



Louisiana Board of Pharmacy

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



February 22, 2023

Senator Page Cortez, President
Louisiana Senate
PO Box 94183
Baton Rouge, LA 70804

Via E-mail: APA.SenatePresident@legis.la.gov

Electronic Mail – Delivery Receipt Requested

Re: Annual Report on Rulemaking Activities

Report No. 3 of 3 for Project 2021-03 ~ Hemp Facility
Report No. 3 of 3 for Project 2021-04 ~ Medication Administration
Report No. 3 of 3 for Project 2022-01 ~ Raw Marijuana Products
Report No. 3 of 3 for Project 2022-02 ~ Fees
Report No. 3 of 3 for Project 2022-03 ~ Marijuana Pharmacies
Report No. 3 of 3 for Project 2022-04 ~ Pharmacy Benefit Managers
Report No. 3 of 3 for Project 2022-05 ~ Pharmacy Operations
Report No. 3 of 3 for Project 2022-07 ~ Licensing Dependents of Healthcare Prof.
Report No. 3 of 3 for Project 2022-08 ~ Transfer of Prescription Information
Report No. 3 of 3 for Project 2022-10 ~ Compounding
Update – Project 2022-06 ~ Nonresident Pharmacies
Update – Project 2022-09 ~ Partial Fills of CDS

Dear Senator Cortez:

In compliance with the provisions of the Administrative Procedures Act, more specifically at La. R.S. 49:966(K), please accept this Annual Report of the Board of Pharmacy's rulemaking projects from Calendar Year 2022.

- **Regulatory Project 2021-03 ~ Hemp Facility**

We submitted our first report to you on November 8, 2021, and the *Notice of Intent* was published in the November 20, 2021 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on December 28, 2021 to receive comments and testimony. We received no comments, verbal or written. The Board determined no changes to the original proposed rule were warranted. During their January 11, 2022 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on January 17, 2022. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the March 20, 2022 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2021-04 ~ Medication Administration**

We submitted our first report to you on November 8, 2021, and the *Notice of Intent* was published in the November 20, 2021 edition of the Louisiana Register. As advertised in the notice, we conducted a joint public hearing on December 28, 2021 to receive comments and testimony. We received letters of support from five stakeholder organizations as well as one verbal comment of support from a pharmacy employer. There were no requests for revisions. The Board determined no changes to the original proposed rule were warranted. During their January 11, 2022 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on January 17, 2022. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the March 20, 2022 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2022-01 ~ Raw Marijuana Products**

We submitted our first report to you on February 8, 2022, and the *Notice of Intent* was published in the February 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on March 25, 2022 to receive comments and testimony. We received no comments or testimony. The Board subsequently determined no revisions were warranted. During their May 13 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on June 7, 2022. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the July 20, 2022 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2022-02 ~ Fees**

We submitted our first report to you on February 8, 2022, and the *Notice of Intent* was published in the February 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on March 25, 2022 to receive comments and testimony. We received no comments or testimony. The Board subsequently determined no revisions were warranted. During their May 13 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on June 7, 2022. With no request for further information from the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the July 20, 2022 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **[Regulatory Project 2022-03 ~ Marijuana Pharmacies](#)**

We submitted our first report to you on April 8, 2022, and the Notice of Intent was published in the April 20, 2022 edition of the *Louisiana Register*. As advertised in the notice, we conducted a public hearing on May 27, 2022 to receive comments and testimony. We received no comments or testimony during the public hearing. The Board determined no revisions of the original proposed rule were necessary. During their June 29, 2022 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on July 6, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the August 20, 2022 edition of the *Louisiana Register* with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **[Regulatory Project 2022-04 ~ Pharmacy Benefit Managers](#)**

We submitted our first report to you on April 8, 2022, and the Notice of Intent was published in the April 20, 2022 edition of the *Louisiana Register*. As advertised in the notice, we conducted a public hearing on May 27, 2022 to receive comments and testimony. We received no comments or testimony during the public hearing. The Board determined no revisions of the original proposed rule were necessary. During their June 29, 2022 meeting, the Occupational Licensing Review Commission authorized the Board to complete the promulgation process.

We submitted our second report to you on July 6, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the August 20, 2022 edition of the *Louisiana Register* with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **[Regulatory Project 2022-05 ~ Pharmacy Operations](#)**

We submitted our first report to you on April 8, 2022, and the Notice of Intent was published in the April 20, 2022 edition of the *Louisiana Register*. As advertised in the notice, we conducted a public hearing on May 27, 2022 to receive comments and testimony. We received no comments or testimony during the public hearing. The Board determined no revisions of the original proposed rule were necessary. During their June 29, 2022 meeting, the Occupational Licensing Review Commission (OLRC) authorized the Board to complete the promulgation process.

We submitted our second report to you on July 6, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the August 20, 2022 edition of the *Louisiana Register* with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **[Regulatory Project 2022-07 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana](#)**

We submitted our first report to you on July 7, 2022 and the *Notice of Intent* was

published in the July 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2022 to receive comments and testimony. We received no comments or testimony during the public hearing, and the Board determined no revisions of the original proposed rule were necessary. On November 3, 2022 the Department of Justice's Occupational Licensing Review Program (OLRP) approved the proposed regulatory project.

We submitted our second report to you on December 5, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the January 20, 2023 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2022-08 ~ Transfer of Prescription Information**

We submitted our first report to you on July 7, 2022 and the *Notice of Intent* was published in the July 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2022 to receive comments and testimony. We received one letter of support for the proposed amendment. The Board subsequently determined no revisions were necessary. On November 3, 2022 the Department of Justice's Occupational Licensing Review Program (OLRP) approved the proposed regulatory project.

We submitted our second report to you on December 6, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the January 20, 2023 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2022-10 ~ Compounding**

We submitted our first report to you on July 7, 2022 and the *Notice of Intent* was published in the July 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2022 to receive comments and testimony. We received no comments or testimony during the public hearing. The Board subsequently determined no revisions were necessary. On November 3, 2022 the Department of Justice's Occupational Licensing Review Program (OLRP) approved the proposed regulatory project.

