
   ~~2~~ b. Patient's name, and if for a controlled substance, address;
   ~~3~~ c. Date prescription issued by the prescriber;
   ~~4~~ d. Name of drug or device, and if applicable, strength, and quantity to be dispensed;
   ~~5~~ e. Directions for use;
   ~~6~~ f. Signature of the prescriber; and
   ~~7~~ g. Refill instructions, if any. In the absence of refill instructions on the original prescription, the prescription shall not be refilled.

2. In the event a pharmacist receives a prescription order or chart order lacking certain required information, the pharmacist may consult with the prescriber to clarify the prescriber's intent. Following a consultation with the prescriber and the appropriate documentation thereof on the order:

~~1~~ a. A pharmacist may add the following data elements on the order:

~~a~~ i. Patient's address; or

~~b~~ ii. Drug dosage form.

~~2~~ b. A pharmacist may record changes in the following data elements on the order:

~~a~~ i. Patient's address;

~~b~~ ii. Drug strength;

~~c~~ iii. Quantity prescribed; or

~~d~~ iv. Directions for use.

~~3~~ c. A pharmacist shall never add or make changes to the following data elements on the order:

~~a~~ i. Patient's name;

~~b~~ ii. Date of issue;

~~c~~ iii. Drug name (except for generic interchange as permitted by law); or

~~d~~ iv. Prescriber signature.

E. Manner of Issuance

~~D.~~ 1. Oral Prescriptions.

~~1~~ a. Upon the receipt of an oral prescription from an authorized prescriber, the pharmacist or pharmacy intern or pharmacy technician shall reduce the order to a written form prior to dispensing the medication. As an alternative to recording such prescriptions on paper forms, a pharmacist may enter the prescription information directly into the pharmacy's dispensing information system.

b. In the event a pharmacy intern or pharmacy technician transcribes such a prescription, the supervising pharmacist shall initial or countersign the prescription form prior to processing the prescription.

~~C.~~ 2. Written Prescriptions. A written prescription shall conform to the following format:

~~1~~ a. The prescription form shall be of a size not less than 4 inches by 5 inches, and shall bear a single printed signature line.

~~2~~ b. The prescription form shall clearly indicate the authorized prescriber's name, licensure designation, address, telephone number, and if for a controlled substance, the Drug Enforcement Administration (DEA) registration number. In the event that multiple practitioners are identified on the prescription form, the authorizing prescriber's specific identity shall be clear and unambiguous. This identification may be indicated by any means, including but not limited to, a marked check box next to, or circling, the authorized prescriber's printed name.

~~3~~ c. No prescription form shall contain more than four active prescription drug orders. Each active prescription drug order on the form shall provide the following:

~~a~~ i. check box labeled "Dispense as Written", or "DAW", or both; and

~~b~~ ii. the number of refills, if any.

~~4~~ d. The prescription shall be written with ink or indelible pencil, typewriter, or printed on a computer printer and shall be manually signed by the practitioner on the date issued and in the same manner as he would sign a check or legal document (e.g., J. H. Smith or John H. Smith). Examples of invalid signatures include rubber stamps, signatures of anyone other than the prescriber, and computer-generated signatures.

~~5~~ e. Receipt via Facsimile

~~a~~ i. Pharmacies may elect to receive written prescriptions via a facsimile machine located within the prescription department. The paper used to print such prescriptions shall produce a non-fading image. The pharmacy may elect to scan such documents in compliance with Section 1123 of this Part.

~~b~~ ii. Pharmacies may elect to receive written prescriptions via electronic facsimile directly within their pharmacy information system. The pharmacy shall retain such records in compliance with Section 1123 of this Part.

~~6~~ f. Chart orders and forms used by pharmacists to record telephoned or transferred prescriptions are exempt from the format requirements listed ~~above~~ in this Section.

~~D. Oral Prescriptions.~~

~~1. Upon the receipt of an oral prescription from an authorized prescriber, the pharmacist or pharmacy intern or pharmacy technician shall reduce the order to a written form prior to dispensing the medication. As an alternative to recording such prescriptions on paper forms, a pharmacist may enter the prescription information directly into the pharmacy's dispensing information system. In the event a pharmacy intern or pharmacy technician transcribes such a prescription, the supervising pharmacist shall initial or countersign the prescription form prior to processing the prescription.~~

~~E.~~ 3. Electronic Prescriptions.

~~1~~ a. The prescription shall clearly indicate the authorized prescriber's name, licensure designation, address, telephone number, and if for a controlled substance, the DEA registration number.

~~F. Completion of Prescription Orders and Chart Orders. In the event a pharmacist receives a prescription order or chart order lacking certain required information, the pharmacist may consult with the prescriber to clarify the prescriber's intent. Following a consultation with the prescriber and the appropriate documentation thereof on the order:~~

~~1. A pharmacist may add the following data elements on the order:~~

~~a. Patient's address; or~~

~~b. Drug dosage form.~~

~~2. A pharmacist may record changes in the following data elements on the order:~~

~~a. Patient's address;~~

~~b. Drug strength;~~

~~c. Quantity prescribed; or~~

~~d. Directions for use.~~

~~3. A pharmacist shall never add or make changes to the following data elements on the order:~~

~~a. Patient's name;~~

~~b. Date of issue;~~

~~c. Drug name (except for generic interchange as permitted by law); or~~

~~d. Prescriber signature.~~

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 29:2102 (October 2003), effective January 1, 2004, LR 41:98 (January 2015), LR 41:2147 (October 2015), amended by the Department of Health, Board of Pharmacy, LR 43:2162 (November 2017), LR 46:585 (April 2020), LR.

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§2519. Prescription Refills; Medication Synchronization and Refill Consolidation

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B. Dispensing of Refills ~~Requests~~. Prescription refills authorized by the prescriber shall not be dispensed in the absence of a patient or caregiver's request or approval. This prohibition shall not apply to refills authorized by the prescriber which are to be dispensed to a patient residing in a long-term care facility.

C. A pharmacy submitting a request for refill authorization to a prescriber shall differentiate between those originating from a specific patient inquiry from those originating from the pharmacy staff.

~~C~~ D. Controlled Dangerous Substances.

1. The refilling of a prescription for a drug listed in Schedule II is prohibited.
2. A prescription for a drug listed in Schedule III or IV may be refilled up to five times, if so indicated at the time issued.
3. A prescription for a drug listed in Schedule V may be refilled if so indicated at the time issued subject to the one year expiration date of the prescription.

~~D~~ E. Medication Synchronization and Refill Consolidation. These terms refer to a service which a pharmacist may perform for his patient, at the request of the patient, wherein he may proactively adjust the medication dispensing quantity and/or the refill schedule of a prescription in order to manage the patient's medication therapy, with the goal of improved medication adherence by the patient.

1. For the performance of this service, the pharmacist may adjust the dispensing quantity and/or the refill schedule originally ordered by the prescriber; however, the pharmacist shall not exceed the total quantity prescribed [dispensing quantity multiplied by the total number of fills authorized (original plus refills)], or what is otherwise allowed by law.
2. With respect to prescriptions for controlled substances where refills have been authorized, pharmacists

may utilize partial fills, as described in Paragraph 2747.C.5 of this Part, but may not exceed the dispensing quantity noted on the original prescription.

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