LOUISIANA LICENSING LAW FOR DRUG AND DEVICE DISTRIBUTORS

Louisiana Revised Statutes

TITLE 37

CHAPTER 54. DRUG AND DEVICE DISTRIBUTORS

§3461. General provisions and short title

A. This Chapter shall be known and may be cited as the "Louisiana Drug and Device Distributors Act".

B. In order to safeguard life and health and to promote the public welfare, any person engaged in the distribution of legend drugs or legend devices as defined in this Chapter shall be required to submit evidence of qualification to be engaged in the legend drug or legend device distribution business and shall be licensed as hereinafter provided.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3462. Definitions

As used in this Chapter:

(1) "Applicant" means a person who applies for licensure as a legend drug or legend device distributor.

(2) "Board" means the Louisiana Board of Drug and Device Distributors.

(3) "Bureau" means the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections.

(4) "Criminal history record information" means information collected by state and federal criminal justice agencies on persons consisting of identifiable descriptions and notations of arrests, detentions, indictments, bills of information, or any formal criminal charges, and any disposition arising therefrom, including sentencing, criminal correctional supervision, and release, but does not include intelligence for investigatory purposes, nor does it include any identification information which does not indicate involvement of the person in the criminal justice system.

(5) “Designated responsible party” means a natural person designed by the applicant or licensee as responsible for facility operations of the applicant or licensee facility.

(6) “Distribution” means the sale or facilitation of deliver of legend drugs or legend devices to a person other than the consumer or patient, including but not limited to distribution by manufacturers, repackagers, own-label distributors, jobbers, third-party logistics providers, retail pharmacy warehouses, pharmacies, brokers, agents, and wholesale distributors

(7) Distributors” means any person engaged in distribution, including but not limited to manufacturers, repackagers, own-label distributors, jobbers, third-party logistics providers, retail pharmacy warehouses, pharmacies, brokers, agents, and wholesale distributors.

(8) "FBI" means the Federal Bureau of Investigation of the United States Department of Justice.

(9) "Legend device" means any device intended for use by humans that carries on its label "Rx", "Rx only", a designation for physician use only, or a statement that federal law restricts the device to sale by or on the order of a licensed health care practitioner.

(10) "Legend drug" means any drug intended for use by humans that carries on its label any of the following: "Caution: Federal law prohibits dispensing without a prescription", "Rx", or "Rx Only".

(11) "Licensure" means any license, permit, or registration that the board is authorized by law to issue.

(12) "Manufacturer" means any of the following:

(a) A person who manufactures legend drugs or legend devices and includes a labeler or distributor.

(b) A person who prepares legend drugs in dosage form by mixing, compounding, encapsulating, entableting, or by other processes.

(c) A person who manufactures, assembles, processes, or modifies legend devices.

(d) An affiliate of a person described in Subparagraph (a), (b), (c), or (f) of this Paragraph that received the legend drugs or legend devices direcdtly from a person described in this Subparagraph or Subparagraph (a), (b), (c), or (f) of this Paragraph.

(e) A co-licensed parther of the person described in Subparagraph (a), (b), (c), or (f) of this Paragraph that obtains the legend drugs or legend devices directly from a person described in this Subparagraph or Subparagraph (a), (b), (c), or (f) of this Paragraph.

(f) A person who holds an approved new drug applciaiton under the United States Food and Drug Administration or holds a biologics license issued by the United States Food and Drug Administration for such product; or, if such product is not the subject of an approved application or license, the person who manufactured the product.

(13) "Owner" means a natural person who owns greater than a ten percent interest in the distributor.

(14) "Person" means a natural or juridical person, including a proprietorship, partnership, corporation, limited liability company, trust, business firm, association, franchise arrangement, combination of any of these entities, or any other legal entity.

(15) “Prescription drug” means a drug for human use which, because of its toxicity or other potentiality for harmful effects, the method of its use, or the collateral measures necessary to its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drug; or a drug which is limited by a Untied States Food and Drug Administration new drug application to use under the professional supervision of a practitioner licensed by law to administer such drug.

