



# Louisiana Board of Pharmacy

5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808-2537  
[www.labp.com](http://www.labp.com)



## Minutes

### **Regular Meeting**

Wednesday, November 14, 2007 at 1:00 p.m.

Louisiana Board of Pharmacy  
5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808

### **Administrative Hearing**

Thursday, November 15, 2007 at 8:30 a.m.

Louisiana Board of Pharmacy  
5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808

# Table of Contents

<u>Agenda Item No.</u>	<u>Description</u>	<u>Page No.</u>
<i>Wednesday, November 14, 2007</i>		
1.	Call to Order	4
2.	Invocation & Pledge of Allegiance	4
3.	Quorum Call	4
4.	Call for Additional Agenda Items	5
5.	Consideration of Minutes	5
6.	Report on Action Items	5
7.	Confirmation of Acts	5
8.	Opportunity for Public Comment	5
9.	Election of Officers	5
10.	Committee Reports	
	A. Finance	6
	B. Application Review	7
	C. Reciprocity	8
	D. Violations	9
	E. Impairment	10
	F. Reinstatement	11
	G. Regulation Revision	12
	H. Legislative – Special Report	12
	I. Executive	13
11.	Staff Reports	
	A. Chief Compliance Officer	13
	B. General Counsel	13
	C. Executive Director	13
12.	Request for Exception to LAC 46:LIII.1105.J (PIC at Multiple Pharmacies) by Jonathon Nagem (License No. 11272)	6
13.	Announcements	14
14.	Recess	14

## Table of Contents

<u>Agenda Item No.</u>	<u>Description</u>	<u>Page No.</u>
<i>Thursday, November 15, 2007</i>		
1.	Call to Order	15
2.	Invocation & Pledge of Allegiance	15
3.	Quorum Call	15
4.	Call for Additional Agenda Items	15
5.	Opportunity for Public Comment	15
6.	Appearances	15
7.	Formal Hearings	22
8.	Report of Violations Committee – Consideration of Voluntary Consent Agreements	17
9.	Report of General Counsel – Consideration of Voluntary Surrenders and Voluntary Consent Agreements	21
10.	Adjourn	27

A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, November 14, 2007 in the Boardroom of the Louisiana Board of Pharmacy, located on the 8<sup>th</sup> Floor at 5615 Corporate Boulevard in Baton Rouge, Louisiana. The meeting was held pursuant to public notice, each member received notice, and notice was properly posted.

*1. Call to Order*

Mr. Carl Aron, President, called the meeting to order at 1:00 p.m.

*2. Invocation & Pledge*

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Ms. Chris Melancon then led the group in the recitation of the Pledge of Allegiance.

*3. Quorum Call*

Mr. Aron called upon the Secretary, Dr. Reuben Dixon, to call the roll.

**Members Present:**

Mr. Joseph L. Adams  
Ms. Michele P. Alderman  
Dr. Lois R. Anderson  
Mr. Carl W. Aron  
Mr. Brian A. Bond  
Mr. Allen W. Cassidy, Jr.  
Dr. Reuben R. Dixon  
Mr. Joseph V. Greco *Late arrival*  
Ms. Jacqueline L. Hall  
Mr. Marty R. McKay *Late arrival*  
Ms. Chris B. Melancon  
Mr. Fred H. Mills, Jr.  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb

**Members Absent:**

Ms. Patricea K. Angelle  
Mr. J. Douglas Boudreaux  
Mr. Alvin A. Haynes, Jr.

**Staff Present:**

Mr. Malcolm J. Broussard, Executive Director  
Mr. Carlos M. Finalet, III, General Counsel  
Ms. Kathleen V. Gaudet, Chief Compliance Officer  
Mr. Stephen L. Collins, Compliance Officer  
Mr. Melvin J. Fontenot, Compliance Officer  
Mr. Huey J. Savoie, Compliance Officer  
Mr. Rayland M. Trisler, Compliance Officer  
Mr. Benjamin S. Whaley, Compliance Officer

**Guests:**

Mr. Jonathon Nagem  
Mr. Tony Walters  
Ms. Katie Craig  
Mr. Mitch Ward  
Ms. Linda Spradley

Dr. Dixon certified that a quorum of the Board was present.

*4. Call for Additional Agenda Items*

Mr. Aron asked if there were any additional agenda items, but none were offered. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of adjusting the sequence of various reports. With no objections offered, Mr. Aron indicated he would exercise that authority only as necessary.

It was noted that Mr. McKay arrived at 1:05 p.m. and Mr. Greco at 1:10 p.m.

