



# State of Louisiana

## Louisiana Department of Health

### **Recognition of Albuterol as a Life-Saving Medication, Standing Order for the Distribution or Dispensing of Albuterol, and Standing Protocol for the Administration of Albuterol**

#### **BACKGROUND AND LEGAL AUTHORITY**

Albuterol is a "legend drug" as that term is defined by La. R.S. 40:1060.11, such that pharmacists, manufacturers, and distributors must normally secure a prescription or order, in the name of an individual, from a licensed healthcare professional with the legal authority to prescribe legend drugs in order to lawfully dispense or distribute albuterol (to such individual). La. R.S. 40:1146 (<https://legis.la.gov/Legis/Law.aspx?d=965999>), enacted by Act 657 of the 2024 Regular Session, grants to the Louisiana Department of Health ("LDH") the discretion and authority to recognize and designate a legend drug as a "life-saving medication" that can be administered to treat a life-threatening condition. Under La. R.S. 40:1146, such designation creates the following results:

- a licensed healthcare professional with the legal authority to prescribe legend drugs may issue a prescription for albuterol in the name of a "qualified entity" (rather than an individual), as that term is defined in La. R.S. 40:1146:  

**"Qualified entity"** means any public or private entity that is associated with a location where a medical emergency can occur, including licensed early learning centers, colleges and universities, places of employment, restaurants, amusement parks, recreation camps, after-school programs, sports playing fields and arenas, and other similar locations, except that "qualified entity" does not include public or nonpublic elementary or secondary schools.
- a manufacturer, distributor, or licensed pharmacist may dispense albuterol to a qualified entity pursuant to such prescription or pursuant to a Standing Order for the dispensing of albuterol to a qualified entity from the secretary of LDH, if a physician, or from a designee thereof who is a physician employed by LDH if the secretary is not a physician;
- a qualified entity may maintain a stock supply of life-saving medications obtained pursuant to a such prescription or Standing Order;

- a qualified entity may authorize “trained personnel”, as that term is defined in La. R.S. 40:1146, to administer albuterol to an individual on the qualified entity's premises or during a qualified-entity-affiliated activity who the trained personnel believes in good faith is experiencing a medical emergency. Such administration must be pursuant to and in accordance with a Standing Protocol from a healthcare professional with the legal authority to prescribe legend drugs;

#### RECOGNITION OF ALBUTEROL AS A LIFE-SAVING MEDICATION

Pursuant to La. R.S. 40:1146, and for all purposes of that statute, LDH hereby recognizes albuterol as a “life-saving medication”.

#### STANDING ORDER FOR THE DISTRIBUTION OR DISPENSING OF ALBUTEROL

I, Ralph L. Abraham, M.D., Surgeon General and State Health Officer, pursuant to a designation from Michael Harrington, MBA, MA, Secretary of LDH, hereby issue pursuant to La. R.S. 40:1146 a statewide Standing Order, under which any manufacturer, distributor, or licensed pharmacist may dispense albuterol to a “qualified entity”, as that term is defined in La. R.S. 40:1146. Refills may be provided pursuant to this Standing Order as requested by a qualified entity. Any stock of albuterol obtained by a qualified entity pursuant to this Standing Order may be used only in accordance with and for the purposes set forth in La. R.S. 40:1146.

To the extent allowed under La. R.S. 17:436.1, and subject to any conditions and limitations set forth therein, this Standing Order may be utilized to dispense albuterol to a public or non-public elementary or secondary school, except as may be otherwise prohibited by applicable law.

The attached “Dispensing Request– Albuterol” form may be used to request albuterol from a manufacturer, distributor, or pharmacist pursuant to this Standing Order.

This Standing Order shall be valid for one year from the date of issue below.


#### STANDING PROTOCOL FOR THE ADMINISTRATION OF ALBUTEROL


I, Ralph L. Abraham, M.D., Surgeon General and State Health Officer, hereby issue pursuant to La. R.S. 40:1146 the attached *Standing Protocol for the Administration of Albuterol* (hereinafter “Standing Protocol”). This Standing Protocol may be utilized by “trained personnel”, as that term is defined in La. R.S. 40:1146, who have

received training as required by La. R.S. 40:1146 (and any applicable regulation of LDH issued pursuant thereto) to administer, if indicated, albuterol to an individual who the trained personnel believes in good faith is experiencing a medical emergency. This Standing Protocol may be utilized only by trained personnel authorized by their associated qualifying entity to administer life-saving medications, and only on such qualified entity's premises or during a qualified-entity-affiliated activity. Trained personnel utilizing this Standing Protocol must fully comply with all requirements, conditions, and procedures set forth therein. This Standing Protocol should be utilized only to the extent that a qualified entity authorizes its use for its trained personnel, and is not intended to displace a qualified entity's option to use a standing protocol from another licensed healthcare professional with the legal authority to prescribe legend drugs.

To the extent allowed under La. R.S. 17:436.1, and subject to any conditions and limitations set forth therein, this Standing Protocol may also be utilized by trained and authorized personnel of a public or non-public elementary or secondary school to administer, if indicated, albuterol, subject to any limitations set forth in said statute or imposed by a school pursuant thereto.

Date of Issue: 4/1/2025, 2025

Signed by:  
  
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**Ralph L. Abraham, M.D.** (LSBME No. MD.022086; NPI #1013962620)  
 Surgeon General and State Health Officer

Concurrence:  
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**Drew P. Maranto**  
 Interim Secretary, Louisiana Department of Health