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Department of Environmental Quality Office of the Secretary Legal Affairs Division

Calcasieu Parish Ozone Maintenance Plan

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Plan Development Section, will submit a proposed revision to the ozone maintenance plan for Calcasieu Parish. This revision to the State Implementation Plan (SIP) is mandated under Section 110(a)(1) requirements of the 1990 Clean Air Act Amendments (CAAA).

According to EPA guidance issued May 20, 2005, areas that are designated attainment for the 8-hour ozone National Ambient Air Quality Standards (NAAQS) and are designated attainment for the 1-hour ozone NAAQS with an approved maintenance plan must submit a revision to the SIP.

A public hearing will be held at 1:30 p.m. on April 25, 2007, in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA. Should individuals with a disability need an accommodation in order to participate, please contact Vivian H. Aucoin at (225) 219-3575 or at the address listed below. Interested persons are invited to attend and submit oral comments on the proposal.

All interested persons are invited to submit written comments concerning the SIP revision no later than 4:30 p.m., May 2, 2007, to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3582 or by e-mail to vivian.aucoin@la.gov.

A copy of the SIP revision for Calcasieu Parish may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. The document is available on the Internet at www.deq.louisiana.gov/portal/Default.aspx?tabid=2381.

Herman Robinson, CPM
Executive Counsel

0703#022

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Department of Health and Hospitals Board of Medical Examiners

Public Hearing—Substantive Changes to Proposed Rule;
Collaborative Drug Therapy Management
(LAC 46:XLV.7403 and 7423)

A Notice of Intent concerning the above referenced proposed Rules was published on November 20, 2006 in the *Louisiana Register* (See LR 32:2125-2133), relative to

collaborative drug therapy management between physicians and pharmacists (CDTM). Written comments were invited, received and considered. Certain of those comments suggested substantive changes for sake of consistency with similar proposed Rules noticed by the Louisiana Board of Pharmacy (LBP) (See LR 32:2133-2139). In consideration of such comments the board proposes to amend certain portions of the proposed Rules to more closely parallel those of the LBP by expanding the diseases or conditions subject to CDTM to include dyslipidemia and to rearrange the order of diseases and conditions subject to CDTM to reflect this addition (§7403, Definition of Disease Specific Drug Therapy); and by deleting the prohibition against the use of CDTM for research, clinical or investigational trials, as well as for drugs not identified by the manufacturer for the treatment of a disease or condition subject to CDTM [§7423(F)(6), (10)] and to rearrange the order of items not subject to CDTM to reflect these deletions. Accordingly, the board proposes to amend the proposed Sections as follows.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLV. Medical Profession

Subpart 3. Practice

Chapter 74. Collaborative Drug Therapy Management

Subchapter A. General Provisions

§7403. Definitions

A. ...

* * *

Disease Specific Drug Therapy—a specific drug or drugs prescribed by a physician for a specific patient of such physician generally accepted within the standard of care for treatment of one of the following diseases or conditions:

a. - c. ...

d. treatment and prevention of dyslipidemia;

e. smoking cessation therapy;

f. administration of disease specific vaccines to patients 16 years of age and older; and

g. such other drugs, diseases or conditions as may be subsequently recommended by the advisory committee and approved by the board.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(A)(1), 1270(B)(6) and 37:1164(37).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 33:

Subchapter E. Standards of Practice

§7423. Authority, Responsibility and Limitations of Collaborative Drug Therapy Management

A. - E. ...

F. The scope of the collaborative drug therapy management shall not include:

1. - 5. ...

6. initiation or discontinuance of drug therapy by a pharmacist, except as specified in the written protocol;

7. the management of controlled substances or drugs of concern; or

8. substitution of a drug prescribed by a physician without the explicit written consent of such physician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(A)(1), 1270(B)(6) and 37:1164(37).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 33:

As such changes may be considered substantive by parties affected by the proposed Rule, notice is hereby given in accordance with the Administrative Procedure Act, specifically R.S. 49:968(H)(2), that a public hearing on the substantive changes will be held by the Board on Friday, April 20, 2007, at 10:00 a.m. at the Louisiana State Board of Medical Examiners' Office, 630 Camp Street, New Orleans, LA 70130. All interested persons are invited to attend and present data, views, comments, or arguments orally. All interested persons are invited to submit written comments concerning the proposed substantive changes no later than April 20, 2007, at 10 a.m., to Rita Arceneaux, Executive Assistant, Louisiana State Board of Medical Examiners, at P.O. Box 30250, New Orleans, LA 70190-0250 (630 Camp Street, New Orleans, LA, 70130).

