

Updates to Previous Edition

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

Laws

Removed Title 3 – Agriculture & Forestry

- [Act 752](#) of the 2024 Regular Session made significant changes to the consumable hemp product law, with the intended goal of reducing the amount of THC available in such products to an amount less than what is available in medical marijuana products in the state. A pharmacy, like any other retail business, may apply for a retail permit to sell consumable hemp products from the state office of alcohol and tobacco control. The decision to sell such products is a business decision with no significant impact on pharmacy practice. We have removed this title.

Added Title 14 – Criminal Law

- [Act 548](#) of the 2022 Regular Session created the crime of criminal abortion by means of abortion-inducing drugs. The legislation also created a safe harbor for the lawful use of an abortion-inducing drug for a bona fide medical reason, and further, noted the requirements for both prescriber and dispenser for such prescriptions.

Added Title 17 – Education

- [Act 378](#) of the 2024 Regular Session amended the state education law, more specifically the section permitting elementary and secondary schools to administer medications. In particular, the law permits prescribers authorized to prescribe life-saving medications to issue prescriptions for those drugs in the name of a school, authorizes pharmacists to dispense such medications pursuant to those prescriptions, and authorizes schools to administer such medications. Since the prescription is to be issued in the name of a school, we have added this law to inform readers of that exception to the notion that prescriptions are usually issued to specifically-named patients.

Amended Title 37 – Professions & Occupations

- [Act 711](#) of the 2024 Regular Session amended the pharmacy practice law in Chapter 14 by adding a new section authorizing pharmacists to perform a rapid HIV test or order laboratory testing for HIV infection for any person 17 years of age or older; and further, to dispense up to a 30-day supply of HIV pre-exposure prophylaxis and up to a 28-day supply of HIV post-exposure prophylaxis in the absence of any prescription drug order. The state health department is required to promulgate rules to implement this new law no later than March 2025.
- [Act 644](#) of the 2024 Regular Session amended the pharmacy practice law in Chapter 14 by making a change to one of the reasons for which the board may discipline a license. In particular, the term ‘moral turpitude’ was removed.
- Removed Chapter 59, relative to licensure procedures for individuals with military training, consistent with this book’s focus on laws relative to pharmacy practice.

Amended Title 40 – Public Health & Safety

- Edited Part I of Chapter 4, the state food, drug, and cosmetic law, to exclude certain sections relative to food and cosmetics, retaining sections relative to drugs and administrative procedures.
- [Act 110](#) of the 2024 Regular Session amended the state list of controlled substances by adding 13 substances to Schedule I as well as Zuranolone to Schedule IV.
- Acts [143](#) and [732](#) of the 2024 Regular Session added Tianeptine to Schedule I of the state list of controlled substances.
- [Act 246](#) of the 2024 Regular Session added Mifepristone and Misoprostol to Schedule IV of the state list of controlled substances. In addition, the legislation established the crime of coerced criminal abortion with use of an abortion-inducing drug. The legislature directed the board of pharmacy to notify all pharmacists of this law, and further, that lawful prescriptions for Mifepristone and Misoprostol may be dispensed in accordance with [R.S. 14:87.9\(C\)\(6\)](#). The board issued that notice via its [Bulletin No. 24-01](#) as well as its [July 2024](#) newsletter. As noted above, we have added that law in Title 14 to this publication.
- Edited Part X of Chapter 4, the controlled substance law, to remove several sections relative to criminal penalties for violations of the controlled substance law as well as several sections relative to judicial procedures for such violations.
- [Act 205](#) of the 2024 Regular Session amended the controlled substance law, to permit the transfer between pharmacies of a prescription or prescription information for controlled substances in conformance with the federal rules for that activity.
- [Act 248](#) of the 2024 Regular Session amended the controlled substance law by prohibiting the retail sale of nitrous oxide. The legislation provided exemptions for legitimate medical and industrial applications.
- Removed Part X-B, the drug paraphernalia law.
- Removed Part X-D, the civil forfeiture law relative to controlled substance cases.
- Acts [150](#) and [693](#) of the 2024 Regular Session made significant revisions to the medical marijuana law. Among other changes, the legislation transferred the regulatory authority for medical marijuana from the board of pharmacy to the state health department. Effective January 2025, marijuana pharmacies will no longer hold a license from the board but will hold a marijuana retail permit from the state health department. We have removed that Part X-E relative to medical marijuana.
- [Act 657](#) of the 2024 Regular Session created a new section in Chapter 5-C of the public health law permitting a broad range of entities to stock life-saving medications. This law is similar to the new law noted above in Title 17. That law was for elementary and secondary schools; this law includes a number of other entities and specifically excludes elementary and secondary schools. In particular, the law permits prescribers authorized to prescribe life-saving medications to issue prescriptions for those drugs in the name of the entity, authorizes pharmacists to dispense such medications pursuant to those prescriptions, and authorizes entities to administer such medications. Since the prescription is to be issued in the name of an entity, we have added this law to inform readers of that exception to the notion that prescriptions are usually issued to specifically-named patients.
- [Act 750](#) of the 2024 Regular Session created a new section of public health law permitting the use of individualized investigational drugs, biological products and devices.
- [Act 624](#) of the 2024 Regular Session amended the recently-enacted healthcare workplace violence prevention law to clarify the requirements of that law are not applicable to regulated entities when it employs five or fewer licensed medical providers, e.g., pharmacists.

Rules

Amended Chapter 1 – Introduction

- Section 105 was amended in August 2024 to provide for participation in open meetings via electronic means for people with disabilities, as required by [Act 393](#) of the 2023 Regular Session of the Louisiana Legislature.

Amended Chapter 5 – Pharmacists

- Section 501 was amended in March 2024 to remove the requirement for an application for a pharmacist license to be submitted to the board office at least 30 days prior to taking any licensure examination.

Amended Chapter 11 – Pharmacies

- Section 1103 was amended in August 2024 to require prescription departments to be maintained in a clean and orderly condition, and further, to require all areas where drugs are stored to be maintained under environmental conditions which will ensure the integrity of the drug, as specified by USP or the manufacturer's or distributor's product information or labeling.

Amended Chapter 25 – Prescriptions, Drugs, and Devices

- Section 2501 was amended in August 2024 to require all areas where drugs are stored to be maintained under environmental conditions which will ensure the integrity of the drug, as specified by USP or the manufacturer's or distributor's product information or labeling.

Amended Chapter 29 – Prescription Monitoring Program

- Section 2901 was amended in March 2024 to update the definition of "Drug of Concern", to include all butalbital products except those listed in any schedule of controlled substances and to remove naloxone from that definition.
- Section 2905 was added in August 2024 to provide for open meetings of the PMP Advisory Council via electronic means as well as participation in such electronic meetings by people with disabilities, as required by [Act 14](#) of the 2023 Regular Session of the Louisiana Legislature.
- Section 2914 was amended in March 2024 to provide a record retention schedule for prescription monitoring program information. The board shall maintain at least 5 years of transaction data for direct review, shall archive data not available for direct review up to 10 years, and may destroy any data after 10 years. The archival and destruction of PMP data was authorized by [Act 189](#) of the 2016 Regular Session of the Louisiana Legislature.