2018 Regular Session

HOUSE BILL NO. 45

BY REPRESENTATIVE CONNICK

LICENSING: Requires third-party logistics providers to obtain controlled dangerous substance licenses

1	AN ACT
2	To amend and reenact R.S. 40:972(B)(7) through (14) and 973(A)(1) and to enact R.S.
3	40:961(41) and 972(B)(15), relative to entities required to obtain a controlled
4	dangerous substance license issued by the Louisiana Board of Pharmacy; to establish
5	within the Uniform Controlled Dangerous Substances Law a definition of "third-
6	party logistics provider"; to require such providers to obtain controlled dangerous
7	substance licenses; to provide relative to fees collected by the Louisiana Board of
8	Pharmacy for registration and licensing; to establish the fee for a controlled
9	dangerous substance license for third-party logistics providers; and to provide for
10	related matters.
11	Be it enacted by the Legislature of Louisiana:
12	Section 1. R.S. 40:972(B)(7) through (14) and 973(A)(1) are hereby amended and
13	reenacted and R.S. 40:961(41) and 972(B)(15) are hereby enacted to read as follows:
14	§961. Definitions
15	As used in this Part, the following terms shall have the meaning ascribed to
16	them in this Section unless the context clearly indicates otherwise:
17	* * *
18	(41) "Third-party logistics provider" means a person who provides or
19	coordinates warehousing, facilitation of delivery, or other logistic services for a
20	legend drug or legend device in interstate and intrastate commerce on behalf of a

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	manufacturer, distributor, or dispenser of a legend drug or legend device but does not				
2	take ownership of the legend drug or legend device nor have resp	onsi	bility to direct		
3	the sale or disposition of the legend drug or legend device.				
4	* * *				
5	§972. Rules and regulations and fees				
6	* * *				
7	B. The fees collected by the Board of Pharmacy for registra	ation	and licensing		
8	shall not exceed the following schedule:				
9		Miı	nimum		
10	* * *				
11	(7) <u>Third-party logistics provider</u>	<u>\$</u>	<u>50.00</u>		
12	(8) Practitioner	\$	20.00		
13	(8) (9) Intern/Resident	\$	20.00		
14	(9) (10) Drug Detection/Canine	\$	30.00		
15	(10) (11) Researcher	\$	30.00		
16	(11) (12) Sales representative (or medical service representative				
17	or detail person)	\$	20.00		
18	(12) (13) Other (schools, laboratories, crime laboratories, corone	ers,			
19	ambulance services, analytical laboratories, etc.)	\$	20.00		
20	(13) (14) Duplicate/Replacement fee	\$	5.00		
21	(14) (15) Delinquent fee				
22	(30 days after expiration/assessed per year)	\$	10.00		
23	* * *				
24	§973. Licensing requirements				
25	A.(1) Every person who conducts research with, manufac	eture	es, distributes,		
26	procures, possesses, prescribes, or dispenses any controlled dar	igero	ous substance		
27	within this state, including third-party logistics providers, or who p	orop	oses to engage		
28	in the research, manufacture, distribution, procurement, possession	on, p	prescribing, or		
29	dispensing of any controlled dangerous substance within this stat	e <u>, in</u>	cluding third-		

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- 1 party logistics providers, shall obtain a controlled dangerous substance license issued
- 2 by the Board of Pharmacy in accordance with the rules and regulations promulgated
- 3 by it prior to engaging in such activity.
 - * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 45 Original	2018 Regular Session	Connick
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Abstract: Defines "third-party logistics provider" for purposes of the Uniform Controlled Dangerous Substances Law and requires such providers to obtain controlled dangerous substance licenses from the La. Board of Pharmacy.

<u>Proposed law</u> adds the following defined term and corresponding definition to <u>present law</u> comprising the Uniform Controlled Dangerous Substances Law (R.S. 40:961 et seq.):

""Third-party logistics provider" means a person who provides or coordinates warehousing, facilitation of delivery, or other logistic services for a legend drug or legend device in interstate and intrastate commerce on behalf of a manufacturer, distributor, or dispenser of a legend drug or legend device but does not take ownership of the legend drug or legend device nor have responsibility to direct the sale or disposition of the legend drug or legend device."

<u>Present law</u> provides that every person who conducts research with, manufactures, distributes, procures, possesses, prescribes, or dispenses any controlled dangerous substance within La., or who proposes to do so, shall obtain a controlled dangerous substance license issued by the La. Board of Pharmacy prior to engaging in such activity.

<u>Present law</u> authorizes the La. Board of Pharmacy to collect fees for the issuance of controlled dangerous substance licenses in accordance with a certain fee schedule.

<u>Proposed law</u> adds to <u>present law</u> a requirement that third-party logistics providers obtain controlled dangerous substance licenses. Establishes that the fee for such licenses is \$50.

(Amends R.S. 40:972(B)(7)-(14) and 973(A)(1); Adds R.S. 40:961(41) and 972(B)(15))