Robert L. Marier, M.D.
Executive Director

0703#055

POTPOURRI

Department of Health and Hospitals Board of Pharmacy

Public Hearing—Substantive Changes to Proposed Rule; Collaborative Drug Therapy Management (LAC 46:LIII.523)

The board published a Notice of Intent to promulgate §523, Collaborative Drug Therapy Management in the November 20, 2006 edition of the *Louisiana Register* (LR 33:2135-2139). The notice solicited comments and testimony. As a result of its analysis of the comments and testimony received, the board proposes to amend certain portions of the proposed Rule. Within Subsection A, the board proposes to amend the definition of the term *Disease Specific Drug Therapy* by modifying the description of the treatment of asthma and deleting the references to hypertension and obesity. Further, we propose to define four additional terms. Within Subsection D, the board proposes to establish minimum educational qualifications for pharmacists collaborating in the management of anti-coagulant drug therapy. Further, we propose to establish certain restrictions for collaborative drug therapy management agreements. Finally, the board proposes to replace the current provision relative to immunization programs at the Office of Public Health in the Department of Health and Hospitals with a different provision recognizing the ability of that office to promulgate their own rules on the subject of immunizations.

Taken together, all of these proposed amendments will closely align the proposed Rule with the proposed Rule on the same topic as published by the Louisiana State Board of

Medical Examiners in the November 2006 edition of the *Louisiana Register* (LR 32:2125-2133). The alignment of these Rules will permit the development and implementation of collaborative drug therapy management agreements between physicians and pharmacists. No fiscal or economic impact will result from the amendments proposed in this notice.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII. Pharmacists

Chapter 5. Pharmacists

§523. Collaborative Drug Therapy Management

A. Definitions. As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section.

* * *

Disease Specific Drug Therapy—a specific drug or drugs prescribed by a physician for a specific patient of such physician generally accepted within the standard of care for treatment of one of the following diseases or conditions:

- a. treatment and prevention of arterial and venous clot propagation and disease, i.e., anti-coagulant therapy;
- b. treatment and prevention of diabetes;
- c. adjustment of medication administered by inhalant for treatment of asthma;
- d. treatment and prevention of dyslipidemia;
- e. smoking cessation therapy;
- f. administration of disease specific vaccines to patients 16 years of age or older; and
- g. such other drugs, diseases or conditions as may be subsequently recommended by the advisory committee and approved by the board.

Drug—

- a. a any substance recognized as a drug in the official compendium, or supplement thereto, designated by the board for use in the diagnosis, cure, mitigation, treatment or prevention of diseases in humans or animals;
- b. any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; or
- c. any substance other than food intended to affect the structure or any function of the body of humans or other animals.

* * *

Pharmacist—an individual currently licensed by the board to engage in the practice of pharmacy in the state.

Physician—an individual lawfully entitled to engage in the practice of medicine in this state as evidenced by a current, unrestricted license duly issued by the Louisiana State Board of Medical Examiners.

Prescribe—a request or order transmitted in writing, orally, electronically or by other means of telecommunication for a drug that is issued in good faith, in the usual course of professional practice and for a legitimate medical purpose, by a physician for the purpose of correcting a physical, mental, or bodily ailment of his patient.