(16) “Product” means a prescription drug in a finished dose form for administration to a patient without substantial further manufacturing (such as capsules, tablets, and lyophilized products before reconstitiution); however, “product”, as used in this Chapter, does not include any of the following:

(a) Blood or blood components intended for transfusion.

(b) A radioactive drug or radioactive biological product regulated by the Nuclear Regulatory Commission or by a state pursuant to an agreement with the Nuclear Regulatory Commission.

(c) An imaging drug.

(d) An intravenous product that, by its formulation, is intended for replenishment of fluids and electrolytes or calories, for use to maintain the equilibrium of water and minerals in the body, or for irrigationor sterile water whether for such purpose or injection.

(e) Any medical gas.

(f) A homeopathic drug marketed in accordance with applicable guidance under the federal Drug Supply Chain Security Act.

(g) A drug compounded incompliance with the federal Food, Drug, and Cosmetic Act.

(17) “Repackager” means a person who owns or operates an establishment that repacks and relabels a legend drug, legend device, or package thereof for one of the following purposes:

(a) Further sale.

(b) Distribution without a further transaction.

(18) "Third-party logistics provider" means a person that provides or coordinates warehousing, facilitation of delivery, or other logistic services for a legend drug or legend device in interstate and intrastate commerce on behalf of a manufacturer, distributor, or dispenser of a legend drug or legend device but does not take ownership of the legend drug or legend device nor have responsibility to direct the sale or disposition of the legend drug or legend device.

(19) “Transaction” means the transfer of a product between persons in which a change of ownership occurs, but does not include a transaction that is exempted from the definition by rules of the Board or federal law.

(20) “Transaction history” means a statement, in paper or electronic form, that includes the transaction information for each prior transaction going back to the manufacturer of the product.

(21) “Transaction information” means:

(a) The proprietary or established name or names of the product.

(b) The strength and dosage form of the product.

(c) The National Drug Code number of the product.

(d) The container size.

(e) The number of containers.

(f) The lot number of the product.

(g) The date of the transaction.

(h) The date of the shipment, if more than twenty-four hours after the date of the transaction.

(i) The business name and address of the person from whom ownership is being transferred.

(j) The business name and address of the person to whom ownership is being transferred.

(22) “Transaction statement” means a statement, in paper or electronic form, that the entity transferring ownership in a transaction meets all of the following conditions:

(a) Is authorized as required under the federal Drug Supply Chain Security Act.

(b) Received the product from a person that is authorized as required under the federal Drug Supply Chain Security Act.

(c) Received transaction information and a transaction statement from the prior owner of the product.

(d) Did not knowingly ship a suspect or illegitimate product.

(e) Had systems and processes in place to comply with verification requirements under the federal Drug Supply Chain Security Act.

(f) Did not knowingly provide false transaction information.

(g) Did not knowingly provide false transaction history.

(23) "Wholesale distribution" means the distribution of legend drugs or legend devices to a person other than the consumer or patient except as exempted in the standards of the federal Drug Supply Chain Security Act as the act pertains to wholesale distribution.

(24) "Wholesale distributor" means any person engaged in wholesale distribution.

Acts 1988, No. 852, §1; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3463. Board; appointments; terms; removal; compensation; officers

A. The Louisiana Board of Drug and Device Distributors is hereby created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. The board shall administer the provisions of this Chapter. It shall be composed of eight members, five of whom shall be licensed distributors, two of whom shall be actively engaged in the pharmaceutical manufacturing industry, and one of whom shall be actively engaged in the medical device industry.

B. The governor shall appoint, subject to Senate confirmation, members to the board from a list containing the names of five persons, submitted by the Louisiana Association of Wholesale Drug Distributors and from a list containing the names of two persons, submitted by the Pharmaceutical Research and Manufacturers of America. In the event of the death or resignation of any member of the board, the governor shall appoint his successor in the manner of the original appointment for the remainder of the unexpired term.