*5. Consideration of Minutes*

Mr. Aron reminded the Board members they had received the draft minutes from the previous meeting. He requested any amendments. Subsequent to a minor correction from Mr. Broussard, Mr. Pitre moved and Mr. McKay seconded,

**Resolved**, that the corrected Minutes of the Regular Board Meeting of August 9, 2007 held in Baton Rouge, Louisiana are hereby adopted, ratified, and approved in their entirety.

The motion was approved after a unanimous vote in the affirmative. Dr. Dixon reminded the members to sign the Minute Book.

*6. Report on Action Items*

Mr. Aron called upon Mr. Broussard for his report, who indicated there were no action items pending from the previous meeting.

*7. Confirmation of Acts*

At the request of Mr. Aron, Mr. Cassidy moved and Ms. Hall seconded,

**Resolved**, that the actions taken and decisions made by the Board officers, Board committees, and Executive Director in the general conduct and transactions of Board business since August 9, 2007 are approved, adopted, and ratified by the entire Board.

The motion was approved after a unanimous vote in the affirmative.

*8. Opportunity for Public Comment*

Mr. Aron reminded the members and guests that the Open Meetings Law requires all public bodies to provide an opportunity for public comment at all meetings. He solicited general comments from the guests present, but none were offered.

*9. Election of Officers*

Mr. Aron initiated the annual election of officers by indicating the process would be conducted in accordance with *Robert's Rules of Order* and the *Open Meetings Law*.

**President** – Mr. Mills nominated Mr. Aron. Hearing no further nominations, Mr. Aron closed the nominations. Mr. Mills moved, and Mr. Rabb seconded, for approval by acclamation. The motion was approved after a unanimous vote in the affirmative.

**First Vice President** – Mr. Bond nominated Mr. Rabb. Hearing no further nominations, Mr. Aron closed the nominations. Mr. Bond moved, and Dr. Dixon seconded, for approval by acclamation. The motion was approved after a unanimous vote in the affirmative.

**Second Vice President** – Mr. Adams nominated Mr. McKay. Hearing no further nominations, Mr. Aron closed the nominations. Mr. Adams moved, and Mr. Rabb seconded, for approval by acclamation. The motion was approved after a unanimous vote in the affirmative.

**Third Vice President** – Mr. Pitre nominated Mr. Adams. Hearing no further nominations, Mr. Aron closed the nominations. Mr. Pitre moved, and Mr. Bond seconded, for approval by acclamation. The motion was approved after a unanimous vote in the affirmative.

**Secretary** – Mr. Bond nominated Dr. Dixon. Hearing no further nominations, Mr. Aron closed the nominations. Mr. Bond moved, and Mr. Pitre seconded, for approval by acclamation. The motion was approved after a unanimous vote in the affirmative.

Mr. Aron extended his congratulations to the other officers on their election, and then he expressed his gratitude to all of the members for their renewed vote of confidence.

At that time, Mr. Aron indicated he would re-order the agenda to accommodate one of the guests present. He directed the members to Agenda Item 12.

12. *Request for Exception to LAC 46:LIII.1105.J (PIC at Multiple Pharmacies) by Jonathon Nagem (Pharmacist License No. 11272)*

Mr. Aron requested Mr. Broussard to provide the background information concerning the nature of the request, as well as the Board's policy on the issue. Mr. Broussard described the regulation at issue, the Board's policy on approval of such requests along with the history of requests and approvals to date, as well as some of the issues to be addressed by the petitioner.

Mr. Aron invited Mr. Nagem to introduce himself to the members and make any remarks concerning his request. Mr. Nagem described the nature of his professional practice as well as his intentions to expand his practice. Following substantial discussion of the issues and possible alternatives, Mr. Nagem withdrew his request.

At that point, Mr. Aron indicated he would return to the posted agenda.

10. *Committee Reports*

A. *Finance Committee*

Mr. Aron called upon Mr. Mills for the committee report. Mr. Mills directed the members to the various reports in their meeting packet:

- *Statement of Assets, Liabilities, & Equity* for September 30, 2007
- *Statement of Revenue, Expenses and Budget Performance* for September 30, 2007

- Summary of Income and Fund Balance Changes for September 30, 2007
- Budget Worksheet for Fiscal Year 2008-2009
- Proposed Budget for Fiscal Year 2008-2009

Mr. Mills reviewed all the reports and relayed the committee's recommendations from their meeting the previous day. He answered all the questions from members. Hearing no further questions, Mr. Mills moved and Ms. Alderman seconded,

**Resolved**, the Board approves the Proposed Budget for Fiscal Year 2008-2009 as reviewed and recommended by the Finance Committee.

