

Regular Session, 2013

HOUSE BILL NO. 391

BY REPRESENTATIVE LEBAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 37:1232 and to enact R.S. 37:1182(B)(9), relative to the Louisiana Board of Pharmacy; to add to the board's powers and duties with respect to nonresident licensees; to provide relative to nonresident pharmacies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1232 is hereby amended and reenacted and R.S. 37:1182(B)(9) is hereby enacted to read as follows:

§1182. Powers and duties of the board

* * *

B. The board may:

* * *

(9) Assess and collect expenses incurred for the inspection of nonresident licensees.

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§1232. ~~Out-of-state~~ Nonresident pharmacy

A. A pharmacy located outside this state which does business in this state within the meaning of this Chapter shall hold a current pharmacy permit as provided in this Chapter. The pharmacy shall be designated ~~an "out-of-state~~ a "nonresident pharmacy" and the permit shall be designated ~~an "out-of-state~~ a "nonresident pharmacy permit".

B. ~~An out-of-state~~ A nonresident pharmacy granted ~~an out-of-state~~ a nonresident pharmacy permit by the board shall disclose to the board the location,

1 names, and titles of all principal corporate officers, as well as the owner's managing
2 officer and pharmacist-in-charge. A report containing this information shall be made
3 to the board on an annual basis and within thirty business days after any change of
4 office, corporate officer, or within ten business days of the departure of the prior
5 owner's managing officer or pharmacist-in-charge.

6 C. The ~~out-of-state~~ nonresident pharmacy shall maintain at all times
7 authorization to conduct the pharmacy in compliance with the laws of the state in
8 which it is a resident. As a prerequisite to seeking a permit from the board, the ~~out-~~
9 ~~of-state~~ nonresident pharmacy shall submit a copy of the most recent inspection
10 report resulting from an inspection conducted by the regulatory or licensing agency
11 of the state in which it is located, as well as any other state pharmacy licensing
12 agency or any agent thereof, and any inspection reports produced by the federal Food
13 and Drug Administration or the federal Drug Enforcement Administration.
14 Thereafter, the ~~out-of-state~~ nonresident pharmacy granted a permit shall submit to
15 the board a copy of any subsequent inspection report on the pharmacy conducted by
16 the regulatory or licensing body of the state in which it is located, or by any other
17 state pharmacy licensing agency, or any agent thereof, or by the federal Food and
18 Drug Administration or the federal Drug Enforcement Administration. In addition
19 to or in lieu of an inspection by the regulatory or licensing body of the state in which
20 it is a resident, or any agent thereof, the nonresident pharmacy shall be subject to an
21 inspection by the board. When the board conducts an inspection of a nonresident
22 pharmacy, the board shall recover its expenses from the nonresident pharmacy in
23 addition to the applicable permit fee authorized by this Chapter.

24 D. ~~An out-of-state~~ A nonresident pharmacy granted ~~an out-of-state a~~
25 nonresident pharmacy permit by the board shall maintain records of any controlled
26 substances or dangerous drugs or devices dispensed to patients in this state so that
27 the records are readily retrievable from the records of other drugs dispensed.

28 E. Records for all prescriptions and products delivered into the state shall be
29 readily retrievable from the other prescription records of the ~~out-of-state~~ nonresident

1 pharmacy and shall be in compliance with all federal laws and with regulations as
2 may be required by this state.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____