

Governor, Auctioneers Licensing Board, LR 31:1328 (June 2005), repealed LR 48:493 (March 2022).

Sandy Edmonds
Executive Director

2203#064

RULE

**Department of Health
Board of Pharmacy**

Hemp Facility (LAC 46:LIII.2701 and 2705)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Louisiana Board of Pharmacy has amended two sections within Chapter 27 of its rules relative to the issuance of a controlled substance license to hemp handlers. The change in §2701 amends the definition of hemp facility to include hemp handlers. The change in §2705 adds hemp handler to stakeholders authorized to apply for a controlled dangerous substances license and removes the requirement for laboratory accreditation. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LIII. Pharmacists

Chapter 27. Controlled Dangerous Substances

Subchapter A. General Provisions

§2701. Definitions

A. Words not defined in this Chapter shall have their common usage and meaning as stated in the Merriam Webster's Collegiate Dictionary—Tenth Edition, as revised, and other similarly accepted reference texts. As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section unless the context clearly indicates otherwise:

* * *

Hemp Facility—a facility licensed by the Louisiana Department of Agriculture and Forestry as a hemp seed producer, hemp grower, hemp handler or hemp processor.

* * *

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2127 (October 2008), amended by the Department of Health, Board of Pharmacy, LR 46:569 (April 2020), LR 47:0000 (November 2021), LR 48:494 (March 2022).

Subchapter B. Licenses

§2705. Licenses and Exemptions

A. - D.3. ...

E. Healthcare Facilities and Hemp Facilities

1. ...

2. The issuance of a CDS license to a hemp facility, and the renewal thereof, shall require a valid and verifiable license as a hemp seed producer, hemp grower, hemp handler or hemp processor issued by the Louisiana Department of Agriculture and Forestry (LDAF).

F. - J. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2129 (October 2008), amended LR 39:312 (February 2013), amended by the Department of Health, Board of Pharmacy, LR 46:570 (April 2020), LR 47:0000 (November 2021), LR 48:494 (March 2022).

Malcolm J. Broussard
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2203#011

RULE

**Department of Health
Board of Pharmacy**

Medication Administration
(LAC 46:LIII.521, 709, 711, 907, 913 and 1103)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy has amended four existing sections of rules and to add two new sections of rules, all relative to medication administration by various pharmacy personnel. The changes in §521 establish the standards for education, training and continuing competency for pharmacists who intend to administer medications, remove the requirement to obtain a medication administration registration from the board, and remove the requirement for pharmacists to report vaccine administration to a patient physician in lieu of the existing requirement to report vaccine administration to the state immunization registry. The change in §709 clarifies the scope of practice for pharmacy interns to include medication administration and exclude independent supervision of pharmacy technician candidates. The new §711 establishes the standards for education, training and continuing competency for pharmacy interns who intend to administer medications. The change in §907 clarifies the scope of practice for pharmacy technician candidates to exclude medication administration. The new §913 establishes the standards for education, training and continuing competency for pharmacy technicians who intend to administer medications. The change in §1103 establishes certain standards for pharmacies hosting medication administration activities in a location other than the pharmacy; these standards already exist in §521 but are being relocated to §1103. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LIII. Pharmacists

Chapter 5. Pharmacists

Subchapter B. Professional Practice Procedures

§521. Administration of Medications

A. Education and Training Required; Supervision

1. Pharmacists who intend to administer medications to their patients shall obtain the education and training described within this Section prior to engaging in such activity.

2. Pharmacists who intend to supervise other pharmacy personnel who administer medications to patients shall obtain the education and training described within this Section prior to engaging in such activity.

B. Education, Training and Continuing Competency

1. A pharmacist who intends to administer medications to patients shall possess a pharmacist license in active status. In the event the license is lapsed, suspended, or in any other inactive status, the pharmacist shall not administer medications. A pharmacist with a license in restricted status may administer medications unless the restriction imposed by the board prevents such activity.