We submitted our second report to you on December 6, 2022. With no request for further information by the Joint Legislative Oversight Committee on Health and Welfare, the Board published the *Rule* in the January 20, 2023 edition of the Louisiana Register with an immediate effective date.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **Regulatory Project 2022-06 ~ Nonresident Pharmacies (Progress Update)**

We submitted our first report to you on July 7, 2022 and the *Notice of Intent* was published in the July 20, 2022 edition of the Louisiana Register. As advertised in the notice, we conducted a public hearing on August 26, 2022 to receive comments and testimony. We received one comment and the Board determined no revisions to the proposed rule amendment were necessary. On February 14, 2023, the Department of

Justice's Occupational Licensing Review Program (OLRP) approved the proposed regulatory project.

We plan to submit the second report to you in the next couple of weeks as we continue the project.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

- **[Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions \(Progress Update\)](#)**

We submitted our first report to you on July 7, 2022 and the *Notice of Intent* was published in the July 20, 2022 edition of the [Louisiana Register](#). As advertised in the notice, we conducted a public hearing on August 26, 2022 to receive comments and testimony. We received one comment in the form of a question which identified an unintended omission. The Board approved the addition of language originally intended in the proposal in order to clarify its meaning. After consulting with the Editor of the [Louisiana Register](#) in regards to the amendment, the Board continued the project. On February 14, 2023, the Department of Justice's Occupational Licensing Review Program (OLRP) approved the proposed regulatory project.

We plan to submit the second report to you in the next couple of weeks as we continue the project.

In compliance with R.S. 49:966(K)(2), we have attached a summary of the comments and testimony received.

Finally, we trust that copies of our previous reports for all of these projects reside in your archives; however, in the event you need additional copies or any other information, please contact me directly at jfontenot@pharmacy.la.gov or 225.925.6481.

For the Board:

cc: Speaker, House of Representatives
Via E-mail: APA.HouseSpeaker@legis.la.gov
Chair, Senate Committee on Health & Welfare
Via E-mail: APA.S-H&W@legis.la.gov
Chair, House Committee on Health & Welfare
Via E-mail: APA.H-HW@legis.la.gov

Regulatory Project 2021-03 ~ Hemp Facility

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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



Summary of Testimony & Public Comments
re
Regulatory Project 2021-3 ~ Hemp Facility
at
December 28, 2021 Public Hearing

No comments or testimony received.

Regulatory Project 2021-04 ~ Medication Administration

Summary of Comments & Testimony



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Summary of Testimony & Public Comments
re
Regulatory Project 2021-4 ~ Medication Administration
at
December 28, 2021 Public Hearing

1. Letter from Steven Anderson on behalf of National Association of Chain Drug Stores

Mr. Anderson expressed support for the proposed rule changes as published and did not request any revisions.

2. Letter from Alicia Palombo on behalf of CVS Health

Dr. Palombo expressed support for the proposed rule changes as published and did not request any revisions.

3. Letter from Jeenu Philip on behalf of Walgreens

Mr. Philip expressed support for the proposed rule changes as published and did not request any revisions. He did request the Board's future consideration of an amendment of a different rule related to staffing ratios of licensed personnel.

4. Letter from Jessica Elliott on behalf of Louisiana Alliance of Retail Pharmacies

Ms. Elliott expressed support for the proposed rule changes as published and did not request any revisions.

5. Letter from Rob Geddes on behalf of Albertsons Companies

Dr. Geddes expressed support for the proposed rule changes as published and did not request any revisions.

6. Verbal Testimony from Benjamin Sims on behalf of Brookshire Grocery Co.

Mr. Sims expressed support for the proposed rule changes as published and did not request any revisions.



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NOTICE IS HEREBY GIVEN that a Public Hearing has been ordered and called for 9:00 a.m. on Tuesday, December 28, 2021 at the Board office, for the purpose to wit:

A G E N D A

Revised 11-20-2021

1. Call to Order
2. Appearances
3. Solicitation of Comments & Testimony on Proposed Rule Changes
 - A. Regulatory Project 2021-3 ~ Hemp Facility
 - B. Regulatory Project 2021-4 ~ Medication Administration
4. Opportunity for Public Comment
5. Adjourn

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ December 28, 2021

Regulatory Project 2021-3 ~ Hemp Facility

Regulatory Project 2021-4 ~ Medication Administration

Name	Address	E-mail	Group or Agency Represented
1. Ben J. Sims	1600 WSW Loop 323 Tyler TX 75701	sims bensims@brookshires.com	Brookshire Grocery Company
2.			
3.			
4.			
5.			

December 16, 2021

Malcom J. Broussard
Executive Director
Louisiana Board of Pharmacy
3388 Brentwood Dr
Baton Rouge, LA 70809

Re: Regulatory Proposal 2021-F; Medication Administration

Dear Mr. Broussard,

On behalf of our 16 member companies operating nearly 700 chain pharmacies throughout Louisiana, the National Association of Chain Drug Stores (NACDS) is writing to communicate our strong support for Regulatory Proposal 2021-F that would revise rules for the administration of vaccinations and medications. We commend the Louisiana Board of Pharmacy (Board) for initiating this rulemaking to permanently codify the ability of pharmacy interns and pharmacy technicians to administer vaccinations, as well as to simplify certain administrative requirements for vaccinations administered in pharmacies.

NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate nearly 40,000 pharmacies, and NACDS' 80 chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 155,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 21 countries. Please visit [NACDS.org](https://www.nacds.org)

Most notably, these important rule changes would permanently empower pharmacists to optimize the use of pharmacy interns and pharmacy technicians as they work to meet increasing public demand for vaccine services. Throughout the COVID-19 pandemic, retail pharmacies have administered more than 187.4 million doses of the COVID-19 vaccine, and pharmacy interns and pharmacy technicians have played an essential role in supporting these and other immunization efforts.¹

Authorized by the federal government under the Public Readiness and Emergency Preparedness (PREP) Act, Louisiana's pharmacy interns and pharmacy technicians have assisted pharmacists in administering vaccines for COVID-19, influenza and other ACIP

¹ <https://www.cdc.gov/vaccines/covid-19/retail-pharmacy-program/index.html>

recommended vaccines in communities throughout the state. The proposed rule changes codifying permanent authority for pharmacy interns and pharmacy technicians to administer vaccines will enhance pharmacists' and pharmacies' abilities to continue to deliver crucial vaccine services – in addition to numerous other care services – that the general public has come to expect from their neighborhood pharmacy in recent times.