The motion was approved after a unanimous vote in the affirmative.

Mr. Aron then reminded the members the Board was actively seeking different options for a potential purchase of property on which to build an office building suitable for the Board's own use. At his specific request, the members offered a consensus that the Board should move forward on the project. The members discussed the acquisition options and their effects on the Board's finances. After describing two different parcels of property and the various issues attendant to the acquisition of commercial property, Mr. McKay moved, and Mr. Pitre seconded,

**Resolved**, the Board approves Mr. Aron, Mr. Broussard, and Mr. Finalet to negotiate the acquisition of property on behalf of the Board, and further, the Board authorizes these persons to execute a purchase agreement reflecting a purchase price of no more than \$15.00 per square foot or a maximum of \$750,000.

The motion was approved after a unanimous vote in the affirmative.

#### *B. Application Review Committee*

Mr. Aron called upon Mr. McKay for the committee report. Mr. McKay reported the committee met on October 17 to review 8 referrals from staff. The docket included four applicants seeking a technician candidate registration, one applicant seeking a technician certificate, one applicant seeking an intern registration, one applicant seeking a pharmacist license, and one applicant seeking a pharmacy permit.

Following their deliberations, the committee authorized the issuance of three credentials without restriction: one technician candidate registration, one intern registration, and one pharmacy permit. The committee also recommended the denial of two applications for pharmacy technician candidate registration. The applicants have filed statements of intent to appeal the committee recommendation to the full Board, and both of those appeals have been docketed for the February 2008 administrative hearing.

Finally, the committee recommended the issuance of three credentials, to be followed immediately by the imposition of formal discipline on the credential. Mr. McKay then presented those three files to the Board for their consideration of the committee recommendations.

#### **Leresa Lynn Bell – Pharmacy Technician Candidate Registration No.**

**11824** Mr. McKay moved and Dr. Dixon seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, ordered quarterly reports for one year, and ordered the publication of the sanction in the newsletter.

**Michelle Marie Konsavich – Applicant for Pharmacy Technician**

**Certificate** Mr. McKay moved and Mr. Pitre seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and ordered the publication of the sanction in the newsletter.

**Randy Wayne Owers – Applicant for Pharmacist License**

Mr. McKay moved and Mr. Cassidy seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and ordered the publication of the sanction in the newsletter.

Finally, Mr. McKay expressed his appreciation to the members of the committee for their efforts at the previous meeting.

*C. Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She reported the committee had approved 5 candidates for pharmacist licensure by reciprocity since the last regular Board meeting, in accordance with policies and procedures previously approved by the Board. She then indicated the committee had interviewed 9 applicants earlier that day. She then moved and Mr. Adams seconded,

**Resolved**, that the Board approve

Daniel Paul Blakely  
Bonnie Kay Dugie  
Laura Ann Garza  
Mae Castro Kraftchenko  
Robert Gerard Passavanti  
Joshua Russell Rolin  
Elizabeth Scogin  
Michelle Taylor, *and*  
Raymond Wai-Yee Yung

for pharmacist licensure by reciprocity.

The motion was approved after a unanimous vote in the affirmative.

Ms. Hall then reported the committee had reviewed its operational policy and procedures and recommended an amendment thereto. She then moved, and Ms. Alderman seconded,

**Resolved**, that the Board approve an amendment of *Board Policy No. I.B.4.a – Reciprocity Committee*, specifically by deleting Article 3 and then re-numbering the subsequent articles.

The motion was approved after a unanimous vote in the affirmative.

Finally, Ms. Hall expressed her appreciation to the other members of her committee, for their ongoing efforts.

*D. Violations Committee*

Mr. Aron called upon Dr. Dixon for the committee report. Dr. Dixon reported the committee last met on September 5-6, 2007. The docket for that Informal Conference included 22 pharmacists, 7 technicians, one technician candidate, and 9 pharmacy permits. He then reviewed the agenda for the administrative hearing scheduled for the following day; the docket included 5 formal hearings involving one pharmacist and four technicians, along with 23 consent agreements from the committee as well as the report from staff, which included three voluntary surrenders and one consent agreement. He reported the committee would meet again on December 12-13, 2007. The docket for that Informal Conference included 9 pharmacists, 4 technicians, and 7 pharmacy permits.

Finally, he expressed his appreciation to the other members of his committee for their ongoing work.

Mr. Aron declared a brief recess. It was noted the Board recessed at 2:50 p.m., and then reconvened at 3:15 p.m.

