

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS

Part LIII. Pharmacists

Chapter 27. Controlled Dangerous Substances

Subchapter B. Licenses

§2707. Licensing Procedures

A. - B.3. ...

4. A CDS license not renewed within 30 days following the expiration date shall be considered terminated by the board. The reissuance of a terminated CDS license shall require compliance with the board's reinstatement procedures.

C. Application for Reinstatement of CDS License

1. ...

2. An application for the reinstatement of an expired credential which has been terminated may be approved when the applicant's primary credential is in an acceptable practice status with the issuing agency.

3. An application for the reinstatement of a CDS license inactivated as a consequence of the suspension or revocation of the primary credential by the issuing agency shall require verification of the reinstatement of the primary credential. Where the issuing agency reinstating the primary credential has restricted any privileges for controlled substances, the restrictions shall be attached to the reinstated CDS license.

4. An application for the reinstatement of a CDS license inactivated as a consequence of a Surrender for Cause of DEA Certificate of Registration to the DEA may be approved when the applicant's primary credential is in an acceptable practice status with the issuing agency.

5. An application for the reinstatement of a CDS license for a pharmacy which was suspended or revoked by the board may only be approved by the full board following a hearing to determine whether the reinstatement of the license is in the public's best interest.

6. Applications requiring a reinstatement hearing shall be accompanied by payment of the administrative hearing fee identified in Section 115 of this Part.

D. - D.3....

E. Facility Change of Ownership Procedures

1. A CDS license is not transferable.

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

3. 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.

4. An application for a new CDS license shall include the direct and first indirect level of ownership information. Any change in the first indirect level of ownership of 20 percent or more must be reported to the board within 30 days of the change.

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RULE

**Department of Health
Board of Pharmacy**

**Controlled Dangerous Substances (CDS) Licensing
(LAC 46:LIII.2707 and 2711)**

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 Board of Pharmacy amended §2707 and §2711 of its rules relative to CDS licensing procedures and actions on CDS licenses. The Rule change in §2707 streamlines the CDS license reinstatement process, updates the facility CDS license change of ownership procedures, and adds a new subsection to address changes to CDS license status. The Rule change in §2711 repeals Subsection M and moves that language in a modified version to §2707. This Rule is hereby adopted on the day of publication.

5. Nothing in this section shall prohibit an entity from applying for a new CDS license in order to separate itself from actions which may have been committed by the previous ownership under the existing CDS license.

F. Change of CDS License Status

1. Any person or facility holding a valid CDS license which ceases to engage in activity requiring a CDS license may relinquish said license to the board.

a. Prior to relinquishment of said license, the person or facility shall dispose of all controlled substances and any unused order forms in his possession or under his control in compliance with federal laws and regulations.

2. In the event a person or facility agrees to a Surrender for Cause of DEA Certificate of Registration to the DEA, then the CDS license of the person or facility shall be inactivated.

3. In the event the primary credential of a person or facility is suspended or revoked by the issuing agency, then the CDS license of the person or facility shall be inactivated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2131 (October 2008), amended by the Department of Health, Board of Pharmacy, LR 43:957 (May 2017), LR 46:570 (April 2020), LR 47:1641 (November 2021), amended LR 50:1277 (September 2024).

§2711. Actions on Licenses

A. - L.2. ...

M. - M.4. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2132 (October 2008), amended LR 50:1278 (September 2024).

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