Leveraging the pharmacy interns and pharmacy technicians to perform the technical act of administering vaccines further frees up pharmacists to focus on the provision of other professional services to their patients. More and more, people have come to rely on their local pharmacy for necessary care access, including for vaccines, testing services, health screenings, and other important clinical care. Meeting patient demand for these clinical services while simultaneously meeting the prescription dispensing needs of patients is greatly enhanced when each pharmacy team member is authorized to contribute at the top of their skills and training, enabling pharmacy providers to deploy care models that remove inefficiencies and focus the pharmacist on patient care activities. Leveraging pharmacy interns and pharmacy technicians to assist in the technical act of administering vaccines serves this importance purpose, bolstering pharmacies' ability to meet patients' broader healthcare needs.

Additionally, NACDS supports the proposed rule changes that simplify the administrative requirements for vaccinations administered in pharmacies, including eliminating the requirement for pharmacy vaccinators to notify patients' other healthcare providers when administering vaccines. Given that pharmacies report this information to the vaccine registry and that healthcare providers have access to patients' vaccine histories within the registry, this proposed rule change serves to eliminate unnecessary redundancies the sharing of this information between clinicians.

NACDS thanks the Board for consideration of our comments in support of finalizing this important rule change. If you have any questions or need additional information, please contact Mary Staples, NACDS' Director, State Government Affairs, at mstaples@nacds.org or 817-442-1155.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven C. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer



Alicia Palombo, PharmD | 1 CVS Drive | Woonsocket, RI 02895 | T: 609-313-0413

December 16, 2021

Malcolm J Broussard
Executive Director
Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, LA 70809-1700
Via email - mbroussard@pharmacy.la.gov

Re: CVS Health Comments on Regulatory Project 2021-4 ~ Medication Administration

Dear Executive Director Broussard:

I am writing to you in my capacity as Sr. Advisor of Pharmacy Regulatory Affairs for CVS Health and its family of pharmacies. CVS Health, the largest pharmacy health care provider in the United States, is uniquely positioned to provide care with diverse access points to patients in the state of Louisiana through our integrated offerings across the spectrum of pharmacy care. We appreciate the Board's efforts in promulgating rule LAC 46:LIII.521, 709, 711, 907, 913 and 1103. We commend the Board on the changes made to section 521 and section 711 that align the requirements for a pharmacist and an intern to immunize to that of the Declarations made under the Public Readiness and Emergency Preparedness Act. We support the Board's endeavor on section 913, allowing pharmacy technicians to administer medications, as it aligns Louisiana with many states across the country, and allows increased access to immunizations across the state.

Pharmacy-based immunizations have been one of the most significant public health achievements in recent years.¹ The Centers for Disease Control and Prevention (CDC) has lauded community pharmacies' efforts to increase vaccination rates in the United States.² Various studies have demonstrated that pharmacists increase vaccination rates against influenza, pneumonia, and herpes zoster.³⁻⁵ Patients have demonstrated high acceptance of pharmacy-based immunizations, with 97% of vaccinated patients' surveyed reporting satisfaction with their experience in the pharmacy.⁶ About one in three adults who received the influenza vaccine in recent years did so at their community pharmacy.⁷ In addition, studies have demonstrated that pharmacy-based immunizations are more cost-effective than those provided in other settings, including physician offices.⁸⁻⁹

As the Board continues to recognize the need for access to immunizations and improvement of patient care, CVS Health supports the proposed language in LAC 46:LIII.521, 709, 711, 907, 913 and 1103. If you have any questions or need additional information, please contact me directly at 540-604-3661.

Sincerely,

A handwritten signature in blue ink that reads "Alicia Palombo".

Alicia Palombo, PharmD, RPh
Sr. Advisor, Pharmacy Regulatory Affairs
CVS Health



Alicia Palombo, PharmD | 1 CVS Drive | Woonsocket, RI 02895 | T: 609-313-0413

References:

1. Dylan Atkinson, Alex Adams, and David Bright. "Should pharmacy technicians administer immunizations?." INNOVATIONS in pharmacy 8.3 (2017): 16-16.
2. Schuchat A. Letter to Pharmacists. September 28, 2015. Available from: <https://www.pharmacist.com/sites/default/files/files/CDC%20letter%20to%20pharmacists%20vaccinators.pdf> (Accessed July 29, 2021).
3. Fera T, Bluml BM, Ellis WM, et al. The Diabetes Ten City Challenge: Interim clinical and humanistic outcomes of a multisite pharmacy diabetes care program. JAPhA. 48:2. 2008. Available from: <http://www.diabetestencitychallenge.com/pdf/DTCCInterimReport.pdf> (Accessed July 29, 2021).
4. Taitel M, Cohen E, Duncan I, Pegus C. Pharmacists as providers: Targeting pneumococcal vaccinations to high risk populations. Vaccine. 29(2011)8073-6.
5. Otsuka S, Tayal NH, Porter K, et al. Improving Herpes Zoster Vaccination Rates Through Use of a Clinical Pharmacist and a Personal Health Record. American Journal of Medicine. September 2013;832.
6. Taitel M, Cohen E, Terranova B, et al. Pharmacists as Immunization Providers: Patient Attitudes and Perceptions. Pharmacy Times. Available from: <http://www.pharmacytimes.com/publications/issue/2011/September2011/Pharmacists-as-Immunization-Providers-Patient-Attitudes-and-Perceptions/> (Accessed July 29, 2021).
7. Lutz R. Pharmacist-Provided Flu Shots Please Patients. Pharmacy Times. June 9, 2015. Available from: <http://www.pharmacytimes.com/resourcecenters/cough-cold/pharmacist-provided-flu-shotsplease-patients> (Accessed July 29, 2021).
8. Department of Defense. Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)/TRICARE: Inclusion of Retail Network Pharmacies as Authorized TRICARE Providers for the Administration of TRICARE Covered Vaccines. Available from: <http://www.gpo.gov/fdsys/pkg/FR-2011-07-13/html/2011-17516.htm> (Accessed July 29, 2021).
9. Prosser LA, O'Brien MA, Molinari NA, et al. Nontraditional settings for influenza vaccination of adults: costs and cost effectiveness. Pharmacoeconomics. 2008;26(2):163-78.