2. The pharmacist shall successfully complete a certificate program for medication administration which is an evidence-based didactic course that meets current Centers for Disease Control and Prevention (CDC) training guidelines. The certificate program shall be acquired from a provider accredited by ACPE, or in the alternative, by joint accreditation (JA); and further, the certificate program shall provide a minimum of 20 hours of instruction and experiential training in the following content areas;

- a. standards for medication administration practices;
- b. basic immunology;
- c. recommended medication administration schedules;
- d. vaccine storage and management;
- e. informed consent;
- f. physiology and techniques for medication administration;
- g. pre- and post-administration assessment and counseling;
- h. medication administration record management; and
- i. management of adverse events, including identification and appropriate response, as well as documentation and reporting.

3. The pharmacist shall complete a life safety certification by the American Heart Association through its Basic Life Support (BLS) CPR and AED Training for Healthcare Professionals course, or its successor, or through an equivalent course sponsored by an alternative vendor. The pharmacist may substitute the Advanced Cardiac Life Support (ACLS) course for the BLS standard; however, the Heartsaver CPR and AED or other courses intended for the general public shall not be sufficient to meet this standard. The pharmacist shall renew their certification prior to the expiration date assigned by the course provider.

4. To maintain continuing competency for medication administration, the pharmacist shall acquire at least one hour of continuing pharmacy education per year related to this topic. Continuing pharmacy education activities obtained for this purpose shall be acquired from a provider accredited by ACPE, or in the alternative, by JA; and further, the credit earned for such programs may be included within the total number of credits required to renew the pharmacist license.

5. The pharmacist shall retain evidence of their education, training and continuing competency; and further, shall furnish copies of such documentation upon request by the board.

6. Sanctions

a. The failure of a pharmacist to obtain and maintain the education, training and continuing competency described in this Section prior to administering medications to patients or supervising other pharmacy personnel administering medications to patients shall substantiate a violation of R.S. 37:1241(A)(3), and shall subject the pharmacist to disciplinary action by the board.

b. The failure to a pharmacist to provide documentation of their education, training and continuing competency to administer medications when requested by the board shall substantiate a violation of R.S. 37:1241(A)(22), and shall subject the pharmacist to disciplinary action by the board.

C. Reporting Administration of Immunizations

1. The immunizing pharmacist or his designee shall report the immunization to the state immunization registry within 72 hours of the administration of the immunization. The report of an immunization administration to the state immunization registry shall satisfy any requirement for notification of such information to the patient's primary care provider.

D. Pharmacists administering medications in a location other than a pharmacy, shall comply with the following minimum standards:

1. There shall be sufficient staffing available for the pharmacist to administer the medication, supervise any other pharmacy personnel administering medications, and monitor the patient afterward without distraction from other responsibilities.

2. To facilitate emergency management of anaphylactic reactions, there shall be adequate supplies of medication and equipment, as well as pre-determined procedures for the arrangement of emergency medical services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2085 (October 2003), effective January 1, 2004, LR 34:1409 (July 2008), amended by the Department of Health, Board of Pharmacy, LR 46:578 (April 2020), LR 47:0000 (November 2021), LR 48:494 (March 2022).

Chapter 7. Pharmacy Interns

§709. Scope of Practice

A. - B. ...

C. A pharmacy intern may not:

1. ...
2. sign or initial any document which is required to signed or initialed by a pharmacist unless a preceptor cosigns the document; or independently supervise pharmacy technicians or pharmacy technician candidates.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 36:755 (April 2010), amended by the Department of Health Board of Pharmacy, LR 48:495 (March 2022).

§711. Administration of Medications

A. Education and Training Required; Supervision

1. Pharmacy interns who intend to administer medications to their patients shall obtain the education and

training described within this Section prior to engaging in such activity.

2. Pharmacy interns, once properly qualified as required by the provisions of this Section, may only administer medications to patients while under the supervision of a pharmacist with the same qualification in medication administration as described in Chapter 5 of this Part.

