



Louisiana Board of Pharmacy

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July 24, 2026

To: Attorney General Liz Murrill
Attn: Department of Justice, Occupational Licensing Review Program

From: Joe Fontenot, Executive Director
Louisiana Board of Pharmacy

Subject: **Regulatory Project 2025-454 – Pharmacists**

The Louisiana Board of Pharmacy seeks to amend Sections 109, 113, 301, 505, 507, 907, 909, 1103, 1119, 1123, 1203, 1503, 1525, 1803, 2533, and 3005 of its rules and to repeal Sections 1124, 1811, 1813, and 1815 of its rules.

The proposed rule change in Section 109 removes the Reciprocity Committee from the list of standing board committees, replaces it with the Application Review Committee, and describes the makeup and function of the Application Review Committee. The proposed rule change in Section 113 makes the requirements for rulemaking petitions submitted to the Board clear, concise, and more user friendly, and includes electronic mail as a method for delivery of such petitions. The proposed rule change in Section 301 eliminates the specific reference to a number and cites the law generally for the definition of "person" to avoid future amendments from renumbering that may occur due to changes in the law. The proposed rule changes in Sections 505, 1203, and 1525 remove the reference to R.S. 37:1184, replacing it with a reference to Section 115 of this Part, which establishes fees. The proposed rule changes in Section 507 and 909 incorporate into rules the existing Board policy to accept Interprofessional Continuing Education (ICPE) credit awarded by a provider with Joint Accreditation (JA) for continuing education (CE) requirements and add comprehensive lists of CE requirements for specific topics (nuclear pharmacy, sterile compounding, medication administration) which are found in the rules for each of those topics.

The proposed rule change in Section 907 updates language regarding compounding to reflect verbiage used in current United States Pharmacopeia (USP) chapters. The proposed rule change in Section 1103 removes specific titles of required reference materials. The proposed rule changes in Section 1119 and 1503 remove definitions of "Personal Identifier," "Password," and "Electronic Drug Record Keeping System," and change the definition of "Positive Identification" to be a method of linking a practice of pharmacy activity or other function in a pharmacy information system to the individual who performed the activity while removing the previous specific requirements for the method. The proposed rule changes in Section 1123 streamline requirements for record keeping using more concise language, add an allowance to store hard copy prescriptions and chart orders in numerical or date sequence, and clarify electronic imaging retention requirements. The additional proposed rule change in Section 1203 and the proposed rule change in Section 3005 remove the steps to obtain duplicate or replacement registration, as credentials are now virtual which means no paper form exists. The proposed rule change in Section 1803 updates the reinstatement process for an expired permit for a correctional center pharmacy. The proposed rule change in Section 2533 repeals terms and definitions not currently used in the Subchapter.

The proposed repeal of Sections 1124, 1811, 1813, and 1815 removes redundant and unnecessary regulations concerning records of pharmacy services for patients in licensed healthcare facilities other than hospitals and emergency drug kits in correctional center pharmacies.

To facilitate the Department of Justice's review of the proposed rule, the Louisiana Board of Pharmacy provides answers to the following questions.

1. Describe any relevant factual background to the occupational regulation and the purpose of the occupational regulation?

Pursuant to R.S. 49:964(B), the Board conducted a public hearing on June 26, 2025 to solicit comments and testimony as to whether any of its rules are believed to be contrary to law, outdated, unnecessary, overly complex, or burdensome. After its evaluation of those comments, the Board solicited additional stakeholder input in formulating these proposed rule changes.

2. Is the occupational regulation within the scope of the occupational licensing board's general authority to regulate in a given occupation or industry? If so, identify the law that provides the authority for the rule and describe how the occupational regulation is within the scope.

Yes.

LA R.S. 37:1182(A). Powers and duties of the board. *The board shall be responsible for the control and regulation of the practice of pharmacy and shall:*

(1) Make necessary rules and regulations to carry out the purposes and enforce the provisions of this Chapter and furnish copies of them upon request.

(13) Establish minimum specifications for the physical facilities, technical equipment, environment, supplies, personnel, and procedures for the storage, compounding, and dispensing of drugs or devices.

3. Check all the following that apply as reasons the occupational regulation is subject to review

- ☐ Creates a barrier to market competition
- ☐ Fixes prices, limits price competition, or results in high prices for a product or service provided by or to a license holder.
- ☐ Reduces competition or excludes present or potential competitors from the occupation regulated by the board
- ☐ Limits output or supply in this state of any good or service provided by the members of the regulated occupation.
- ☐ Reduces the number of providers that can serve a particular set of customers
- ☐ Changes existing requirements for licensure, certification, registration, etc.
- ☒ Other activity (please describe)

The proposed rule changes do not create any barriers to market entry, but they do change record keeping requirements of pharmacy permits and update the reinstatement process for an expired permit for a correctional center pharmacy. Most of the rule changes address Board committees, delivery of petitions to the Board, references to Law, and outdated language or definitions. The rule changes incorporate certain Board policy related to continuing education into rule.