Mr. Aron reminded the members the Board had recently hired a new compliance officer. He then introduced Pharmacist Benjamin S. Whaley to the members and then welcomed him to the Board staff.

Mr. Aron then informed the members he wished to return briefly to the Report of the Finance Committee, and more specifically, to the discussion relative to the acquisition of commercial property. With no objections from the members, Mr. Aron returned to that agenda item. He then called upon Mr. Mills to describe some of his recent experiences in the acquisition of commercial property on behalf of a parish government agency with which he was associated. Mr. Mills described a service rendered by an engineering firm with expertise in architectural design; the service is generally termed a Phase I Property Assessment and includes an evaluation of property for new construction with an analysis of the engineering and architectural requirements. He recommended the Board contract for such a service prior to the acquisition of the property, since the results of the site survey may impact the ultimate purchase price. Mr. Adams moved, and Mr. Pitre seconded,

**Resolved**, that the Board enter into an agreement with Poche' Prouet Associates, Ltd., domiciled in Lafayette, LA, for the purpose of obtaining a Phase I Property Assessment; and further, to authorize the Executive Director to execute and administer said contract; provided, however, that the maximum amount payable under said contract shall be \$5,000.

The motion was approved after a unanimous vote in the affirmative. Mr. Aron expressed his appreciation to Mr. Mills for his recommendation and to the members for their indulgence thereof.

*E. Impairment Committee*

Mr. Aron called upon Mr. Rabb for the committee report. Mr. Rabb presented the following files for Board action.

**Clay Devoe Jones (Pharmacist License No. 15687)** Mr. Rabb moved and Dr. Dixon seconded to accept the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective September 4, 2007. The motion was approved after a unanimous vote in the affirmative.

**Allyson Beard McCleon (Technician Certificate No. 6568)** Mr. Rabb moved and Ms. Alderman seconded to accept the voluntary surrender of the certificate, resulting in the suspension of the certificate for an indefinite period of time, effective September 21, 2007. The motion was approved after a unanimous vote in the affirmative.

**Randy Williamson [a.k.a. Barlow Bertrand Miller, III (Pharmacist License No. 10236)]** Mr. Rabb moved and Mr. Pitre seconded to accept the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective September 25, 2007. The motion was approved after a unanimous vote in the affirmative.

**Natalie Yvonne Filby (Technician Candidate Registration No. 12952)** Mr. Rabb moved and Dr. Dixon seconded to accept the voluntary surrender of the registration, resulting in the suspension of the registration for an indefinite period of time, effective September 28, 2007. The motion was approved after a unanimous vote in the affirmative.

**Scott Vincent Hill (Technician Certificate No. 4000)** Mr. Rabb moved and Mr. Bond seconded to accept the voluntary surrender of the certificate, resulting in the suspension of the certificate for an indefinite period of time, effective October 1, 2007. The motion was approved after a unanimous vote in the affirmative.

**Michael Anthony Joplin (Pharmacist License No. 11329)** Mr. Rabb moved and Ms. Alderman seconded to grant the request for the reinstatement of the suspended license, to then suspend the license for five years and stay the execution thereof, and then place the license on probation for five years, beginning November 14, 2007 and ending November 14, 2012, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Amy Maynor LeJeune (Technician Certificate No. 4693)** Mr. Rabb moved and Mr. Bond seconded to grant the request for the reinstatement of the certificate without restrictions. The motion was approved after a unanimous vote in the affirmative.

**Michael Thomas Savario (Pharmacist License No. 16568)** Mr. Rabb moved and Mr. Bond seconded to grant the request for the reinstatement of the suspended license, to then suspend the license for five years and stay the execution thereof, and then place the license on probation for five years, beginning November 14, 2007 and ending November 14, 2012, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Donald Eugene Vines (Technician Certificate No. 7608)** Mr. Rabb moved and Ms. Alderman seconded to grant the request for the reinstatement of the suspended certificate, to then suspend the certificate for five years and stay the execution thereof, and then place the certificate on probation for five years, beginning November 14, 2007 and ending November 14, 2012, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Jeremy Christopher Powell (Pharmacist License No. 16108)** Mr. Rabb moved and Mr. McKay seconded to deny the request for the reinstatement of the suspended license, and further, to condition the acceptance of any future application for reinstatement of the pharmacist license upon his successful completion of a five-day inpatient evaluation at Palmetto Addiction Recovery Center, at his expense. The motion was approved after a unanimous vote in the affirmative.