C. Each member appointed to the board shall serve a term of five years.

D. Each member shall serve until his successor has been appointed and qualified.

E. The presidents of the Pharmaceutical Research and Manufacturers of America and the Louisiana Association of Wholesale Drug Distributors shall submit the nominations within sixty days after receipt of notice of death, resignation, or removal of a member of the board and at least thirty days prior to the expiration of the term of a member of the board.

F.(1) Any member of the board may be removed by the governor, or a majority vote of the board, after notice and a hearing by the board wherein grounds for removal have been established. Grounds for removal shall include but not be limited to incompetence, neglect of duty, unprofessional or dishonorable conduct, or a violation of this Chapter.

(2) A board member's seat shall be considered vacant after two consecutive absences by that member from official board meetings without a reason acceptable by the board.

G. Each member of the board shall receive seventy-five dollars a day and reimbursement for actual expenses and mileage at the same rate set by the division of administration for state employees under the provisions of R.S. 39:231 for each day while engaged in the discharge of their duties.

H. The board shall elect a chairman, vice chairman, secretary-treasurer, and such other officers as it considers necessary to carry out the duties or functions of the board.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3464. Qualifications of board members

Each member of the board shall be at least twenty-one years of age, of good moral character and temperate habits, and a resident of this state and shall have engaged in distribution as defined by this Chapter.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2015, No. 443, §1.

§3465. Organization meetings

The board shall hold at least two regular meetings each year. Special meetings may be held at such time and place as specified by a call of the chairman or secretary. Reasonable notice of all meetings shall be given in writing to each member of the board. A quorum of the board shall be a majority of its members.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995.

§3466. Domicile of the board

The domicile of the board shall be East Baton Rouge Parish, Louisiana.

Acts 1988, No. 852, §1.

§3467. Duties and powers of the board

A. The board may perform all of the following functions:

(1) Approve, deny, revoke, suspend, limit, or restrict licenses of qualified applicants for licensure as distributors and renew licenses.

(2) Impose fines, assess costs, or otherwise discipline a licensee.

(3) Regulate the distribution of legend drugs or legend devices.

(4) Monitor compliance with all federal and state laws and regulations regarding the distribution of legend drugs or legend devices by distributors and promulgate rules and regulations relative thereto.

(5) Conduct inspections of wholesale distribution facilities.

(6) Conduct hearings on charges relative to the violation of any provision of this Chapter.

(7) Issue subpoenas and administer oaths to persons giving testimony at hearings.

(8) Employ and fix compensation of persons necessary to carry on the work of the board.

(9) Appoint an attorney to represent the board in all matters pertaining to the administration of this Chapter, define his duties, and fix his compensation.

(10) Adopt all rules and regulations necessary to implement the provisions of this Chapter.

(11) Require licensees to provide transaction history, transaction information, and a transaction statement.

(12) Designate and assign license types and sub-types for distributors, which include wholesale distributors, manufacturers, repackagers, and third-party logistic providers, which it will approve, deny , revoke, suspend, limit, or restrict, and renew pursuant to Paragraph (A)(1) of this Section.

(13) Exercise all other powers necessary and proper to perform its duties within the scope of this Chapter.

B. The board shall make rules and regulations, not inconsistent with law, and shall take such other action as may be necessary to comply with the requirements set forth in the federal Food, Drug, and Cosmetic Act and the federal Drug Supply Chain Security Act, as those acts pertain to distribution as defined by this Chapter; and with the rules and regulations promulgated pursuant to those acts, and other pertinent federal authority.

C. (1) The board may require all distributors and wholesale distributors to furnish a bond or other equivalent means of security in accordance with regulations promulgated by the secretary of the United States Department of Health and Human Services.

(2) This Subsection shall not apply to manufacturers or affiliates or co-licensed partners of manufacturers.

