

2020 Regular Session

HOUSE BILL NO. 619

BY REPRESENTATIVE TURNER

BOARDS/COMMISSIONS: Authorizes the La. Board of Pharmacy to charge fees for permitting of pharmacy benefit managers and provides for the frequency with which the board may assess other fees

1 AN ACT

2 To amend and reenact R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d) through (g), (i), and (j), and

3 (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i),

4 1232(B), and R.S. 37:1253 as enacted by Section 2 of Act No. 124 of the 2019

5 Regular Session of the Legislature of Louisiana and to enact R.S. 37:1184(6),

6 relative to powers and duties of the Louisiana Board of Pharmacy; to authorize the

7 board to charge fees for certain permitting functions; to provide relative to permits

8 for pharmacy benefit managers; to provide for the frequency with which the board

9 assesses certain fees; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d) through (g), (i), and (j), and

12 (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i), and 1232(B)

13 are hereby amended and reenacted to read as follows:

14 §1184. Fees

15 Notwithstanding any other provision of this Chapter, the fees and costs

16 established by the board in accordance with R.S. 37:1182(A) shall not be less than

17 the following schedule:

	Minimum
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1 continue to practice pharmacy shall file the ~~annual~~ renewal application and shall
2 meet all other requirements for active licensure.

3 * * *

4 §1230. Renewal of permits; expiration; reinstatement

5 A.(1) Each pharmacy issued a permit by the board shall apply for renewal
6 ~~annually~~, at the time designated by the board and shall pay a fee specified by the
7 board.

8 (2)(a)(i) The board shall assess on each ~~annual~~ pharmacy permit renewal
9 required by this Section an additional fee of one hundred dollars per year to be
10 designated as the "pharmacy education support fee". This fee shall be dedicated and
11 allocated as specified in this Paragraph to an accredited school of pharmacy of a
12 public university in this state. The board shall include on each permit renewal form
13 issued to a pharmacy an optional election whereby the pharmacy may elect not to
14 remit the one hundred dollar pharmacy education support fee.

15 * * *

16 §1232. Nonresident pharmacy

17 * * *

18 B. A nonresident pharmacy granted a nonresident pharmacy permit by the
19 board shall disclose to the board the location, names, and titles of all principal
20 corporate officers, as well as the owner's managing officer and pharmacist-in-charge.
21 A report containing this information shall be made to the board ~~on an annual basis~~
22 with each renewal application and within thirty business days after any change of
23 office, corporate officer, or within ten business days of the departure of the prior
24 owner's managing officer or pharmacist-in-charge.

25 * * *

26 Section 2. R.S. 37:1253 as enacted by Section 2 of Act No. 124 of the 2019 Regular
27 Session of the Legislature of Louisiana is hereby amended and reenacted to read as follows:

1 Section 2. Part VII of Chapter 14 of Title 37 of the Louisiana Revised Statutes
2 of 1950, comprised of R.S. 37:1252 through 1254, is hereby enacted to read as
3 follows:

4 **PART VII. PHARMACY BENEFIT MANAGERS**

5 * * *

6 **§1253. Pharmacy benefit managers; rules and regulations; reporting**
7 **requirements; fees**

8 **A. The board shall promulgate rules and regulations in accordance**
9 **with the Administrative Procedure Act to implement the provisions of this**
10 **Part and the applicable provisions of the Pharmacy Benefit Manager**
11 **Licensing Law, R.S. 40:2861 et seq.**

12 **B. The board may promulgate rules and regulations to specify**
13 **permit renewal reporting requirements for pharmacy benefit managers.**

14 **C. The board shall charge fees for the issuance of pharmacy**
15 **benefit manager permits in the amounts authorized by R.S. 37:1184.**

16 * * *

17 Section 3. This Act shall become effective July 1, 2020.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 619 Engrossed

2020 Regular Session

Turner

Abstract: Authorizes the Louisiana Board of Pharmacy to charge certain fees associated with permits for pharmacy benefit managers and provides for the frequency with which the board may assess other statutorily authorized fees.

Present law authorizes the Louisiana Board of Pharmacy, referred to hereafter as the "board", to impose certain fees and costs for the purpose of implementing and enforcing the provisions of the Louisiana Pharmacy Practice Act (R.S. 37:1161 et seq.).

Proposed law retains present law and adds thereto an authorization for the board to charge the following fees associated with permits for pharmacy benefit managers:

- (1) Application fee for initial permit: \$ 500.00
- (2) Permit renewal fee, per year: \$ 500.00

- (3) Delinquent permit renewal fee, per year: \$ 250.00

Present law enacted by §2 of Act No. 124 of the 2019 Regular Session authorizes the board to regulate pharmacy benefit managers and becomes effective July 1, 2020. Proposed law amends present law to provide the following:

- (1) The reporting requirements for pharmacy benefit managers to be promulgated by the board shall pertain to permit renewals.
- (2) That the board shall charge fees for the issuance of pharmacy benefit manager permits in the amounts authorized by proposed law.

Present law authorizes the board to charge the following annual fees: Renewal fee for pharmacist licenses (\$100), renewal fee for pharmacy technician certifications (\$50). Proposed law revises present law to change the term "annual" associated with these fees to "per year".

Present law authorizes the board to charge the following fees: Pharmacy education support fee for pharmacists (\$100), delinquent fee in addition to license renewal fee for pharmacists (\$50), pharmacy education support fee for pharmacies (\$100), pharmacy permit renewal fee (\$125), delinquent pharmacy permit renewal fee (\$62.50), pharmacy controlled dangerous substance (CDS) permit fee (\$25), delinquent pharmacy CDS permit fee (\$12.50), automated medication system registration for pharmacies (\$150), emergency drug kits for long-term care facilities (\$25), delinquent certificate renewal fee for pharmacy technicians (\$25). Proposed law revises present law to specify that the board may charge each of these fees per year.

Effective July 1, 2020.

(Amends R.S. 37:1184(2)(a) and (b), (3)(a)(ii), (d)-(g), (i), and (j), and (4)(b) and (e), 1207(A)(1) and (2)(a)(i), 1208, 1209, 1230(A)(1) and (2)(a)(i), 1232(B), and R.S. 37:1253 as enacted by §2 of Act No. 124 of 2019 R.S.; Adds R.S. 37:1184(6))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Amend present law to provide that the reporting requirements for pharmacy benefit managers to be promulgated by the La. Board of Pharmacy shall pertain to permit renewals.