**John Edward Bull (Pharmacist License No. 10451)** Mr. Rabb moved and Mr. Bond seconded to accept the proposed voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Scarlett Francine Sumrall (Technician Certificate No. 7519)** Mr. Rabb moved and Ms. Alderman seconded to accept the proposed voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Christopher Perry LaCour (Intern Registration No. 45012)** Mr. Rabb moved and Dr. Dixon seconded to approve the issuance of the registration, and to then immediately suspend the registration for one year and stay the execution thereof, and then place the registration on probation for one year, beginning November 14, 2007 and ending November 14, 2008, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

Finally, Mr. Rabb expressed his appreciation to the other members of his committee for their deliberations the previous day.

*F. Reinstatement Committee*

Mr. Aron called upon Mr. Adams for the committee report. Mr. Adams presented the following files for Board action.

**Norva Denise Williams (Pharmacist License No. 14562)** Mr. Adams moved and Mr. Bond seconded to deny the request for reinstatement of the lapsed license. The motion was approved after a unanimous vote in the affirmative.

**John Bull Pharmacy (CDS License No. C-001609)** Mr. Adams moved and Mr. Cassidy seconded to grant the request for the reinstatement of the suspended license. The motion was approved after a unanimous vote in the affirmative.

**Monroe Medical Clinic Pharmacy (Pharmacy Permit No. 4928)** Mr. Adams moved and Mr. Bond seconded to grant the request for early termination of the probation previously imposed on May 10, 2007. The motion was approved after a unanimous vote in the affirmative. The Board ordered the removal of all restrictions on the permit.

**Candy Melissa Jones (Pharmacist License No. 15546)** Mr. Adams moved and Mr. Bond seconded to grant the request for early termination of the probation previously imposed on May 10, 2007. The motion was approved after a unanimous vote in the affirmative. The Board ordered the removal of all restrictions on the license.

Finally, Mr. Adams expressed his appreciation to the other members of his committee for their deliberations earlier that day.

*G. Regulation Revision Committee*

Mr. Aron called upon Dr. Anderson for the committee report. She reported the committee had met on October 18 to finalize their work on the new chapter of regulations for controlled substances. She then presented the final committee draft to the members for their consideration. Prior to any discussion or vote, it was noted the committee had not yet met with the stakeholders of the proposed rule. Mr. Aron suggested the committee meet with the stakeholders to see if any revisions might be necessary, and then to bring the proposed rule back to the Board at that time.

Finally, Dr. Anderson expressed her appreciation to the members of her committee for their ongoing work.

*H. Legislative Committee*

Mr. Aron called upon Mr. Bond for a special report concerning his work with a committee authorized by Act 293 of the 2007 Louisiana Legislature. The DHH Advisory Committee for Certified Medication Attendants held numerous meetings to author a proposed rule meeting the requirements of the law. He described the qualifications for certification of the attendants as well as the authorized and prohibited functions of the attendants. Finally, he indicated they were nearing the completion of their work, since a final rule was required to be in place no later than March 31, 2008.

*I. Executive Committee*

Mr. Aron noted the committee had not met since the last Board meeting. However, he indicated he wanted to report on his visit to the Headquarters Office of the Louisiana State Police to meet with the personnel involved with conducting the criminal background checks. The Board's administrative personnel were also in attendance at the meeting. At the conclusion of the meeting, the Board agreed to not only continue to deliver the fingerprint card packets to the State Police but also to pick up the completed reports. Those activities are in lieu of the State Police utilizing the state mail system, which typically adds a week to each side of the three week process. State Police personnel indicated that a clean set of prints and valid paperwork usually results in a completed report in 15 working days.

The members expressed their appreciation to Mr. Aron for calling the meeting, and to staff for working with the State Police to reduce the amount of time it takes to complete that part of the required credentialing process.

*11. Staff Reports*

*A. Chief Compliance Officer*

Mr. Aron called upon Ms. Gaudet for her report. She indicated that the compliance officers had conducted 981 pharmacy and 97 CDS site permit inspections so far in calendar year 2007. She estimated that the compliance officers had completed approximately 75% of the estimated caseload for the year. She reported that the compliance officers were generally welcomed at most of their CDS permit inspections.

Mr. Aron expressed his appreciation to Ms. Gaudet and all the compliance officers for their diligent efforts to enforce the laws and rules approved by the Board.

*B. General Counsel*

Mr. Aron called upon Mr. Finalet for his report. Mr. Finalet deferred the presentation of his report until the administrative hearing the next day.

