

2020 Regular Session

HOUSE BILL NO. 619

BY REPRESENTATIVE TURNER

BOARDS/COMMISSIONS: Authorizes the La. Board of Pharmacy to charge fees for permitting of pharmacy benefit managers and provides for the frequency with which the board may assess other fees

1 AN ACT

2 To amend and reenact R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d) through (g), (i), and (j), and

3 (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i),

4 1232(B), and R.S. 37:1253 as enacted by Section 2 of Act No. 124 of the 2019

5 Regular Session of the Legislature of Louisiana and to enact R.S. 37:1184(6),

6 relative to powers and duties of the Louisiana Board of Pharmacy; to authorize the

7 board to charge fees for certain permitting functions; to provide relative to permits

8 for pharmacy benefit managers; to provide for the frequency with which the board

9 assesses certain fees; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d) through (g), (i), and (j), and

12 (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i), and 1232(B)

13 are hereby amended and reenacted to read as follows:

14 §1184. Fees

15 Notwithstanding any other provision of this Chapter, the fees and costs

16 established by the board in accordance with R.S. 37:1182(A) shall not be less than

17 the following schedule:

	Minimum
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- 1 (2) Licenses, permits, certification, registrations,
 2 and examinations for pharmacists
- 3 (a)(i) ~~Annual renewal~~ Renewal fee for license, per year \$ 100.00
 4 (ii) Pharmacy education support fee, per year \$ 100.00
 5 (b) Delinquent fee in addition to renewal fee, per year \$50.00
 6 * * *
- 7 (3) Licenses, permits, certification, registration, and
 8 any other designations for pharmacy locations
- 9 (a)
 10 * * *
- 11 (ii) Pharmacy education support fee, per year \$ 100.00
 12 * * *
- 13 (d) Pharmacy permit renewal fee, per year \$ 125.00
 14 (e) Delinquent permit renewal fee, per year \$ 62.50
 15 (f) Pharmacy CDS permit fee, per year \$ 25.00
 16 (g) Delinquent pharmacy CDS permit fee, per year \$ 12.50
 17 * * *
- 18 (i) Automated medication system registration, per year \$ 150.00
 19 (j) Emergency drug kits for long-term care
 20 facilities, per year \$ 25.00
- 21 (4) Certification and examination for pharmacy
 22 technicians
 23 * * *
- 24 (b) ~~Annual renewal~~ Renewal certification fee, per year \$ 50.00
 25 * * *
- 26 (e) Delinquent certificate renewal fee, per year \$ 25.00
 27 * * *
- 28 (6) Permits for pharmacy benefit managers
 29 (a) Application fee for initial permit \$ 500.00

1 **(b)** Permit renewal fee, per year \$ 500.00

2 **(c)** Delinquent permit renewal fee, per year \$ 250.00

3 * * *

4 §1207. Renewal of license, registration, and certification; expiration; reinstatement

5 A.(1) Each person licensed, registered, or certified by the board shall apply for
6 renewal ~~annually~~ at a time designated by the board and pay a fee specified by the
7 board. A person who desires to continue in the practice of pharmacy or assist in the
8 practice of pharmacy in this state shall file with the board an application in such form
9 and containing such data as the board may require, and complete such other
10 requirements as deemed necessary by the board, for renewal.

11 (2)(a)(i) The board shall assess on each ~~annual~~ pharmacist license renewal as
12 required by this Section an additional fee of one hundred dollars per year to be
13 designated as the "pharmacy education support fee". This fee shall be dedicated and
14 allocated as specified in this Paragraph to an accredited school of pharmacy of a
15 public university in this state. The board shall include on each license renewal form
16 issued to a pharmacist an optional election whereby the person may elect not to remit
17 the one hundred dollar pharmacy education support fee.

18 * * *

19 §1208. Waiver of licensure or certification renewal while in military service

20 Upon written request of any licensed pharmacist or certified technician serving
21 in active duty in the military service of the United States or any of its allies, the
22 board may waive the requirement for the ~~annual~~ renewal of pharmacist license or
23 technician certificate, including the ~~annual~~ renewal fees.

24 §1209. Waiver of renewal fee when licensed fifty years; award

25 The board, in recognition of contributions to the practice of pharmacy, shall
26 waive the ~~annual~~ renewal fee requirement for ~~annual~~ renewal of licensure for
27 licensed pharmacists who have been duly registered and licensed to practice in
28 Louisiana for not less than fifty years; in lieu thereof the board shall award to such
29 pharmacists an honorary gold-embossed certificate. Such pharmacists desiring to

1 continue to practice pharmacy shall file the ~~annual~~ renewal application and shall
2 meet all other requirements for active licensure.

