

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII: Pharmacists

Chapter 11. Pharmacies

Subchapter C. Pharmacy Opening, Closing, Change of Ownership, and Change of Location Procedures

§1135. Pharmacy Change of Ownership ~~Procedures~~

~~A. The holder of a pharmacy permit shall notify the board, in writing, prior to the transfer of ownership, in order for the board to complete an inspection of the pharmacy premises.~~

~~1. A change of ownership of a pharmacy is evident under the following conditions:~~

~~a. sale of a pharmacy;~~

~~b. death of a sole proprietor;~~

~~c. the addition or deletion of one or more partners in a partnership;~~

~~d. bankruptcy sale; or~~

~~e. a 50 percent, or more, change in ownership of a corporation, limited liability company, or association since the issuance of the original permit or the last renewal application.~~

~~2. The new owner(s) of the pharmacy shall submit a properly completed pharmacy permit application, with appropriate fee, to the board.~~

~~3. Upon receipt of the new permit, the seller shall:~~

~~a. notify the board of the transaction, including the identity of the new owner(s); and~~

~~b. surrender the voided pharmacy permit and voided Louisiana Controlled Dangerous Substance License to the board.~~

~~4. Pharmacy permits are not transferable from the original holder(s) of the permit to the new owner(s).~~

A. A pharmacy permit is not transferable.

B. A new application must be filed and a new permit obtained when a change in the identity of the natural person, partnership, or business entity which directly holds the permit has occurred or there is a change in the person or entity's Federal Employer Identification Number (FEIN).

C. The new owner shall submit an application to the board office at least 15 days before closing the transfer of ownership interests of said business.

D. The continued operation of a pharmacy permit subsequent to a change of ownership, without submission of an application to the board office, shall be deemed guilty of operating a pharmacy without a valid permit, in violation of R.S. 37:1221.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 29:2092 (October 2003), effective January 1, 2004, amended LR 33:1131 (June 2007), amended LR