* * *

- B. - C. ...
- D. Standards of Practice

1. Authority, Responsibility, and Limitations of Collaborative Drug Therapy Management

a. - d. ...

e. Only a pharmacist who holds the academic degree of Doctor of Pharmacy, which degree provided specific training in the area of anti-coagulant drug therapy, shall engage in collaborative drug therapy management in such particular area of practice covered by a collaborative drug therapy management agreement. The board may, in its discretion, grant an exception to this limitation on a case-by-case basis and permit a pharmacist to engage in anti-coagulant drug therapy management with a pharmacist who does not possess the academic degree required by this Section upon the affirmative recommendation and advice of the advisory committee that the pharmacist possesses the equivalent or other acceptable advanced training in the area of practice covered by the agreement.

f. The scope of the collaborative drug therapy management shall not include:

i. any patient of the physician for whom such physician has not prepared a patient specific, drug specific, disease specific written protocol;

ii. drug therapy management of more than one specific disease or condition. Administration of a vaccine or smoking cessation therapy are excepted from this provision;

iii. drug therapy management of any patient by more than one registered physician and one pharmacist;

iv. any patient under the age of 18 years of age. Administration of a vaccine or smoking cessation therapy are excepted from this provision;

v. pregnant or nursing mothers;

vi. initiation or discontinuance of drug therapy by a pharmacist, except as specified in the written protocol;

vii. the management of controlled substances or drugs of concern; or

viii. substitution of a drug prescribed by a physician without the explicit written consent of such physician.

2. - 4.c. ...

5. Administration of Vaccines

a. - b. ...

c. This Section shall not prevent or restrict the Louisiana Department of Health and Hospitals, Office of Public Health, or any other governmental entity of this state, from administering vaccines under the authority of other laws of this state.

D.6. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1164(37)(b)(i).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:

In accordance with the provisions of the Administrative Procedure Act, specifically at R.S. 49:968(H)(2), the board gives notice of a public hearing to receive additional comments and testimony on these substantive amendments to the proposed Rule. The hearing will be held at 10 a.m. on Friday, April 20, 2007 at the office of the Louisiana State Board of Medical Examiners, which is located at 630 Camp Street in New Orleans, LA. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments, either orally or in writing. Interested persons may submit written comments to Malcolm J. Broussard, Executive Director, Louisiana Board of

Pharmacy, 5615 Corporate Blvd., Suite 8-E, Baton Rouge, LA 70808-2537. He is responsible for responding to inquiries regarding these substantive amendments to the proposed Rule. The deadline for receipt of all written comments is 10 a.m. on Friday, April 20, 2007.

Malcolm J. Broussard
Executive Director

0703#046

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**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
United Gas Pub Serv Co	Wildcat	M	Saunders	3	14508
Excel Energy Co., Inc.	Swim Lake	M	Alma F Jones	2	227738
Assoc Oil & Gas Expl Inc etal	Wildcat	L	Dorothy A Pizani et al	1	111039
Forman Petroleum Corporation	Lafitte	L	D A Pizani	1	150430
Meng Oper. & Expl. Co.	Vidalia	M	Vua; Shields	1	204933

James H. Welsh
Commissioner

0703#047

POTPOURRI

**Department of Natural Resources
Office of the Secretary
Fishermen's Gear Compensation Fund**

Reported Underwater Obstructions

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 9 claims in the amount of \$30,279.95 were received for payment during the period February 1, 2007 - February 28, 2007.

There were 9 claims paid and 0 claims denied.

Latitude/Longitude Coordinates of reported underwater obstructions are:

2809.230	9106.830	Terrebonne
2908.228	8926.075	Plaquemines
2909.125	9038.035	Terrebonne
2918.549	8947.480	Plaquemines
2934.280	9209.440	Vermilion
2939.865	8922.096	St. Bernard
2949.419	9320.819	Cameron
2950.506	8941.378	St. Bernard
3007.796	8947.613	Orleans

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225)342-0122.

Scott A. Angelle
Secretary

0703#043

POTPOURRI

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

Bird Dog Training Areas: (LAC 76:V.321)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission are giving notice that they are seeking to incorporate changes to the Notice of Intent

relative to the proposed rule regarding Bird Dog Training Areas, LAC 76:V.321, which was originally published in the December 20, 2006 issue of the *Louisiana Register* (pages 2487 and 2488). Changes to the proposed involve allowing use of pen raised mallards for training dogs on certain wildlife management areas and providing an option for these areas to remain open during the either-sex deer and turkey seasons. Copies of the proposed changes can be viewed by contacting Mr. Fred Kimmel, 225-765-2355. Interested persons may submit their written comments on the proposed changes to Mr. Dave Moreland, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898 no later than 4:30 p.m., April 17, 2007.

Earl P. King, Jr.
Chairman

0703#033