Acts 1988, No. 852, §1; Acts 1991, No. 528, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3468. Records, prima facie evidence

The books, registers, and records of the board shall be prima facie evidence of the matter therein recorded in any court of law. The board shall keep a full record of all acts and proceedings of the board.

Acts 1988, No. 852, §1.

§3469. Qualifications and requirements for licensure

A. Every applicant for licensure as a distributor shall meet all qualifications and requirements designed by the board in accordance with this Chapter and all applicable requirements of federal law and regulations.

B. The application for licensure shall be made on a form provided by the board. Each application shall be accompanied with the reasonable licensure fee prescribed by the board. Each application form shall contain language that authorizes the board to obtain a criminal history record on the applicant, designated responsible party, and any owners to determine if the applicant, designated responsible party, or owners have ever been convicted of a felony violation of federal or state law.

Acts 1988, No. 852, §1; Acts 1992, No. 802, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3470. Inspections

The board, or a representative of the board, may conduct inspections of distribution and sales facilities during normal business hours upon receipt of an application for licensure. The board may conduct inspections during normal business hours of facilities that appear to be used by a distributor. The board may also conduct unannounced inspections of current licensees at sufficient intervals to determine compliance with state and federal requirements or when it considers it necessary. Upon inspection, a written report shall be submitted to the board by the inspector. Applicants for licensure and licensees shall be notified in writing by certified mail if any discrepancies are found, and a deadline shall be set by which such discrepancies must be corrected.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3471. License; registering; evidence

A. Each applicant who meets the provisions of R.S. 37:3469 and successfully passes the inspection provided in R.S. 37:3470 shall receive a license from the board authorizing him to act as a distributor in this state. The license or a renewal thereof shall be the only evidence of the right of a person to act as a distributor.

B. The license shall be registered in a record book to be kept by the board for that purpose. A copy of the license certified by the secretary of the board shall be received as evidence in all courts of this state.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2015, No. 443, §1.

§3472. Reinspection

Reinspections of distribution and sales facilities may be conducted as follow-ups to the regular inspections or to guarantee that the applicant or licensee has corrected any discrepancy found by the board. Failure to comply with state and federal laws or the board's regulations shall be prima facie evidence of a violation of this Chapter and shall subject the applicant or licensee either to disciplinary action by the board or forfeiture of the license.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3473. Applicants from other states; waiver of inspection

The board may waive the inspection provided in R.S. 37:3470, if the applicant presents to the board a satisfactory certificate of registration or license from an entity which licenses distributors of the same type in another state, and if the standards adopted and enforced by such entity are comparable to those provided in this Chapter.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3474. Manufacturer distribution of legend drugs and legend devices

Repealed.

Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3474.1. Discipline for licensees

A. Any person licensed as a distributor under this Chapter may have his license revoked, suspended, limited, or restricted for a fixed period to be determined by the board for any of the following causes:

(1) Conviction of a felony of the licensee, responsible party, or owner. The record of such conviction, or certified copy thereof from the clerk of court where such conviction occurred or by the judge of such court, shall be sufficient evidence to warrant revocation, suspension, limitation, or restriction.

(2) Suspension, revocation, or other disciplinary action taken by any state or federal agency of a license to distribute legend drugs or legend devices. A certified copy of the record of suspension or revocation by the state where such suspension or revocation occurred shall be conclusive evidence thereof.

(3) Making any fraudulent or untrue statement to the board.

(4) Refusing to respond or otherwise comply with any request from the board.

(5) Refusing to permit entry to the licensed distribution or sales facility to comply with any inspection during normal business hours.

(6) Selling, distributing, or offering to sell or distribute any adulterated, counterfeited, or misbranded legend drug or legend device.

(7) Altering, mutilating, destroying, obliterating, or removing any part of the label of a legend drug or legend device.

(8) Violating any of the provisions of this Chapter or rules and regulations adopted by the board.

