

Chapter 27. Controlled Dangerous Substances

§2707. Licensing Procedures

A. – B.3. ...

4. A CDS license not renewed within 30 days following the expiration date shall be considered terminated by the board. The reissuance of a terminated CDS license shall require compliance with the board's reinstatement procedures.

C. Application for Reinstatement of CDS License

1. ...
2. An application for the reinstatement of an expired credential which has been terminated may be approved when the applicant's primary credential is in an acceptable practice status with the issuing agency.
3. An application for the reinstatement of a CDS license inactivated as a consequence of the suspension or revocation of the primary credential by the issuing agency shall require verification of the reinstatement of the primary credential. Where the issuing agency reinstating the primary credential has restricted any privileges for controlled substances, the restrictions shall be attached to the reinstated CDS license.
4. An application for the reinstatement of a CDS license inactivated as a consequence of a Surrender for Cause of DEA Certificate of Registration to the DEA may be approved when the applicant's primary credential is in an acceptable practice status with the issuing agency.
5. An application for the reinstatement of a CDS license which was suspended or revoked by the board may only be approved by the full board following a hearing to determine whether the reinstatement of the license is in the public's best interest.
6. Applications requiring a reinstatement hearing shall be accompanied by payment of the administrative hearing fee identified in Section 115 of this Part.

D. – D.3. ...

E. Facility Change of Ownership Procedures

1. A CDS license is not transferable.
2. A new application shall be filed and a new CDS license obtained when a change in the identity of the natural person, partnership, or business entity which directly holds the credential has occurred or there is a change in the person or entity's Federal Employer Identification Number (FEIN).
3. The new owner shall submit an application to the board office at least 15 days before closing the transfer of ownership interests of said business.
4. An application for a new CDS license shall include the direct and first indirect levels of ownership information. Any change in the first indirect level of ownership of 20 percent or more must be reported to the board within 30 days of the change.
5. Nothing in this Section shall prohibit an entity from applying for a new CDS license in order to separate itself from actions which may have been committed by the previous ownership under the existing CDS license.

F. Changes of CDS License Status

1. Any person or facility holding a valid CDS license which ceases to engage in activity requiring a CDS license may relinquish said license to the board.
 - a. Prior to relinquishment of said license, the person or facility shall dispose of all controlled substances and any unused order forms in his possession or under his control in compliance with federal laws and regulations.
2. In the event a person or facility agrees to a Surrender for Cause of DEA Certificate of Registration to the DEA, then the CDS license of the person or facility shall be inactivated.
3. In the event the primary credential of a person or facility is suspended or revoked by the issuing agency, then the CDS license of the person or facility shall be inactivated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2131 (October 2008), amended by the Department of Health, Board of Pharmacy, LR 43:957 (May 2017), LR 46:570 (April 2020), LR 47:1641 (November 2021), LR 50:1277 (September 2024).

§2707 was amended to streamline the reinstatement procedures in Subsection C, update the facility change of ownership procedures in a new Subsection E, and added a new Subsection F to address changes to the status of a CDS license.

§2711. Actions on Licenses

A. – L.2. ...

M. – M.4. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2132 (October 2008), amended by the Department of Health, Board of Pharmacy, LR 50:1278 (September 2024).

§2711 was amended to repeal Subsection M relative to changes in status of a CDS license and move that language, in a modified version, to the new Subsection F in §2707 as noted above.

[END]