Jeenu Philip, R.Ph.
Director, Pharmacy Affairs
Walgreen Co.
p: 904-386-6776
jeenu.philip@walgreens.com

December 23rd, 2021

Via Email

Louisiana Board of Pharmacy
Attention: Malcolm J. Broussard, Executive Director
3388 Brentwood Drive
Baton Rouge, LA 70809-1700
Email: mbroussard@pharmacy.la.gov

Re: Amendments to §521. Administration of Medications & §1103. Prescription Department Requirements

Dear Mr. Broussard,

On behalf of all pharmacies owned and operated by Walgreen Co. in the state of Louisiana, Walgreens supports the Board's amendments to §521. Administration of Medications and §1103. Prescription Department Requirements.

Pharmacy technicians and pharmacy interns have played a pivotal role during the COVID-19 Pandemic in supporting pharmacists with the administering vaccines under the HHS Prep ACT. The proposed rule provides permanent authority for pharmacy interns and pharmacy technicians to continue delivering not only COVID-19 vaccines, but influenza, pneumococcal and many other life-saving vaccines.

We believe the proposed rule also aligns in large part with current education, training and practice standards and therefore does not require pharmacies to make any significant changes. We applaud the Board for these amendments and support the changes.

Our one ask would be for the Board to consider its own utilization of the term "sufficient staffing" within **§1103 Prescription Department Requirements** and how it currently aligns with Louisiana's technician ratio requirements. A potential conflict may arise in that a pharmacist may believe that in order to "sufficiently staff" his/her pharmacy for medication administration efforts; they may wish to utilize greater than 3 technicians. Walgreens believes that pharmacists should have the professional autonomy to utilize additional technicians if they are available without fear of BOP disciplinary action. Walgreens respectfully requests that the Board consider a future change to its technician ratio to better align with the "sufficient staffing" requirements within this rule.

§1103. Prescription Department Requirements

A. – K. ...

L. Pharmacies hosting medication administration activities, as well as pharmacists administering medications in a location other than a pharmacy, shall comply with the following minimum standards:

- 1. There shall be **sufficient staffing** available for the pharmacist to administer the medication, supervise any other pharmacy personnel administering medications, and monitor the patient afterward without distraction from other responsibilities.*
- 2. To facilitate emergency management of anaphylactic reactions, there shall be adequate supplies of medication and equipment, as well as pre-determined procedures for the arrangement of emergency medical services.*



Please feel free to let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeenu Philip".

Jeenu Philip R.Ph.



LOUISIANA ALLIANCE OF RETAIL PHARMACIES

December 21, 2021

Malcom J. Broussard, Executive Director
Louisiana Board of Pharmacy
3388 Brentwood Dr.
Baton Rouge, LA 70809

Re: Regulatory Proposal 2021-F;
Medication Administration

Dear Mr. Broussard,

On behalf of the member companies operating over two hundred pharmacies throughout Louisiana, the Louisiana Alliance of Retail Pharmacies (LARP) is writing to express our support for Regulatory Proposal 2021-F, which will permanently allow pharmacy interns and pharmacy technicians to administer vaccinations. LARP also supports the effort to eliminate the requirement to report vaccinations to patients' other healthcare providers. Patients' healthcare providers have access to view vaccine histories within LINKS. LINKS provides a secure statewide immunization information system that allows doctors, nurses, and other health professionals to search for, add, and edit patients' vaccination records in a central location; therefore, the requirement for pharmacies to report vaccinations to other healthcare providers is unnecessary.

Pharmacies have been on the front lines of the COVID-19 pandemic since the beginning and have played a crucial role in vaccinating Americans. Pharmacy interns and pharmacy technicians are critical to enabling pharmacies to provide these life-saving vaccinations to the public. Currently, the Public Readiness and Emergency Preparedness Act allows pharmacy interns and technicians to administer these vaccines. Regulatory Proposal 2021-F will permanently allow pharmacy interns and pharmacy technicians to continue providing these essential services to meet the needs of patients. Removing regulatory barriers to allow healthcare professionals provide services within their skills and training will provide more access to meet healthcare needs, especially for the underserved patient population.

This rule change will help pharmacies meet the increasing demand as more and more patients visit pharmacies for vaccinations and other aspects of care such as testing and screening for illnesses. LARP appreciates the opportunity to submit comments in support of this proposed rule change. If you have any questions or need additional information, please contact Jessica Elliott at jessica@laretail.org or 225-344-9481.

Sincerely,

Jessica Elliott
Louisiana Alliance of Retail Pharmacies

December 27, 2021

Malcolm Broussard
Executive Director
Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, LA 70809-1700

Re: Regulatory Proposal 2021-F – Medication Administration

Mr. Broussard,

On behalf of Albertsons Companies Inc. ("ACI"), thank you for your work during the COVID-19 Public Health Emergency. During these trying times, your sound leadership allowed for appropriate actions to be taken to ensure the safety of the public. ACI operates 16 pharmacies in Louisiana under the Albertsons banner. Our company has worked diligently to keep our sites open to serve our patients' needs during this emergency.

