Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 24. Limited Service Providers

Subchapter E. Marijuana Pharmacy

§2440. Preamble; Warning; Consultation Suggested

A. Pursuant to Act 261 of the Regular Session of the 2015 Louisiana Legislature as well as ~~the~~ subsequent amendments ~~found in Act 96 of the Regular Session of the 2016 Louisiana Legislature~~, the Board of Pharmacy was directed to:

1. …
2. Adopt rules relating to the dispensing of recommended marijuana for therapeutic use, with such rules to include, at a minimum, the following:

a. – d. …

e. Standards, procedures, and protocols to ensure all recommended therapeutic marijuana dispensed, with the exception of raw or crude marijuana product, is consistently pharmaceutical grade;

A.2.f. – C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1538 (August 2017), amended LR

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§2443. Marijuana Products

A. Exclusive Source.

1. The exclusive source of marijuana products shall be the producers licensed for that activity by the Department of Agriculture and Forestry (LDAF).
2. ~~That~~ Licensed producers shall prepare pharmaceutical grade marijuana products as well as raw marijuana products for distribution to the marijuana pharmacies licensed by the board.
3. Marijuana products from any other source shall be deemed misbranded and/or adulterated and shall not be distributed to any marijuana pharmacy, nor may such misbranded and/or adulterated products be dispensed by any marijuana pharmacy.

B. – B.8. … *{Laboratory testing standards from LDAF?}*

C. Product Dosage Forms.

1. The producer shall limit their production of pharmaceutical grade marijuana products to the following dosage forms:
    a. Oils, extracts, tinctures, or sprays;
    b. Solid oral dosage forms, e.g., capsules or pills;
    c. Liquid oral dosage forms, e.g., solutions or suspensions;
    d. Gelatin-based or pectin-based chewables;
    e. Topical applications, oils or lotions;
    f. Transdermal patches;
    g. Suppositories;
    h. Metered-dose inhalers.
2. The producer may produce other products from raw or crude marijuana, including dried flower, buds and other plant material, intended for the following methods of administration:
    a. Combustible forms for inhalation, including but not limited to pre-rolls; and
    b. Edible forms for ingestion.

~~2~~ 3. No marijuana product shall:

a. include alcoholic liquor, dietary supplements, or any drug, except for ~~pharmaceutical grade~~ marijuana. For purposes of this provision, alcoholic liquor does not include any liquid or solid containing less than 0.5 percent of alcohol by volume, or ethanol-based tinctures.

~~b. be manufactured or sold as a beverage~~.

~~c~~ b. be manufactured or sold in a form or with a design that:

i. is obscene or indecent;

ii. may encourage the use of marijuana for recreational purposes;

iii. may encourage the use of marijuana for a condition other than a debilitating medical condition; or

iv. is customarily associated with persons under the age of 18 years; or

~~d~~ c. have had pesticide chemicals or organic solvents used during the production or manufacturing process other than those which may be approved by the commissioner of LDAF.

~~3~~ 4. Any marijuana product not in compliance with the provisions of this ~~Paragraph~~ Section shall be deemed adulterated.

D. Packaging and Labeling Requirements

1. Packaging

1.a – 1.b.v. …

c. Products containing raw or crude marijuana shall be packaged in such a manner as to facilitate compliance with the dispensing limitations imposed on marijuana pharmacies.

D.2. – E.4.f. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1540 (August 2017), amended LR 45:1473 (October 2019), LR 46:568 (April 2020), amended LR 46:1227 (September 2020), LR 47:590 (May 2021), LR

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§2457. Standards of Practice

A. – D.5. …

E. Professional Practice Standards

1. Recommendation / opinion / referral (hereinafter "request") for Therapeutic Marijuana

1.a. – 1.b.vii. …

c. Requests for raw or crude marijuana products intended for persons under 21 years of age shall specifically indicate a recommendation for raw or crude forms of marijuana for such persons.

~~e~~ d. Requests for marijuana products shall expire one year after the date of issue, unless a shorter period of time is indicated by the physician. A pharmacist shall not dispense marijuana product pursuant to an expired request.

e. Dispensing Limitations

i. A pharmacist shall not dispense more than two and one-half ounces, or 71 grams, of raw or crude marijuana every 14 days to any person.

ii. Subject to the above limitation on dispensing raw or crude marijuana products, ~~A~~ a pharmacist may dispense marijuana products on multiple occasions as indicated by the physician and needed by the patient until the request expires; however, the pharmacist shall not dispense more than a 90-day supply of marijuana product at one time nor more than a one-year supply pursuant to a single request.

E.2. – E.6.e.iv. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

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