# Updates to Previous Edition

The previous edition (Second) was published August 31, 2024. The following updates are included in this Third edition.

*Laws*

Amended Title 37 – Professions & Occupations

- Act 464 of the 2025 Regular Session amended the pharmacy practice law in Chapter 14 by adding a section authorizing pharmacists to dispense ivermectin to any person 18 years of age or older pursuant to a standing order issued by a healthcare provider employed by the state health department. The act requires the state health department to promulgate rules to implement the new law.

Amended Title 40 – Public Health & Safety

- As requested by clients, restored previously removed non-drug related sections of Part I of Chapter 4, the state food, drug, and cosmetic law.
- Section 2 of Act 233 of the 2025 Regular Session amended the existing exemption for consumable hemp products in Part X of Chapter 4, the state controlled substance law.
- Act 41 of the 2025 Regular Session added mitragynine and 7-hydroxymitragynine to Schedule I of the state list of controlled substances in Part X of Chapter 4.
- Act 121 of the 2025 Regular Session added two opiates and one stimulant to Schedule I of the state list of controlled substances in Part X of Chapter 4.
- Act 106 of the 2025 Regular Session amended the existing section of Part X of Chapter 4 relative to improper sale or possession of nitrous oxide to provide for enhanced penalties for violation of that law.
- Act 154 of the 2025 Regular Session added a new section to Part X of Chapter 4 to prohibit the production, manufacturing, distribution or possession of beta-phenyl-GABA, muscimol or ibotenic acid and provide penalties for violation of that law.
- Act 159 of the 2025 Regular Session amended Part X-A of Chapter 4, the state prescription monitoring program law, to add program audit trail information to the section relative to record retention of program records.
- As requested by clients, restored Part X-B of Chapter 4, the state drug paraphernalia law, as amended by Act 102 of the 2025 Regular Session, which expanded the exclusion from the definition of "drug paraphernalia" of any drug testing equipment as long as the equipment was not used to facilitate the manufacture or distribution in violation of the controlled substance law.
- As requested by clients, restored Part X-D of Chapter 4 relative to transactions involving proceeds from controlled substance activities.
- Removed Part IX of Chapter 5-A relative to gender affirming care.
- Removed Part VI of Chapter 5-G relative to mitragynine since it has been preempted by the addition of mitragynine to Schedule I of the state list of controlled substances as noted above.
- Section 2 of Act 474 of the 2025 Regular Session amended Chapter 36, the state pharmacy benefit manager licensing law, to reduce the size and change the membership of the PBM advisory council, add effective rate pricing to the list of prohibited actions, and expanded the definition of "patient steering."

Restored and amended Title 51 – Trade & Commerce

- Section 2 of Act 362 of the 2025 Regular Session amended the existing section relative to improper advertising using the term "Doctor" or "Dr." to add oversight by the professional licensing board of the provider.

*Rules*

Within Part LIII of Title 46 – Professional & Occupational Standards:

- Sections 901, 903 and 905 in Chapter 9 – Pharmacy Technicians were amended in November 2024 to add two new pathways for pharmacy technician training – high school career training programs and pharmacies with internal non-accredited training programs.

- Section 1105 of Chapter 11 – Pharmacies was amended in June 2025 to reduce the minimum experience requirement for a pharmacist to qualify for a pharmacist-in-charge (PIC) privilege from two years of active pharmacist practice to one year. In addition, the authority and accountability of the owner of the pharmacy permit was added to the existing responsibility of the PIC for the complete supervision, management, and compliance obligations.

- Section 1217 of Chapter 12 – Automated Medication Systems was amended in December 2024 to remove the reference to "human intervention" due to ambiguity of the term which resulted in multiple interpretations of the rule. A new subsection was added to reiterate the accountability of the PIC for the accuracy of all drug distribution activities.

- Section 1509 of Chapter 15 – Hospital Pharmacy was amended in December 2024 to remove the reference to "human intervention" for the same reason noted above in Chapter 12.

- Section 1711 of Chapter 17 – Institutional Pharmacy was amended in June 2025 to remove the requirement for the administrator of the facility housing an emergency drug kit (EDK) to co-sign the EDK permit application form with the PIC of the supplying pharmacy. In addition, the requirement to display the original copy of the EDK permit was removed since the board no longer issues paper permits. Instead, the amended rule requires a copy of the EDK permit online verification from the board's website to be readily available in the room where the EDK is located.

- Section 2403 of Subchapter A – Durable Medical Equipment in Chapter 24 – Limited Service Providers was amended in November 2024 to update the change of ownership procedures to align them with the recently changed ownership change procedures for pharmacy permits and CDS licenses for facilities.

- The entire Subchapter E – Marijuana Pharmacy in Chapter 24 – Limited Service Providers was repealed in May 2025 pursuant to Act 693 of the 2024 Regular Session, which transferred the regulatory authority for the medical cannabis program from the board to the state health department.

- Section 2523 of Chapter 25 – Prescriptions, Drugs, and Devices was amended in December 2024 to simplify the requirements for the transfer of prescriptions for controlled substances (both initial and refill) by referencing the federal requirements in 21 CFR Part 1306. The same change was made in Section 2747 of Chapter 27 – Controlled Dangerous Substances.

- Sections 2707 and 2711 of Chapter 27 – Controlled Dangerous Substances were amended in September 2020 to streamline the CDS license reinstatement procedures and update the facility change of ownership procedures.

Within Subpart 7 of Part I of Title 48 – Public Health:

- Added Chapter 136 – Administration & Treatment of Human Immunodeficiency Virus, promulgated in May 2025 by the state health department. This chapter contains the protocol for pharmacists to administer PrEP and PEP, as authorized by Act 711 of the 2024 Regular Session.