

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

Person

Preparing

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Return

Address: 602 North 5th Street

Rule Title: 33:V.Chapters 1, 3, 10, 12, 15,

Baton Rouge, LA 70802

Date Rule  
Takes Effect: Upon Promulgation

SUMMARY

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no estimated implementation costs or savings to state governmental units as a result of the proposed rule change.

The proposed rule change makes the following changes:

- 1) Adopts the mandatory and optional portions of the Federal Management Standards for Hazardous Waste Pharmaceuticals.
- 2) Adopts the Amendment to the P075 listing for Nicotine, which exempts nicotine replacement therapies like gums, patches, and lozenges from the Federal Hazardous Waste Pharmaceutical list.
- 3) Establishes new management standards for pharmaceuticals by healthcare facilities and reverse distributors, rather than treating them as traditional hazardous waste.
- 4) Prohibits the disposal of hazardous waste pharmaceuticals down the drain.
- 5) Eliminates dual regulation of Resource Conservation and Recovery Act (RCRA) hazardous wastes that are also Drug Enforcement Administration-controlled substances under a conditional exemption.
- 6) Maintains the household hazardous waste exemption for pharmaceuticals collected during pharmaceutical take-back programs and events, while ensuring their proper disposal, and codifies EPA's prior policy on the regulatory status of nonprescription pharmaceuticals going through reverse logistics.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units resulting from this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to impact the costs or economic benefits of any persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The department does not anticipate any impact on competition in the public and private sectors as a result of the proposed rule change.

Jill C. Clark  
Signature of Agency Head or Designee

Jill. C. Clark, General Counsel  
Typed Name & Title of Agency Head or Designee

9-9-2025  
Date of Signature

Patricia Thomas, Deputy Fiscal Officer  
Legislative Fiscal Officer or Designee

9/10/2025  
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule change makes the following changes:

1. Adopts the mandatory and optional portions of the Federal Management Standards for Hazardous Waste Pharmaceuticals.
2. Adopts the Amendment to the P075 listing for Nicotine, which exempts nicotine replacement therapies like gums, patches, and lozenges from the Federal Hazardous Waste Pharmaceutical list.
3. Establishes new management standards for pharmaceuticals by healthcare facilities and reverse distributors, rather than treating them as traditional hazardous waste.
4. Prohibits the disposal of hazardous waste pharmaceuticals down the drain.
5. Eliminates dual regulation of Resource Conservation and Recovery Act (RCRA) hazardous wastes that are also Drug Enforcement Administration-controlled substances under a conditional exemption.
6. Maintains the household hazardous waste exemption for pharmaceuticals collected during pharmaceutical take-back programs and events, while ensuring their proper disposal, and codifies EPA's prior policy on the regulatory status of nonprescription pharmaceuticals going through reverse logistics.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The mandatory provisions of the proposed rule change are required to be adopted to maintain Louisiana's RCRA State Authorization. The proposed rule change is more stringent than the current regulations except for the amendment to exempt from the P075 listing the nicotine patches, gums, and lozenges that are FDA-approved OTC nicotine replacement therapies, which is less stringent.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, the proposed rule change will not result in any increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) \_\_\_\_\_ Yes. If yes, attach documentation.

(b) \_\_\_\_\_ NO. If no, provide justification as to why this rule change should be published at this time

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 26	FY 27	FY 28
Personal Services	0	0	0
Operating Expenses	0	0	0
Professional Services	0	0	0
Other Charges	0	0	0
Equipment	0	0	0
Major Repairs & Constr.	0	0	0
TOTAL	0	0	0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

There are no anticipated costs or savings to state agencies associated with the implementation of the proposed rule change.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 26	FY 27	FY 28
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated	0	0	0
Federal Funds	0	0	0
Other (Specify)	0	0	0
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No funds are needed to implement the proposed rule change.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There is no anticipated impact of the proposed rule change on local governmental units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 26	FY 27	FY 28
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated Funds*	0	0	0
Federal Funds	0	0	0
Local Funds	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The department does not anticipate revenue collections of state and local governmental units to be impacted as a result of the proposed rule changes.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule change is anticipated to have no costs or economic benefits on persons, small businesses, or non-governmental groups. The proposed rule change only adopts the current federal regulations.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There are no anticipated impacts on receipts or income to these groups as a result of the proposed rule change.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The department does not anticipate any impact on competition in the public and private sectors as a result of the proposed rule change.