

**POTPOURRI**

**Department of Health  
Board of Pharmacy**

Notice of Public Hearing

Substantive Change to Notice of Intent for Proposed Rule

Drug Disposal by Pharmacies (LAC 46:LIII.2749)

The Board of Pharmacy published a Notice of Intent to amend its rules relative to drug disposal by pharmacies in the November 20, 2019 edition of the Louisiana Register. Pursuant to the Board's consideration of comments and testimony received during the December 27, 2019 public hearing, the Board proposes to amend one section of the original Notice of Intent relative to the disposal of previously dispensed controlled substances by pharmacies. The proposed amendment will remove the requirement for pharmacies to accept returns of controlled substances for disposal in favor of an allowance for pharmacies to accept such drugs for disposal and a requirement for pharmacies to advise patients or their designees of their drug disposal options.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL STANDARDS**

**Part LIII. Pharmacists**

**Chapter 27. Controlled Dangerous Substances**

\* \* \*

**§2749. Disposal of Controlled Substances**

A. – C. ...

D. When a patient or his designee wishes to return previously dispensed controlled dangerous substances to a pharmacy for disposal, the pharmacy shall inform the patient or his designee of the disposal mechanisms available to him. In the event the pharmacy elects to accept such previously dispensed products for disposal, the pharmacy shall comply with the following requirements:

1. From the time of receipt of such products until the time of disposal, the pharmacy shall quarantine such products to keep them separate from its active dispensing stock and shall take appropriate security measures to prevent the theft or diversion of such products.
2. The pharmacy shall comply with the provisions of 21 CFR §1317 or its successor for the pharmacy's disposal of controlled substances.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2157 (October 2008), amended by the Department of Health, Board of Pharmacy, LR

**Public Comments**

Interested persons may submit written comments, via United States Postal Service or other mail carrier, or in the alternative by personal delivery to Malcolm J Broussard, Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule amendment.

**Public Hearing**

A public hearing to solicit comments and testimony on the proposed Rule amendment is scheduled for 9 a.m. on Monday, April 27, 2020. During the hearing, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. The deadline for the receipt of all comments is 12 p.m. noon that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

Malcolm J Broussard  
Executive Director