3 * * *

4 §1230. Renewal of permits; expiration; reinstatement

5 A.(1) Each pharmacy issued a permit by the board shall apply for renewal
6 ~~annually~~, at the time designated by the board and shall pay a fee specified by the
7 board.

8 (2)(a)(i) The board shall assess on each ~~annual~~ pharmacy permit renewal
9 required by this Section an additional fee of one hundred dollars per year to be
10 designated as the "pharmacy education support fee". This fee shall be dedicated and
11 allocated as specified in this Paragraph to an accredited school of pharmacy of a
12 public university in this state. The board shall include on each permit renewal form
13 issued to a pharmacy an optional election whereby the pharmacy may elect not to
14 remit the one hundred dollar pharmacy education support fee.

15 * * *

16 §1232. Nonresident pharmacy

17 * * *

18 B. A nonresident pharmacy granted a nonresident pharmacy permit by the
19 board shall disclose to the board the location, names, and titles of all principal
20 corporate officers, as well as the owner's managing officer and pharmacist-in-charge.
21 A report containing this information shall be made to the board ~~on an annual basis~~
22 with each renewal application and within thirty business days after any change of
23 office, corporate officer, or within ten business days of the departure of the prior
24 owner's managing officer or pharmacist-in-charge.

25 * * *

26 Section 2. R.S. 37:1253 as enacted by Section 2 of Act No. 124 of the 2019 Regular
27 Session of the Legislature of Louisiana is hereby amended and reenacted to read as follows:

1 Section 2. Part VII of Chapter 14 of Title 37 of the Louisiana Revised Statutes
2 of 1950, comprised of R.S. 37:1252 through 1254, is hereby enacted to read as
3 follows:

4 **PART VII. PHARMACY BENEFIT MANAGERS**

5 * * *

6 **§1253. Pharmacy benefit managers; rules and regulations; reporting**
7 **requirements; fees**

8 **A. The board shall promulgate rules and regulations in accordance**
9 **with the Administrative Procedure Act to implement the provisions of this**
10 **Part and the applicable provisions of the Pharmacy Benefit Manager**
11 **Licensing Law, R.S. 40:2861 et seq.**

12 **B. The board may promulgate rules and regulations to specify**
13 **reporting requirements for pharmacy benefit managers.**

14 **C. The board shall charge fees for the issuance of pharmacy**
15 **benefit manager permits in the amounts authorized by R.S. 37:1184.**

16 * * *

17 Section 3. This Act shall become effective July 1, 2020.

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 619 Original

2020 Regular Session

Turner

Abstract: Authorizes the Louisiana Board of Pharmacy to charge certain fees associated with permits for pharmacy benefit managers and provides for the frequency with which the board may assess other statutorily authorized fees.

Present law authorizes the Louisiana Board of Pharmacy, referred to hereafter as the "board", to impose certain fees and costs for the purpose of implementing and enforcing the provisions of the Louisiana Pharmacy Practice Act (R.S. 37:1161 et seq.).

Proposed law retains present law and adds thereto an authorization for the board to charge the following fees associated with permits for pharmacy benefit managers:

- (1) Application fee for initial permit: \$ 500.00
- (2) Permit renewal fee, per year: \$ 500.00

(3) Delinquent permit renewal fee, per year: \$ 250.00

Present law enacted by §2 of Act No. 124 of the 2019 Regular Session authorizes the board to regulate pharmacy benefit managers and becomes effective July 1, 2020. Proposed law amends present law to provide that the board shall charge fees for the issuance of pharmacy benefit manager permits in the amounts authorized by proposed law.

Present law authorizes the board to charge the following annual fees: Renewal fee for pharmacist licenses (\$100), renewal fee for pharmacy technician certifications (\$50). Proposed law revises present law to change the term "annual" associated with these fees to "per year".

Present law authorizes the board to charge the following fees: Pharmacy education support fee for pharmacists (\$100), delinquent fee in addition to license renewal fee for pharmacists (\$50), pharmacy education support fee for pharmacies (\$100), pharmacy permit renewal fee (\$125), delinquent pharmacy permit renewal fee (\$62.50), pharmacy controlled dangerous substance (CDS) permit fee (\$25), delinquent pharmacy CDS permit fee (\$12.50), automated medication system registration for pharmacies (\$150), emergency drug kits for long-term care facilities (\$25), delinquent certificate renewal fee for pharmacy technicians (\$25). Proposed law revises present law to specify that the board may charge each of these fees per year.

Effective July 1, 2020.

(Amends R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d)-(g), (i), and (j), and (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i), 1232(B), and R.S. 37:1253 as enacted by §2 of Act No. 124 of 2019 R.S.; Adds R.S. 37:1184(6))