*C. Executive Director*

Mr. Aron called upon Mr. Broussard for his report. He discussed the following topics, all of which had been posted in the Boardroom Library prior to the meeting:

- Meeting Activity
- Reports
  - Census Reports for Credentials Division and Compliance Division.
  - Legislative Auditor's Report for Fiscal Year 2006-2007
  - Licensure Activity Report
- Examinations
- PIC at Multiple Pharmacies
- Operations

He then introduced the topic of signatures on prescriptions, revealing the

increasing number of inquiries from a wide variety of stakeholders as to the rules in Louisiana relative to signatures on electronic prescriptions. He reminded the members that the DEA does not recognize electronically generated prescriptions for controlled substances in any schedule. Although that subject is under review on the federal level, the current guidance is that such prescriptions are not legitimate. With respect to prescriptions for non-controlled substances, he reminded the members that Louisiana pharmacy law permits the electronic transmission of prescriptions, but does not address the generation and signature of such prescriptions.

Given the hour of the day and the complexity of the subject matter, Mr. Aron referred the topic to the Regulation Revision Committee for their consideration.

Mr. Aron then requested Mr. Broussard to review the recent changes made by ACPE relative to the accreditation standards for CE providers, and more specifically, the new “P” and “T” suffixes to be added to the Universal Program Number (UPN). He described the recent changes by ACPE to their accreditation standards for the CE providers, and how providers are now obligated to determine the intended audience of CE presentations. Following the presentation, the CE provider will issue a CE statement with a UPN including a “P” suffix if the intended audience included pharmacists, and a “T” suffix if the intended audience included technicians. He reminded the members that CE providers may still be using programs approved prior to 2008; such programs do not require the appropriate suffix. The relevant point for the Board and its licensees is the understanding that pharmacists will not be able to use a certificate with a “T” suffix to qualify for licensure renewal, and that a technician will not be able to use a certificate with a “P” suffix to qualify for certificate renewal. At the conclusion of the discussion, the members requested Mr. Broussard to insert a review article on the topic in the Board’s newsletter.

### *13. Announcements*

Mr. Broussard reminded the members and staff of the calendar notes, which included the tentative dates for the 2008 board meetings, and then directed them to that information in their meeting packets.

### *14. Recess*

Mr. Cassidy moved and Mr. Bond seconded to recess. The motion was approved after a unanimous vote in the affirmative. With no further business before the Board, Mr. Aron recessed the meeting at 4:45 p.m.

An Administrative Hearing was convened on Thursday, November 15, 2007 in the Boardroom of the Louisiana Board of Pharmacy, located on the 8<sup>th</sup> Floor at 5615 Corporate Boulevard in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice (unless specifically stated otherwise in the official transcript), and notice was properly posted.

*1. Call to Order*

Mr. Aron called the meeting to order at 8:30 a.m.

*2. Invocation & Pledge of Allegiance*

Mr. Aron called upon Mr. Bond, and he delivered the invocation. Ms. Alderman then led the group in the recitation of the Pledge of Allegiance.

*3. Quorum Call*

Mr. Aron called upon Secretary Dixon, and he called the roll. After doing so, he informed Mr. Aron that Dr. Anderson, Ms. Angelle, Mr. Boudreaux, Mr. Haynes, and Mr. Mills were absent, but that all other members, constituting a quorum, were present.

*4. Call for Additional Agenda Items*

Mr. Aron asked if there were any additional agenda items; none were requested. At this point, Mr. Aron requested authority from the Board to reorder the agenda as necessary for the purpose of adjusting the sequence of various reports and witnesses. Hearing no objections, he indicated he would exercise that option only when necessary to do so.

*5. Opportunity for Public Comment*

Mr. Aron reminded the members and guests that the Open Meetings Law requires all public bodies to provide an opportunity for public comment at all meetings. He solicited comments from the guests in attendance, but none were offered.

*6. Appearances*

Mr. Aron declared the Administrative Hearing in session, and then served as the Hearing Officer. Mr. Carlos M. Finalet, III served as General Counsel for the Board. Ms. Nicole Bourgeois was the Official Recorder, and Mr. Malcolm Broussard was the Hearing Clerk. Due to prior knowledge, the members of the Violations Committee present at the last Informal Conference (Mr. Adams, Dr. Anderson, Mr. Bond, and Dr. Dixon) abstained from the formal hearings, and the remainder of the members present served as the jury, with Mr. Aron's reminder that any of them should abstain from any particular matter where appropriate.