B. Education, Training and Continuing Competency

1. A pharmacy intern who intends to administer medications to patients shall possess a pharmacy intern registration in active status. In the event the registration is lapsed, suspended, or in any other inactive status, the pharmacy intern shall not administer medications. A pharmacy intern with a registration in restricted status may administer medications unless the restriction imposed by the board prevents such activity.

2. The pharmacy intern shall successfully complete a certificate program for medication administration which is an evidence-based didactic course that meets current Centers for Disease Control and Prevention (CDC) training guidelines. The certificate program shall be acquired from a provider accredited by ACPE, or in the alternative, by Joint Accreditation (JA); and further, the certificate program shall provide a minimum of 20 hours of instruction and experiential training in the following content areas;

- a. standards for medication administration practices;
- b. basic immunology;
- c. recommended medication administration schedules;
- d. vaccine storage and management;
- e. informed consent;
- f. physiology and techniques for medication administration;
- g. pre- and post-administration assessment and counseling;
- h. medication administration record management; and
- i. management of adverse events, including identification and appropriate response, as well as documentation and reporting.

3. The pharmacy intern shall complete a life safety certification by the American Heart Association through its Basic Life Support (BLS) CPR and AED Training for Healthcare Professionals course, or its successor, or through an equivalent course sponsored by an alternative vendor. The pharmacy intern may substitute the Advanced Cardiac Life Support (ACLS) course for the BLS standard; however, the Heartsaver CPR and AED or other courses intended for the general public shall not be sufficient to meet this standard. The pharmacy intern shall renew their certification prior to the expiration date assigned by the course provider.

4. To maintain continuing competency for medication administration, the pharmacy intern shall acquire at least one hour of continuing pharmacy education per year related to this topic. Continuing pharmacy education activities obtained for this purpose shall be acquired from a provider accredited by ACPE, or in the alternative, by JA.

5. The pharmacy intern shall retain evidence of their education, training and continuing competency; and further,

shall furnish copies of such documentation upon request by the board.

6. Sanctions

a. The failure of a pharmacy intern to obtain and maintain the education, training and continuing competency described in this Section prior to administering medications to patients shall substantiate a violation of R.S. 37:1241(A)(3), and shall subject the pharmacy intern to disciplinary action by the board.

b. The failure to a pharmacy intern to provide documentation of their education, training and continuing competency to administer medications when requested by the board shall substantiate a violation of R.S. 37:1241(A)(22), and shall subject the pharmacy intern to disciplinary action by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 48:495 (March 2022).

Chapter 9. Pharmacy Technicians

§907. Scope of Practice

A. - A.2. ...

B. Pharmacy technician candidates shall not:

1. - 5. ...

6. administer medications.

C. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1212.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 30:2486 (November 2004), effective January 1, 2005, amended LR 32:1049 (June 2006), amended by the Department of Health, Board of Pharmacy, LR 43:2498 (December 2017), effective January 1, 2018, amended LR 48:496 (March 2022).

§913. Administration of Medications

A. Education and Training Required; Supervision

1. Pharmacy technicians who intend to administer medications to their patients shall obtain the education and training described within this Section prior to engaging in such activity.

2. Pharmacy technicians, once properly qualified as required by the provisions of this Section, may only administer medications to patients while under the supervision of a pharmacist with the same qualification in medication administration as described in Chapter 5 of this Part.

B. Education, Training and Continuing Competency

1. A pharmacy technician who intends to administer medications to patients shall possess a pharmacy technician certificate in active status. In the event the certificate is lapsed, suspended, or in any other inactive status, the pharmacy technician shall not administer medications. A pharmacy technician with a certificate in restricted status may administer medications unless the restriction imposed by the board prevents such activity.

