

There are various types of physician dispensing programs ranging from limited formulary in-office dispensing to a broad range formulary akin to a pharmacy. Most of these programs involve dispensing repackaged medications versus counting out dosages. The convenience of the repackaged products makes the process manageable for busy physician practices. While there are a number of re-packagers in the marketplace, the National Association of Boards of Pharmacy (NABP) has created a Verified Accredited Wholesale Distributor (VAWD) accreditation for wholesalers who comply with the NABP's stringent criteria. Critics of these dispensing programs generally point to the possibility of overutilization. Physician dispensing proponents emphasize patient convenience and compliance, generic utilization and ancillary revenue generation.

Physicians are able to dispense in approximately 43 states, with the laws and regulations applicable to physician dispensing varying widely from state to state. In 1987, the Board of Medical Examiners promulgated an extensive set of rules applicable to dispensing physicians in Louisiana. The rules require that physicians who desire to dispense must first register with the board. The physician must then turn in a detailed application to the board at a cost of \$75, after which the board conducts a rigorous review of each applicant. Physicians must be in active practice for three years and be in good standing with all applicable licensure prior to applying. The rules also detail conditions that would cause a physician to be ineligible, including any convictions, denial of licensure and failure to pay court-ordered child support.

If approved, the board will issue the physician a certificate of registration bearing the Dispensing Physician Registration Number. The process usually takes two to three months

depending on the physician's thoroughness in the completion of the application and the timing of the board meetings.

In the September 20, 2008, issue of the Louisiana Register, the board amended the rules governing dispensation of medications. The amended rules forbid physicians from dispensing any controlled substance or drugs of concern, such as Carisoprodol, Dezocine, Nalbuphine and Tramadol, unless the physician practices at a governmental facility or a licensed abuse or addiction treatment facility, or is engaged in a regulated clinical research project or investigational study. The amended rule does permit a dispensing physician to dispense up to a single 48-hour supply of a single controlled substance or drug of concern to a patient. A physician is permitted to submit a written application to depart from the prohibition, but only for an individually identified patient.

Due to the number of requests for reconsideration of this new rule, the board has postponed the implementation date from December 1 to January 1, 2009, so it can review the issue again at its December 15, 2008, meeting. It is worth mentioning that the new rule does not impact the physician's ability to provide bona fide samples to patients of the "drugs of concern." Based on trends I have observed from a national perspective, I anticipate that, regardless of the outcome of the board's reconsideration, more Louisiana physicians will be exploring the opportunity to integrate in-office dispensing into their practices in the months and years to come.

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