Mr. Aron directed the insertion of the posted agenda into these minutes and waived the reading thereof. The posted docket is re-created here:

**NOTICE IS HEREBY GIVEN** that an Administrative Hearing has been ordered and called for 8:30 a.m. on Thursday, November 15, 2007 in the Board office, for the purpose to wit:

*A G E N D A*

Revised 10-29-2007

- A. Call to Order
- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Call for Additional Agenda Items
- E. Opportunity for Public Comment
- F. Formal Hearings
  - 01. April Nugent Benson – Technician Certificate No. 5513 Complaint No. 07-0064
  - 02. Karen Rena Ross – Technician Certificate No. 7606 Complaint No. 07-0089
  - 03. Marilyn Joyce Felton – Pharmacist License No. 15321 Complaint No. 07-0100
  - 04. Doreen F. Korndorffer – Technician Certificate No. 1737 Complaint No. 07-0143
  - 05. Wendy Inez Aikens – Technician Certificate No. 6515 Complaint No. 07-0097
- G. Report of Violations Committee – Consideration of Voluntary Consent Agreements
  - 06. CVS ProCare Pharmacy No. 2909 – Permit No. 4542 Complaint No. 07-0141
  - 07. Edward Lewis Cheney – Pharmacist License No. 9580 Complaint No. 07-0134
  - +
    - 08. Angela Ogden Stockton – Pharmacist License No. 14561 Complaint No. 07-0135
  - 09. Anna Lisa Phelps – Technician Certificate No. 6603 Complaint No. 07-0128
  - 10. Buck’s Pharmacy – Pharmacy Permit No. 4321 Complaint No. 07-0119
  - +
    - 11. Michael David Bercier – Pharmacist License No. 10194 Complaint No. 07-0120
  - +
    - 12. Pamela Marie Rider – Technician Certificate No. 1821 Complaint No. 07-0122
  - +
    - 13. Valorie Ann Cormier – Candidate Registration No. 12248 Complaint No. 07-0123
  - 14. River Parishes Hospital Pharmacy – Permit No. 5310 Complaint No. 07-0060
  - +
    - 15. Raymond Jerome Strong – Pharmacist License  
No. 16135 Complaint No. 07-0061
  - 16. Pier Anderson Jackson – Pharmacist License No. 14150 Complaint No. 07-0087
  - 17. Cheryl Ann Batiste – Pharmacist License No. 10442 Complaint No. 06-0210
  - 18. Rachel Marie Roberson – Candidate Registration  
No. 11777 Complaint No. 07-0065
  - 19. Boudreaux’s Specialty Compounding Pharmacy –  
Permit #4242 Complaint No. 07-0081
  - 20. Esplanade Pharmacy – Pharmacy Permit No. 4579 Complaint No. 06-0033

- |          |   |                            |
|----------|---|----------------------------|
|          |   | +<br>Complaint No. 06-0034 |
|          |   | +<br>Complaint No. 07-0110 |
| +<br>21. | Gwendolyn Charles Muse – Pharmacist License<br>No. 11860    | Complaint No. 07-0111      |
| +<br>22. | Alfred Jordan – Pharmacist License No. 14490                | Complaint No. 07-0158      |
| 23.      | Elite Pharmacy – Pharmacy Permit No. 5472                   | Complaint No. 06-0052      |
| +<br>24. | Randall Tyrone Shilling – Pharmacist License No. 14265      | Complaint No. 06-0053      |
| +<br>25. | Janene Patrice Baham – Pharmacist License No. 16303         | Complaint No. 06-0055      |
| +<br>26. | Leo Moeray Kern – Pharmacist License No. 5769               | Complaint No. 06-0056      |
| +<br>27. | Samuel John Carevich, Jr. – Pharmacist License<br>No. 10270 | Complaint No. 06-0057      |
| +<br>28. | Penny Lee Durr Keller – Pharmacy Technician No. 2382        | Complaint No. 06-0059      |

H. Report of General Counsel

*Consideration of Voluntary Surrenders*

- |     |   |                       |
|-----|---|-----------------------|
| 29. | Carla Sirman Huff – Technician Certificate No. 1259   | Complaint No. 07-0199 |
| 30. | Laborde's Freedom Pharmacy – Pharmacy Permit No. 5603 |                       |
| 31. | Tandy W. McElwee, Jr., MD – CDS License No. 6211      |                       |

*Consideration of Staff-Initiated Voluntary Consent Agreements*

- |     |   |                       |
|-----|---|-----------------------|
| 32. | Amy Nicole Journet – Candidate Registration No. 12518 | Complaint No. 07-0222 |
|-----|---|-----------------------|

I. Adjourn

At this point, Mr. Aron indicated he would defer the formal hearings temporarily to allow counsel to confer with a respondent who had just arrived for the proceedings

*8. Report of Violations Committee – Consideration of Voluntary Consent Agreements*

Mr. Aron called upon Dr. Dixon, who presented the following files for Board action:

**CVS ProCare Pharmacy No. 2909 (Pharmacy Permit No. 4542) re Complaint No. 07-0141** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the owner of the permit, and further, assessed him a fine of \$10,000 plus administrative costs.