2. The pharmacy technician shall successfully complete a certificate program for medication administration which is an evidence-based didactic course that meets current Centers for Disease Control and Prevention (CDC) training guidelines. The certificate program shall be acquired from a provider accredited by ACPE, or in the alternative, by Joint Accreditation (JA); and further, the certificate program

shall provide a minimum of six hours of instruction and experiential training in the following content areas;

- a. recognition of vaccines and other medications and their corresponding routes of administration;
- b. proper storage of vaccines and other medications;
- c. safety procedures to avoid accidental needlestick injuries;
- d. selection of proper needle length for injectable medications based on patient parameters;
- e. proper technique for preparation and administration of medication;
- f. demonstration of appropriate patient distraction techniques during medication administration;
- g. demonstration of appropriate technique or intramuscular and subcutaneous injections;
- h. demonstration of use of universal precautions pertinent to bloodborne pathogens;
- i. procedures for management of adverse reactions; and
- j. proper documentation procedures.

3. The pharmacy technician shall complete a life safety certification by the American Heart Association through its Basic Life Support (BLS) CPR and AED Training for Healthcare Professionals course, or its successor, or through an equivalent course sponsored by an alternative vendor. The pharmacy technician may substitute the Advanced Cardiac Life Support (ACLS) course for the BLS standard; however, the Heartsaver CPR and AED or other courses intended for the general public shall not be sufficient to meet this standard. The pharmacy technician shall renew their certification prior to the expiration date assigned by the course provider.

4. To maintain continuing competency for medication administration, the pharmacy technician shall acquire at least one hour of continuing pharmacy education per year related to this topic. Continuing pharmacy education activities obtained for this purpose shall be acquired from a provider accredited by ACPE, or in the alternative, by JA; and further, the credit earned for such programs may be included within the total number of credits required to renew the pharmacy technician certificate.

5. The pharmacy technician shall retain evidence of their education, training and continuing competency; and further, shall furnish copies of such documentation upon request by the board.

6. Sanctions

a. The failure of a pharmacy technician to obtain and maintain the education, training and continuing competency described in this Section prior to administering medications to patients shall substantiate a violation of R.S. 37:1241(A)(3), and shall subject the pharmacy technician to disciplinary action by the board.

b. The failure to a pharmacy technician to provide documentation of their education, training and continuing competency to administer medications when requested by the board shall substantiate a violation of R.S. 37:1241(A)(22), and shall subject the pharmacy technician to disciplinary action by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 48:496 (March 2022).

Chapter 11. Pharmacies

§1103. Prescription Department Requirements

A. - K. ...

L. Pharmacies hosting medication administration activities, as well as pharmacists administering medications in a location other than a pharmacy, shall comply with the following minimum standards.

1. There shall be sufficient staffing available for the pharmacist to administer the medication, supervise any other pharmacy personnel administering medications, and monitor the patient afterward without distraction from other responsibilities.

2. To facilitate emergency management of anaphylactic reactions, there shall be adequate supplies of medication and equipment, as well as pre-determined procedures for the arrangement of emergency medical services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310 (October 1997), amended LR 29:2087 (October 2003), effective January 1, 2004, LR 39:315 (February 2013), amended by the Department of Health, Board of Pharmacy, LR 46:579 (April 2020), LR 48:497 (March 2022).

Malcolm J Broussard
Executive Director

2203#010

RULE

Department of Health Bureau of Health Services Financing

Adult Residential Care Providers
Licensing Standards
(LAC 48:I.6882)

The Department of Health, Bureau of Health Services Financing has amended the provisions of LAC 48:I.6882 as authorized by R.S. 36:254 and R.S. 40:2166.1-2166.8. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 68. Adult Residential Care Providers

Subchapter G. Emergency Preparedness

§6882. Inactivation of License Due to a Declared Disaster or Emergency

A. An ARCP licensed in a parish which is the subject of an executive order or proclamation of emergency or disaster issued in accordance with R.S. 29:724 or R.S. 29:766, may seek to inactivate its license for a period not to exceed two years, provided that the following conditions are met:

1. - 1.e....

2. the licensed ARCP resumes operating as an ARCP in the same service area within two years of the issuance of an executive order or proclamation of emergency or disaster in accordance with R.S. 29:724 or R.S. 29:766;