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## DIGEST

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HB 375 Original

2019 Regular Session

Turner

**Abstract:** Authorizes the La. Bd. of Pharmacy to perform a criminal history records check on applicants for controlled dangerous substance licenses.

Proposed law provides for the following definitions:

- (1) "Applicant" means an individual who has applied to the board for the issuance or reinstatement of any controlled dangerous substance license that the board is authorized by law to issue.
- (2) "Board" means the La. Bd. of Pharmacy.
- (3) "Bureau" means the La. Bureau of Criminal Identification and Information.
- (4) "Criminal history record" or "criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, bills of information, or any formal criminal charges, and any disposition arising therefrom, including sentencing, correctional supervision, and release. The terms do not include intelligence or investigatory purposes, nor does it include any identification information which does not indicate involvement of the individual in the criminal justice system.
- (5) "FBI" means the Federal Bureau of Investigation of the U.S. Dept. of Justice.
- (6) "Licensure" means any controlled dangerous substance license that the board is authorized to issue.

Proposed law authorizes the La. Board of Pharmacy to require an applicant who is not in possession of a valid and verifiable license or other credential from a standing professional board of the state or from the La. Dept. of Health, bureau of health services financing, health standards, or their successors, to do the following as a condition for eligibility for licensure:

- (1) Submit fingerprints and other identifying information to the board.
- (2) Permit the board to request and obtain state and national criminal history record information on the applicant.

Proposed law provides that the costs of providing the criminal history record information shall be charged by the bureau, as specified in present law. Further authorizes the board to impose any or all of such fees or costs on the applicant.

Proposed law further requires the bureau, upon request by the board, to conduct a search of its criminal history record information relative to the applicant and report the results of its search to the board within 60 days from receipt of such request.

Proposed law provides that if the criminal history record information reported by the bureau does not provide grounds for disqualification, the board is required to forward the applicant's fingerprints and other identifying information to the FBI for a search of national criminal history record information.

Proposed law provides that any information obtained by the board from the bureau or the FBI which is not already a matter of public record shall not be public record and shall be confidential, restricted to the exclusive use of the board, its members, officers, investigators, agents, and attorneys in evaluating the applicant's eligibility for licensure.

(Amends R.S. 44:4.1(B)(26); Adds R.S. 40:973.1)