4. Identify the clearly articulated state policy (e.g., health, safety, welfare, or consumer protection) in state statute, or any supporting evidence of the harm the action/proposed action is intended to protect against?

The purpose of the Louisiana Pharmacy Practice Act, as stated in LA R.S. 37:1163, is to promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy; the licensure of pharmacists; and the licensure, permitting, certification, registration, control, and regulation of all persons or sites in or out of this state that sell drugs or devices to consumers and/or patients or assist in the practice of pharmacy within the state.

5. Do any less restrictive alternatives to the occupational regulation exist for addressing the same harm? If so, include a comparison of the occupational regulation to the alternatives and a justification for not pursuing a less restrictive alternative. If no less restrictive alternatives exist, explain why.

The purpose of this regulatory project is to revise any Board rules believed to be contrary to law, outdated, unnecessary, overly complex, or burdensome. The resulting rule changes are less restrictive than existing rules.

6. Describe the process that the occupational licensing board followed in developing the proposed rule, including any public hearings held, studies conducted, and data collected or analyzed.

- 04-22-2025 – 1st Report submitted to the Joint Legislative Oversight Committee on Health & Welfare
- 04-22-2025- Potpourri submitted to the Louisiana Register for publication on May 20, 2025.
- 04-22-2025- Public Hearing scheduled for June 26, 2025.
- 04-22-2025- Notice of Rulemaking Activity & Public Hearing distributed.
- 05-20-2025- Potpourri published in the May 20, 2025 edition of the Louisiana Register.
- 05-22-2025- Second Notice of Rulemaking Activity & Public hearing distributed.
- 06-26-2025- Public Hearing at the Board office.
- 08-20-2025- Board scheduled to receive the public comments from the hearing held on June 26, 2025.
- 08-20-2025- Referred to the Regulation Revision Committee of the Board for consideration and development of recommendations.
- 10-22-2025- Regulation Revision Committee held a public meeting to consider the comments.
- 10-22-2025- Regulation Revision Committee developed recommendations for the Board's consideration.
- 11-19-2025 - Board approved the Regulation Revision Committee's recommendations.
- 12-29-2025 - Annual Report on Rulemaking Activities for calendar year 2025 submitted.
- 02-03-2026- Regulation Revision Committee held a public meeting to consider the remaining comments.
- 02-03-2026- Regulation Revision Committee approved draft documents for the Board's consideration.
- 02-25-2026- Board approved the committee recommendations.
- 04-06-2026- Fiscal & Economic Impact Statement (FEIS) submitted to the Legislative Fiscal Office (LFO) for approval.
- 05-04-2026 - LFO approved FEIS.
- 05-07-2026 - 1st Report submitted to the Joint Legislative Oversight Committee on Health & Welfare.
- 05-07-2026 - Notice of Intent (NOI) submitted to the Louisiana Register for publication on May 20, 2026.
- 05-20-2026 - NOI published in the 2026 Louisiana Register, Volume 52, May Edition.
- 05-20-2026 - Public Hearing scheduled for June 26, 2026.
- 05-20-2026 - Notice of Rulemaking Activity & Public Hearing distributed.
- 06-26-2026 - Public Hearing at the Board office.

7. Does the occupational regulation relate to a matter on which there is pending litigation or a final court order? No

8. Please identify the board members voting in favor of this rule, and state whether the member is an active market participant.

At the February 25, 2026 meeting of the Board, 15 members were present, and two members (Richard Mannino and Robert A. "Butch" Ray) were absent. The vote in favor of the proposed rule was unanimous (14-0) with President Richard M. Indovina, Jr. not voting as chair. Members present: J. Robert Cloud, David G. Collins, David A. Darce, Jennifer E. Dupree, Jacqueline L. Hall, W. Charles Jones, Kevin LaGrange, Marty R. McKay, Chris B. Melancon, J. Troy Menard, Anthony G. Mercante, Don L. Resweber, Richard A. "Andy" Soileau, and Raymond J. Strong. All members voting are active market participants except for Mr. Resweber, the public member.

9. Is there anything else that the occupational licensing board would like the Department to know about the proposed rule? *No.*