Pharmacies have been at the forefront of the COVID-19 Pandemic response and pharmacists have been central to that response. For pharmacists to react to the additional tasks and workload the pandemic has generated, adjustments to processes have been necessary. The PREP Act played a critical role in empowering pharmacists to delegate and leverage their technicians who have been trained to administer immunizations. As we are approaching the one-year anniversary of the effective date of this amendment, it has become apparent that the volume of vaccines administered in a pharmacy setting will likely never return to pre-pandemic levels. Because the PREP Act will not be in effect permanently, it is necessary for states to take steps to allow technicians to support pharmacists today and into the future. We commend the Louisiana Board of Pharmacy for being an example to the nation by taking these important steps to allow technicians to be trained to immunize permanently.

In Louisiana, ACI has trained 34 technicians to immunize and support pharmacists. These technicians have been pivotal over the last year to help administer over 60,000 COVID and flu shots in the state. Nationwide, we have trained over 2,000 technicians who have helped to administer over 11 million COVID and flu shots.

ACI supports the current proposed regulation in the 2021-F regulatory proposal. We would encourage the Board to continue moving these regulations through the regulatory process. By taking this action, your state will be better prepared to encounter the upcoming challenges. By allowing a pharmacist to exercise professional judgment in delegating this technical task to a pharmacy technician who has been trained to administer immunizations, the Board will ensure the pharmacy can continue increasing vaccination rates within the state.

If you have any questions related to our program, please reach out to me at 208-513-3470 or rob.geddes@albertsons.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Geddes', written in a cursive style.

Rob Geddes, PharmD
Director, Pharmacy Legislative and Regulatory Affairs
Albertsons Companies, Inc.



Louisiana Board of Pharmacy

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



December 28, 2021

Public Hearing

Opportunity for Public Comment

1. Name _____ representing _____

Comments: *Letters* ① NACDS
② CVS
③ Walgreen
④ LARP
⑤ Albertsons

2. Name _____ representing _____

Comments:

3. Name Ben Sims representing Brookshire Gro

Comments: *2021-4 full support as published ; no changes requested*

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:

Regulatory Project 2022-01 ~ Raw Marijuana Products

Summary of Comments & Testimony



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



NOTICE IS HEREBY GIVEN that a Public Hearing has been ordered and called for 9:00 a.m. on Friday, March 25, 2022 at the Board office, for the purpose to wit:

A G E N D A

Revised 02-08-2022

1. Call to Order
2. Appearances
3. Solicitation of Comments & Testimony on Proposed Rule Changes
 - A. **Regulatory Project 2022-1 ~ Raw Marijuana Products**
 - B. Regulatory Project 2022-2 ~ Fees
4. Opportunity for Public Comment
5. Adjourn

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ March 25, 2022

Regulatory Project 2022-1 ~ Raw Marijuana Products

Regulatory Project 2022-2 ~ Fees

Name	Address	E-mail	Group or Agency Represented
1. <u>No participants</u> NBreussard			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy

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



Summary of Testimony & Public Comments
re
Regulatory Project 2022-1 ~ Raw Marijuana Products
at
March 25, 2022 Public Hearing

No comments or testimony received.

Regulatory Project 2022-02 ~ Fees

Summary of Comments & Testimony



Louisiana Board of Pharmacy
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Revised 02-08-2022

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 - A. Regulatory Project 2022-1 ~ Raw Marijuana Products
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4. Opportunity for Public Comment
5. Adjourn

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ March 25, 2022

Regulatory Project 2022-1 ~ Raw Marijuana Products

Regulatory Project 2022-2 ~ Fees

Name	Address	E-mail	Group or Agency Represented
1. <u>No participants</u> NBreussard			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments
re
Regulatory Project 2022-2 ~ Fees
at
March 25, 2022 Public Hearing

No comments or testimony received.

Regulatory Project 2022-03 ~ Marijuana Pharmacies

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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



NOTICE IS HEREBY GIVEN that a Public Hearing has been ordered and called for 9:00 a.m. on Friday, May 27, 2022 at the Board office, for the purpose to wit:

AGENDA

Revised 04-07-2022

0900

1. Call to Order
2. Appearances
3. Solicitation of Comments & Testimony on Proposed Rule Changes
 - A. Regulatory Project 2022-3 ~ Marijuana Pharmacies
 - B. Regulatory Project 2022-4 ~ Pharmacy Benefit Managers
 - C. Regulatory Project 2022-5 ~ Pharmacy Operations

0907

4. Opportunity for Public Comment

1205

5. Adjourn

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ May 27, 2022

Regulatory Project 2022-3 ~ Marijuana Pharmacies

Regulatory Project 2022-4 ~ Pharmacy Benefit Managers

Regulatory Project 2022-5 ~ Pharmacy Operations

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments
re
Regulatory Project 2022-3 ~ Marijuana Pharmacies
at
May 27, 2022 Public Hearing

No comments or testimony received.

Regulatory Project 2022-04 ~ Pharmacy Benefit Managers

Summary of Comments & Testimony



Louisiana Board of Pharmacy

3388 Brentwood Drive
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NOTICE IS HEREBY GIVEN that a Public Hearing has been ordered and called for 9:00 a.m. on Friday, May 27, 2022 at the Board office, for the purpose to wit:

AGENDA

Revised 04-07-2022

0900

1. Call to Order
2. Appearances
3. Solicitation of Comments & Testimony on Proposed Rule Changes
 - A. Regulatory Project 2022-3 ~ Marijuana Pharmacies
 - B. Regulatory Project 2022-4 ~ Pharmacy Benefit Managers
 - C. Regulatory Project 2022-5 ~ Pharmacy Operations

0907

4. Opportunity for Public Comment

1205

5. Adjourn

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ May 27, 2022

Regulatory Project 2022-3 ~ Marijuana Pharmacies

Regulatory Project 2022-4 ~ Pharmacy Benefit Managers

Regulatory Project 2022-5 ~ Pharmacy Operations

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments
re
Regulatory Project 2022-4 ~ Pharmacy Benefit Managers
at
May 27, 2022 Public Hearing

No comments or testimony received.

