

Excerpt from LA Board of Pharmacy Newsletter (October 2019)

New Laws From the 2019 Legislature (19-10-614)

The regular session of the 2019 Legislature adjourned on June 6, 2019. Of the 448 bills signed into law from that session, several bills impact pharmacy practice or the Louisiana Board of Pharmacy's operations. The Board distributed Bulletin No. 19-01 on July 1, 2019, to highlight several of those new laws, most of which became effective on August 1, 2019:

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◆ Act 164 authorized the establishment of a statewide industrial hemp program to be administered by the state department of agriculture and forestry in compliance with the 2018 federal Farm Bill. The new state law removed hemp and hemp-derived cannabidiol (CBD) – but not marijuana-derived CBD – from the state list of controlled substances (CS). The new law also established a regulatory structure for the retail sale of CBD products. All CBD products – whether produced in the state or imported into the state – shall be registered with the state health department. All persons intending to distribute or sell CBD products shall obtain a registration from the Office of Alcohol and Tobacco Control. The criminal penalties for the unlawful sale of CBD products will become effective on January 1, 2020.

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◆ Act 284 amended the therapeutic marijuana law to authorize the Board to amend its rules for marijuana pharmacies to add metered-dose inhalers to the list of allowable dosage forms for medical cannabis products.

◆ Act 354 amended the state list of CS to incorporate all the changes in the federal list of CS, including the removal of hemp and hemp-derived CBD oil as well as the exclusion of up to 0.3% tetrahydrocannabinol as found in hemp.

◆ Act 426 amended the CS law and more particularly, the section on prescriptions for opioid medications. The new law provides that when the practitioner believes that more than a seven-day supply is medically necessary, the practitioner shall indicate on the prescription that the quantity ordered is medically necessary. The Board distributed Bulletin No. 19-03 on August 18, 2019, to provide detailed guidance information to pharmacists about this new law. Board

Rescinds Guidance Document on Retail Sale of CBD Oil Products (19-10-615)

As previously noted, the 2019 Legislature adopted Act 164, which removed hemp and hemp-derived CBD oil from the definition of marijuana. With that legislation as well as the similar language contained in the 2018 federal Farm Bill, all of the concerns raised by the previous language in both federal and state laws were addressed. During its August 14, 2019 meeting, the Board voted to rescind its previously issued guidance document on the retail sale of CBD oil products. In the guidance document, the Board had cautioned its licensees as to the legal status of those products and its impact on those licensees holding federal and state CS licenses. With the recent legislation, those concerns were addressed. The Board encourages its licensees interested in the retail sale of hemp-derived CBD products to comply with the new law relative to registrations for both the retailer as well as the products.