



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130

Web site: <http://www.lsbme.la.gov>

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December 13, 2021

Re: Advisory Opinion on Physician Delegation
of Chemotherapy Compounding

In accordance with Louisiana law, La. R.S. 37:1201, Louisiana licensed physicians, properly trained and educated in the processes, are permitted to compound medications provided they meet standards akin to those utilized by pharmacists as well as Louisiana's laws and the board's rules. Further, those same individuals may, if they possess the necessary dispensing registration issued by the Board, also dispense the medications to their patients.

The query seeks to extend that to unlicensed health care personnel based on the Board's "frequently asked questions" discussion regarding unlicensed health personnel, which states, in pertinent part:

Some states license Medical Assistants (MAs) and Certified Medical Assistants (CMAs); however, as with the majority of states Louisiana does not. As such, this category of health care personnel is not licensed by the LSBME or any other agency in this state. MAs/CMAs may be trained by a physician, complete a formal or military training program and some may earn certification (CMA) from a national organization. In Louisiana, as in many other states, an unlicensed individual such as a MA/CMA may perform services for which he or she has been adequately trained as long as the services are provided under physician supervision e.g., where the physician is physically present on the premises and immediately available at all times that they are performing duties as delegated by the physician.

While the "frequently asked questions" response is correct, it is axiomatic that all individuals in Louisiana and/or conducting business in Louisiana must also abide by the laws and rules of the State of Louisiana. Specifically, the Board refers you to the Pharmacy Practice Act, La. R.S. 37:1201, which indicates only **licensed** practitioners may compound¹ drugs and must meet the same standards as those applicable to pharmacists. It likewise states that it is **unlawful** for any individual to assist in the practice of pharmacy² unless currently registered or certified by the Board of Pharmacy.

¹ La. R.S. 37:1164 (7) "Compounding" means the preparation, mixing, assembling, packaging, or labeling of a drug or device by a pharmacist for his patient as the result of a practitioner's prescription drug order or initiative based on the practitioner/patient/pharmacist relationship in the course of professional practice, or including the preparation of drugs or devices in anticipation of prescription drug orders to be received by the compounding pharmacist based on routine, regularly observed prescribing patterns. Compounding does not include the compounding of drug products that are essentially copies of a commercially available product.

² La. R.S. 37:1164(44) "Practice of pharmacy" or "practice of the profession of pharmacy" means and includes the compounding, filling, dispensing, exchanging, giving, offering for sale, or selling, drugs, medicines, or poisons, pursuant to prescriptions or orders of physicians, dentists, veterinarians, or other licensed practitioners, or any other act, service, operation, or transaction incidental to or forming a part of any of the foregoing acts, requiring, involving, or employing the science or art of any branch of the pharmacy profession, study, or training.



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I trust our advice is responsive.

Sincerely,

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Executive Director