Regulatory Project 2022-05 ~ Pharmacy Operations

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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Revised 04-07-2022

0900

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2. Appearances
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 - B. Regulatory Project 2022-4 ~ Pharmacy Benefit Managers
 - C. Regulatory Project 2022-5 ~ Pharmacy Operations

0907

4. Opportunity for Public Comment

1205

5. Adjourn

NOTICE: In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.*

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ May 27, 2022

Regulatory Project 2022-3 ~ Marijuana Pharmacies

Regulatory Project 2022-4 ~ Pharmacy Benefit Managers

Regulatory Project 2022-5 ~ Pharmacy Operations

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments
re
Regulatory Project 2022-4 ~ Pharmacy Benefit Managers
at
May 27, 2022 Public Hearing

No comments or testimony received.

**Regulatory Project 2022-07 ~ Licensing Dependents of
Healthcare Professionals Relocating to Louisiana**

Summary of Comments & Testimony



Louisiana Board of Pharmacy

3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700
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NOTICE IS HEREBY GIVEN that a Public Hearing has been ordered and called for 9:00 a.m. on Friday, August 26, 2022 at the Board office, for the purpose to wit:

AGENDA

Revised 07-07-2022

1. Call to Order — 9:00 AM
2. Appearances
3. Solicitation of Comments & Testimony on Proposed Rule Changes
 - A. Regulatory Project 2022-06 ~ Nonresident Pharmacies
 - B. Regulatory Project 2022-07 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana
 - C. Regulatory Project 2022-08 ~ Transfer of Prescription Information
 - D. Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions
 - E. Regulatory Project 2022-10 ~ Compounding
4. Opportunity for Public Comment
5. Adjourn — 12:04 PM

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ August 26, 2022

Project 2022-6 ~ Nonresident Pharmacies

Project 2022-7 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana

Project 2022-8 ~ Transfer of Prescription Information

Project 2022-9 ~ Partial Fills of CDS Prescriptions

Project 2022-10 ~ Compounding

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



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



August 26, 2022

Public Hearing

Opportunity for Public Comment

1. Name N/A representing _____

Comments:

2. Name _____ representing _____

Comments:

3. Name _____ representing _____

Comments:

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:



Louisiana Board of Pharmacy
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Summary of Testimony & Public Comments

Regulatory Project 2022-7 ~ Licensing Dependents of Healthcare
Professionals Relocating to Louisiana
at
August 26, 2022 Public Hearing

No comments or testimony received.

**Regulatory Project 2022-08 ~ Transfer of Prescription
Information**

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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 - E. Regulatory Project 2022-10 ~ Compounding
4. Opportunity for Public Comment
5. Adjourn — 12:04 PM

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ August 26, 2022

Project 2022-6 ~ Nonresident Pharmacies

Project 2022-7 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana

Project 2022-8 ~ Transfer of Prescription Information

Project 2022-9 ~ Partial Fills of CDS Prescriptions

Project 2022-10 ~ Compounding

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



Louisiana Board of Pharmacy
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August 26, 2022

Public Hearing

Opportunity for Public Comment

1. Name N/A representing _____

Comments:

2. Name _____ representing _____

Comments:

3. Name _____ representing _____

Comments:

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:



Louisiana Board of Pharmacy
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Telephone 225.925.6496 ~ E-mail: info@pharmacy.la.gov



Summary of Testimony & Public Comments

Regulatory Project 2022-8 ~ Transfer of Prescription Information
at
August 26, 2022 Public Hearing

1. Letter from Grace Sesi, PharmD on behalf of CVS Health

Ms. Sesi expressed support for the proposed changes to Section 2523 (letter attached).

July 28, 2022

Louisiana Board of Pharmacy

Executive Director Joe Fontenot

3388 Brentwood Drive Baton Rouge, LA 70809

Dear Executive Director Joe Fontenot,

I am writing to you in my capacity as Executive Director for CVS Health and its family of pharmacies located across the country. CVS Health appreciates the opportunity to submit comments the Louisiana Board of Pharmacy proposed amendments to current regulations and would like to thank the Board for their continued vigilance to continuously improve the laws and regulations that guide pharmacists serving Louisiana patients.

Re: LAC 46: LIII.2523 Transfer of Prescription Information. CVS Health supports this amendment as it serves to assist pharmacists in their workload and aligns with removing unnecessary steps to be able to ensure the patient receives their medication in a timely manner without any interruptions. CVS Health commends the Board on their efforts removing the requirement for pharmacists to reduce the transferred prescription information to written form to accommodate electronic prescriptions.

Re: LAC 46:LIII. 2307 Nonresident pharmacies CVS Health supports the extended timeline to report the change in Pharmacist-in-Charge (PIC) but ask the Board to consider an extended timeline for the nonresident pharmacy to designate a new pharmacist-in- charge within 10 days of the departure of the prior PIC.

These amendments, specifically I (1), place requirements on a nonresident PIC that while on its face appear to be equivalent to the requirements for an in-state PIC, but in effect put a disproportionate burden on a nonresident pharmacy when compared to the effect of the proposed amendment to an in-state pharmacy.

A nonresident pharmacy, by the nature of being located outside of the state of Louisiana, would have a limited number of Louisiana licensed pharmacists as compared to pharmacies within Louisiana. Therefore, when a nonresident pharmacy experiences the turnover of the Louisiana nonresident PIC, the pharmacy may have to cease dispensing to the residents of the state of Louisiana until the Louisiana nonresident PIC is replaced. The ensuing delay of identifying a



successor could cause an immediate impact to patient safety with the potential resultant lapse in therapy.

We ask the Board to weigh the benefit of non-resident PIC licensure compared to the potential negative effect on the residents of the state of Louisiana. To avoid this impact, we ask that if the proposed amendments of this regulation were to be promulgated, there be additional language added which will allow the pharmacy a reasonable grace period with which to appoint a new Louisiana PIC. This period would ideally be 90 days or longer and allow for extensions if granted by the Board staff after a reasonable extension request is received. This grace period would ensure the continued and timely delivery of medications to patients residing in Louisiana. I have provided an example of language adopted by the Alabama State Board of Pharmacy for your consideration.

Alabama Administrative Code 680-X-2-.07 Mail Order Prescriptions.