B. Proceedings for any disciplinary actions or for the denial, revocation, suspension, limitation, or restriction of a license shall be conducted in accordance with rules and regulations adopted by the board pursuant to the Administrative Procedure Act.

C. The board may require a person who is subject to the authority of the board and against whom disciplinary action has been taken to pay a fine of not more than one thousand dollars per violation.

D. Each day on which a violation occurs shall constitute a separate violation.

E. In addition to the fine, the board may assess all costs incurred in connection with the proceedings to a person who is subject to the authority of the board, including but not limited to investigator, stenographer, and attorney fees.

F. No license shall be issued, reinstated, or renewed until the monetary penalties pursuant to this Section have been paid in full.

Acts 1991, No. 528, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3474.2. Enforcement action against other persons; penalties

A. The board shall have the authority to take enforcement action against any non-licensee found by the board to be guilty of any of the following acts or offenses:

(1) Participating or engaging in distribution as defined by this Chapter.

(2) Using the term “distributor” or "wholesale distributor" as defined by this Chapter, or otherwise assuming or using such term or advertising in any manner intended to convey the impression that he is a licensed distributor or wholesale distributor.

(3) Violating any of the provisions of this Chapter or any rules or regulations adopted by the board.

B. For the purposes of this Section, the term "enforcement action" shall include but not be limited to the assessment of a fine in an amount not to exceed one thousand dollars per violation. Each day on which a violation occurs shall constitute a separate violation.

C. In addition to any other action, the board may assess to a person all reasonable costs incurred in connection with an enforcement action, including investigator, stenographer, and attorney fees.

D. Proceedings for an enforcement action shall be conducted through the promulgation of rules and regulations in accordance with the Administrative Procedure Act.

Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3474.3. Injunction proceedings; penalties

A. The board may seek in any court of competent jurisdiction a writ of injunction enjoining any person from participating in distribution as defined by this Chapter until such person obtains the necessary license under the provisions of this Chapter. Posting of a bond shall not be a cause for dissolution of the injuction.

B. In the suit for an injunction, the board may demand of the defendant a penalty of not more than five thousand dollars, reasonable attorney fees, and court costs. This judgment

for penalty, attorney fees, and court costs may be rendered in the same judgment in which the injunction is made absolute.

C. The trial of the proceeding by injunction shall be summary and by the judge, without a jury.

D. This Section shall not be construed as barring criminal prosecution for violations of this Chapter.

Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3474.4. Order to quarantine a legend drug or legend device

A. If the board finds a reasonable probability that a distributor possesses an adulterated, misbranded, counterfeited, or recalled legend drug or legend device, the board may issue an order to quarantine the legend drug or legend device.

B. Any order issued pursuant to this Section shall subject the distributor to the order with an opportunity for hearing to be held no later than thirty days after issuance of the order on the actions required by the order. If, after the hearing, the board determines that inadequate grounds exist to support the order, the board shall vacate the order.

Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3475. Annual renewal of license

All licensed distributors shall pay to the board a renewal fee as shall be determined by the board.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2015, No. 443, §1.

§3476. Failure to renew license; penalties

The failure to pay the renewal fee required by R.S. 37:3475 shall result in an automatic revocation of the license. In such cases, the person shall be reinstated if he files an application for reinstatement with the board within one year after the revocation and pays a reinstatement fee and all delinquent charges as provided by the board.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995.

§3477. Authorization to obtain criminal history record information

A. The board may require that the applicant, designated responsible party, and any owners provide written consent to the board to request and obtain state and national criminal history record information as a condition for consideration of the licensure application.

B. The board may charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history record information.

C. The board shall provide each applicant with a copy of the written standards specifying the requirements that shall be met by an applicant and the grounds on which a license may be denied or revoked.

D. Pursuant to this Section, or any other law or board rules or regulations promulgated and adopted by the board, the board may request and obtain state and national criminal history record information from the bureau and the FBI relative to any applicant, designated responsible party, or owner whose fingerprints the board has obtained for the purpose of determining an applicant's suitability and eligibility for licensure.