(f) Designate a supervising pharmacist who shall be licensed by the Alabama State Board of Pharmacy. The supervising pharmacist shall be responsible for ensuring that the holder of the permit referenced herein complies with the requirements of this rule and all applicable statutory provisions and rules. If there is a change of the designated Supervising Pharmacist, the permit holder shall notify the Board by filing the "Notice of Change of Supervising Pharmacist" form provided by the Board. If the permit holder is unable to maintain a designated supervising pharmacist, the permit holder shall notify the Board within ten (10) days with an action plan to designate another pharmacist as supervising pharmacist. A permit holder without a designated supervising pharmacist after the ninety (90) day action plan has expired may contact the Board for additional time.

CVS Health appreciates the opportunity to submit comments for the proposed amendments. It is our strong recommendation that the Board of Pharmacy carefully study the value of requiring the Pharmacist-in-Charge (PIC) of a nonresident pharmacy to be designated within 10 days of the departure of the prior pharmacist-in-charge compared to the potential safety and health issues that may occur when the inevitable lapse of therapy occurs. If you have any questions or require additional information, please contact me directly at 313-516-6915.

Sincerely,



A handwritten signature in black ink that reads "Grace Sesi". The signature is fluid and cursive, with the first name "Grace" and the last name "Sesi" clearly distinguishable.

Grace Sesi, PharmD
Executive Director, CVS Health

313-516-6915

Grace.sesi@cvshealth.com

Regulatory Project 2022-10 ~ Compounding

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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



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Revised 07-07-2022

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 - C. Regulatory Project 2022-08 ~ Transfer of Prescription Information
 - D. Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions
 - E. Regulatory Project 2022-10 ~ Compounding
4. Opportunity for Public Comment
5. Adjourn — 12:04 PM

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ August 26, 2022

Project 2022-6 ~ Nonresident Pharmacies

Project 2022-7 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana

Project 2022-8 ~ Transfer of Prescription Information

Project 2022-9 ~ Partial Fills of CDS Prescriptions

Project 2022-10 ~ Compounding

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.			
4.			
5.			



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



August 26, 2022

Public Hearing

Opportunity for Public Comment

1. Name N/A representing _____

Comments:

2. Name _____ representing _____

Comments:

3. Name _____ representing _____

Comments:

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments

Regulatory Project 2022-10 ~ Compounding
at
August 26, 2022 Public Hearing

No comments or testimony received.

Regulatory Project 2022-06 ~ Nonresident Pharmacies

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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



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 - E. Regulatory Project 2022-10 ~ Compounding
4. Opportunity for Public Comment
5. Adjourn — 12:04 PM

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ August 26, 2022

Project 2022-6 ~ Nonresident Pharmacies

Project 2022-7 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana

Project 2022-8 ~ Transfer of Prescription Information

Project 2022-9 ~ Partial Fills of CDS Prescriptions

Project 2022-10 ~ Compounding

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.	None		
4.			
5.			



Louisiana Board of Pharmacy
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August 26, 2022

Public Hearing

Opportunity for Public Comment

1. Name N/A representing _____

Comments:

2. Name _____ representing _____

Comments:

3. Name _____ representing _____

Comments:

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:



Louisiana Board of Pharmacy

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Summary of Testimony & Public Comments

Regulatory Project 2022-06 ~ Nonresident Pharmacies
at
August 26, 2022 Public Hearing

1. Letter from Grace Sesi, PharmD on behalf of CVS Health

Dr. Sesi supports the extended timeline to report the change in Pharmacist-in-Charge (PIC) but asked the Board to consider an extended timeline for a nonresident pharmacy to designate a new PIC. (Letter attached).

July 28, 2022

Louisiana Board of Pharmacy

Executive Director Joe Fontenot

3388 Brentwood Drive Baton Rouge, LA 70809

Dear Executive Director Joe Fontenot,

I am writing to you in my capacity as Executive Director for CVS Health and its family of pharmacies located across the country. CVS Health appreciates the opportunity to submit comments the Louisiana Board of Pharmacy proposed amendments to current regulations and would like to thank the Board for their continued vigilance to continuously improve the laws and regulations that guide pharmacists serving Louisiana patients.

Re: LAC 46: LIII.2523 Transfer of Prescription Information. CVS Health supports this amendment as it serves to assist pharmacists in their workload and aligns with removing unnecessary steps to be able to ensure the patient receives their medication in a timely manner without any interruptions. CVS Health commends the Board on their efforts removing the requirement for pharmacists to reduce the transferred prescription information to written form to accommodate electronic prescriptions.

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A nonresident pharmacy, by the nature of being located outside of the state of Louisiana, would have a limited number of Louisiana licensed pharmacists as compared to pharmacies within Louisiana. Therefore, when a nonresident pharmacy experiences the turnover of the Louisiana nonresident PIC, the pharmacy may have to cease dispensing to the residents of the state of Louisiana until the Louisiana nonresident PIC is replaced. The ensuing delay of identifying a

successor could cause an immediate impact to patient safety with the potential resultant lapse in therapy.

We ask the Board to weigh the benefit of non-resident PIC licensure compared to the potential negative effect on the residents of the state of Louisiana. To avoid this impact, we ask that if the proposed amendments of this regulation were to be promulgated, there be additional language added which will allow the pharmacy a reasonable grace period with which to appoint a new Louisiana PIC. This period would ideally be 90 days or longer and allow for extensions if granted by the Board staff after a reasonable extension request is received. This grace period would ensure the continued and timely delivery of medications to patients residing in Louisiana. I have provided an example of language adopted by the Alabama State Board of Pharmacy for your consideration.

Alabama Administrative Code 680-X-2-.07 Mail Order Prescriptions.

(f) Designate a supervising pharmacist who shall be licensed by the Alabama State Board of Pharmacy. The supervising pharmacist shall be responsible for ensuring that the holder of the permit referenced herein complies with the requirements of this rule and all applicable statutory provisions and rules. If there is a change of the designated Supervising Pharmacist, the permit holder shall notify the Board by filing the "Notice of Change of Supervising Pharmacist" form provided by the Board. If the permit holder is unable to maintain a designated supervising pharmacist, the permit holder shall notify the Board within ten (10) days with an action plan to designate another pharmacist as supervising pharmacist. A permit holder without a designated supervising pharmacist after the ninety (90) day action plan has expired may contact the Board for additional time.

CVS Health appreciates the opportunity to submit comments for the proposed amendments. It is our strong recommendation that the Board of Pharmacy carefully study the value of requiring the Pharmacist-in-Charge (PIC) of a nonresident pharmacy to be designated within 10 days of the departure of the prior pharmacist-in-charge compared to the potential safety and health issues that may occur when the inevitable lapse of therapy occurs. If you have any questions or require additional information, please contact me directly at 313-516-6915.

Sincerely,



A handwritten signature in black ink that reads "Grace Sesi". The signature is fluid and cursive, with the first name "Grace" and last name "Sesi" clearly distinguishable.

Grace Sesi, PharmD
Executive Director, CVS Health

313-516-6915

Grace.sesi@cvshealth.com



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



December 12, 2022

Grace Sesi, PharmD
Executive Director, CVS Health
One CVS Drive
Woonsocket, RI 02895
Via E-mail: Grace.Sesi@cvshealth.com

Re: Regulatory Project 2022-06 ~ Nonresident Pharmacies

Dear Dr. Sesi:

Thank you for your interest in this regulatory project and for taking the time to prepare and submit comments in response to the Public Hearing held on August 26, 2022 relative to the Board's proposed rule amendments. The Board evaluated your comments during their November 16, 2022 meeting and directed this reply to you.

In the letter you submitted in regards to the project, you noted support for the extended timeline to report the change in Pharmacist-in-Charge (PIC) but asked the Board to consider an extended timeline for the nonresident pharmacy to designate a new PIC.

It should be noted, the language in the regulatory project in regards to the timeline for designating a new PIC did not include a substantive change but rather a change in writing style (e.g., "~~ten~~ 10 days").

However, the Board did review and consider your request for an extended timeline for the nonresident pharmacy to designate a new PIC. It should be noted that this regulatory project seeks to create parity between resident and nonresident pharmacy requirements and to implement the requested changes would create a significant imbalance in those requirements which would disproportionately favor nonresident pharmacies. After fully considering your request, the Board did not recommend a modification to the proposed rules.

Once again, thank you for your interest in this regulatory project and for taking the time to prepare and submit your comments.

For the Board:

Joe Fontenot
Executive Director

Regulatory Project 2022-09 ~ Partial Fills of CDS

Summary of Comments & Testimony



Louisiana Board of Pharmacy

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



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 - D. Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions
 - E. Regulatory Project 2022-10 ~ Compounding
4. Opportunity for Public Comment
5. Adjourn — 12:04 PM

Louisiana Board of Pharmacy

Public Hearing Attendance Record ~ August 26, 2022

Project 2022-6 ~ Nonresident Pharmacies

Project 2022-7 ~ Licensing Dependents of Healthcare Professionals Relocating to Louisiana

Project 2022-8 ~ Transfer of Prescription Information

Project 2022-9 ~ Partial Fills of CDS Prescriptions

Project 2022-10 ~ Compounding

Name	Address	E-mail	Group or Agency Represented
1.			
2.			
3.	None		
4.			
5.			



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



August 26, 2022

Public Hearing

Opportunity for Public Comment

1. Name N/A representing _____

Comments:

2. Name _____ representing _____

Comments:

3. Name _____ representing _____

Comments:

4. Name _____ representing _____

Comments:

5. Name _____ representing _____

Comments:



Louisiana Board of Pharmacy
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Summary of Testimony & Public Comments

Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions
at
August 26, 2022 Public Hearing

1. Letter from Michael Yang, PharmD

Dr. Yang's comments came in the form of a question which identified an unintended omission in the proposed amendment. (Letter attached).

From: Michael Yang <mysteryaj@gmail.com>

Sent: Sunday, July 17, 2022 4:42 AM

To: info <info@pharmacy.la.gov>

Subject: Re: Notice of Rulemaking Activity (Projects 2022-6 + 2022-7 + 2022-8 + 2022-9 + 2022-10))

Is this the initial partial fill or the completion? As in I wrote Adderall on 7/1/22 with a DNF date of 9/1/22 and can't partial? Or I can't complete a partial fill for the remainder of the partial after the initial 30 days of writing (regardless of dispensed date)?

§2747. Dispensing Requirements

A. ...

B. Prescriptions for Controlled Substances Listed in Schedule II

1. – 4.c.iv ...

5. Partial Filling of Prescription

a. The partial filling of a prescription for a controlled substance listed in Schedule II is permissible with the following limitations:

i. ...

ii. When a partial fill is requested by the patient or the practitioner who wrote the prescription prescriber, the pharmacist may shall dispense any quantity less than the total quantity prescribed. The total quantity dispensed in all partial fillings shall not exceed the total quantity prescribed. No partial filling may be dispensed more than 30 days after the date on which the prescription was written. The requirement for a pharmacist to comply with a patient or prescriber request to dispense a partial fill shall not supersede the pharmacist's obligation relative to corresponding responsibility as described in Subsection E of this Section



Louisiana Board of Pharmacy
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December 12, 2022

Michael A. Yang, PharmD
1260 Capilano Dr
Shreveport, LA 71106-8288
Via E-mail: mysteryaj@gmail.com

Re: Regulatory Project 2022-09 ~ Partial Fills of CDS Prescriptions

Dear Dr. Yang:

Thank you for your interest in this regulatory project and for taking the time to prepare and submit comments in response to the Public Hearing held on August 26, 2022 relative to the Board's proposed rule amendments. The Board evaluated your comments during their November 16, 2022 meeting and directed this reply to you.

In the email you submitted in regards to the project, you questioned language in the proposed rule amendment which identified an unintended omission.

The Board, after reviewing your email, voted to approve the addition of language originally intended in the proposal in order to clarify its meaning and will continue this regulatory project.

Once again, thank you for your interest in this regulatory project and for taking the time to prepare and submit your comments.

For the Board:

Joe Fontenot
Executive Director