E. Upon request by the board and upon the board's submission of fingerprints and other identifying information as may be required, the bureau shall conduct a search of its criminal history record information relative to the applicant, designated responsible party, or owner and report the results of its search to the board within sixty days from receipt of any such request. The bureau may charge the board a processing fee pursuant to R.S. 15:587 for conducting and reporting on any such search.

F. If the criminal history record information reported by the bureau to the board does not provide grounds for disqualification of the applicant for licensure, the board shall have the authority to forward the fingerprints and other identifying information as may be required to the FBI with a request for a search of national criminal history record information.

G. Any and all state or national criminal history record information obtained by the board from the bureau or FBI which is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. No such information or records related thereto shall, except with the written consent of the individual or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3478. Unlawful participation; penalty

A. No person shall participate or engage in the business of distribution as defined by this Chapter without a license issued therefor and compliance with other requirements as provided for in this Chapter.

B. No person shall use in connection with his name the term “distributor” or "wholesale distributor", or otherwise assume or use such term or advertise in any manner intending to convey the impression that he is a distributor or wholesale distributor as defined by this Chapter, unless such person has been duly licensed under the provisions of this Chapter.

C. Whoever violates the provisions of this Section shall be fined not less than one thousand dollars nor more than fifty thousand dollars or imprisoned for not less than ten days nor more than thirty days, or both.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3479. Fees

A. To defray the cost of administering the provisions of this Chapter, the board shall fix fees not to exceed the following:

(1) Initial license fee	$600
(2) License renewal fee	$600
(3) Initial inspection fee	$300
(4) Duplicate license fee	$100
(5) Reinstatement fee for licenses suspended, revoked, or expired	$600
(6) License verification fee	$100

B. Any fees fixed by the board shall be subject to legislative oversight review pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

C. All monies collected under this Chapter shall be paid into the treasury of the board and may be expended by the board without appropriation for costs of administration, including salary of employees, travel allowances, and other necessary expenses. Any funds remaining unexpended and unencumbered at the end of each fiscal year shall be retained by the board for expenditure in succeeding years and no part thereof shall revert to the General Fund of the state of Louisiana.

D. This board shall be financially self-sufficient. It shall receive no state funds through appropriation or otherwise and shall not expend any such state funds. No state funds shall be expended or committed to expenditure for the group benefits program or any other health insurance or employee benefit program, for any retirement system, for any salary, per diem payment, travel or expenses, office supplies and materials, rent, purchase of any product or service, or for any other purpose.

Acts 1988, No. 852, §1; Acts 2008, No. 597, §1.

§3480. Unauthorized sales

Distributors shall sell or distribute legend drugs or legend devices only to a person who is authorized, by law or regulation, to procure or possess legend drugs or legend devices.

Acts 1988, No. 852, §1; Acts 2008, No. 597, §1; Acts 2015, No. 443, §1.

§3481. Mandatory reporting

Distributors shall provide copies of their United States Enforcement Accounting Records Controlled Order Substance Reports (ARCOS) to the Louisiana Board of Pharmacy, and copies of their controlled substance sales register for a specific controlled substance registrant in Louisiana and excessive controlled substance purchase reports for all controlled substance registrants in Louisiana required by 21 CFR 1301.74(b) as requested by the Louisiana Board of Pharmacy. Notwithstanding any other law to the contrary, these reports shall be confidential and shall be destroyed when they have served their purpose.

Acts 1988, No. 852, §1; Acts 1995, No. 1152, §1, eff. June 29, 1995; Acts 2015, No. 443, §1.

§3482. Applicability; conflicts

Nothing in this Chapter shall be construed to authorize the Louisiana Board of Drug and Device Distributors to regulate the practice of pharmacy as provided in Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950. If any provision of this Chapter conflicts with the provisions of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950, the provisions of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950 shall prevail.

Acts 1988, No. 852, §1; Acts 2015, No. 443, §1.