**Edward Lewis Chaney (Pharmacist License No. 9580) re Complaint No. 07-0134** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative.

The Board issued a Letter of Reprimand to the respondent, and further, assessed him administrative costs.

**Angela Ogden Stockton (Pharmacist License No. 14561) re Complaint No. 07-0135** Dr. Dixon moved and Ms. Melancon seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the respondent, and further, assessed her administrative costs.

**Anna Lisa Phelps (Technician Certificate No. 6603) re Complaint No. 07-0128** Dr. Dixon moved and Mr. Cassidy seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board revoked the certificate, and further, prohibited any future application for the reinstatement of the certificate.

**Buck's Pharmacy (Pharmacy Permit No. 4321) re Complaint No. 07-0119** Dr. Dixon moved and Mr. Bond seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the permit for five years and stayed the execution thereof, and then placed the permit on probation for five years, beginning October 1, 2007 and ending October 1, 2012, subject to certain terms as enumerated in the consent agreement; and further, assessed the owner of the permit a fine of \$5,000 plus administrative and investigative costs.

**Michael David Bercier (Pharmacist License No. 10194) re Complaint No. 07-0120** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for twenty years and stayed the execution thereof, and then placed the license on probation for twenty years, beginning October 1, 2007 and ending October 1, 2027, subject to certain terms as enumerated in the consent agreement; and further, assessed him a fine of \$20,000 plus administrative costs.

**Pamela Marie Rider (Technician Certificate No. 1821) re Complaint No. 07-0122** Dr. Dixon moved and Mr. Bond seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the certificate for five years and stayed the execution thereof, and then placed the certificate on probation for five years, beginning October 1, 2007 and ending October 1, 2012, subject to certain terms as enumerated in the consent agreement; and further, assessed her a fine of \$1,500 and administrative costs.

**Valorie Ann Cormier (Technician Candidate Registration No. 12248) re Complaint No. 07-0123** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the registration for two years and stayed the execution thereof, and then placed the registration and any

subsequently issued credential on probation for two years, beginning October 1, 2007 and ending October 1, 2009, subject to certain terms as enumerated in the consent agreement; and further, assessed her administrative costs.

**River Parishes Hospital Pharmacy (Pharmacy Permit No. 5310) re Complaint No. 07-0060** Dr. Dixon moved and Ms. Hall seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the permit for three years and stayed the execution thereof, and then placed the permit on probation for three years, beginning October 1, 2007 and ending October 1, 2010, subject to certain terms as enumerated in the consent agreement; and further, assessed the owner of the permit a fine of \$5,000 plus administrative and investigative costs.

**Raymond Jerome Strong (Pharmacist License No. 16135) re Complaint No. 07-0061** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Warning to the respondent; and further, assessed him administrative costs.

**Pier Anderson Jackson (Pharmacist License No. 14150) re Complaint No. 07-0087** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for five years, beginning October 1, 2007 and ending October 1, 2012; and further, conditioned the acceptance of any future application for reinstatement of the license upon the completion of certain terms as enumerated in the consent agreement; and further, assessed her administrative costs.

It was noted that Mr. Greco arrived at 8:45 a.m.

**Cheryl Ann Batiste (Pharmacist License No. 10442) re Complaint No. 06-0210** Dr. Dixon moved and Mr. Cassidy seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for five years, beginning October 1, 2007 and ending October 1, 2012; and further, ordered the automatic reinstatement of the license after serving 90 days of active suspension, with the remainder of the original suspensive period to be served on probation, subject to certain terms as enumerated in the consent agreement; and further, assessed her administrative costs.

**Rachel Marie Roberson (Technician Candidate Registration No. 11777) re Complaint No. 07-0065** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Boudreaux's Specialty Compounding Pharmacy (Pharmacy Permit No. 4242) re Complaint No. 07-0081** Dr. Dixon moved and Ms. Alderman seconded

to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the owner of the permit; and further, assessed him a fine of \$1,000 plus administrative and investigative costs.

**Esplanade Pharmacy (Pharmacy Permit No. 4579) re Complaint Nos. 06-0033, 06-0034, and 07-0110** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board revoked the permit; and further, prohibited the owner of the permit from holding any ownership interest in any pharmacy permitted by the Board.

**Gwendolyn Muse Charles (Pharmacist License No. 11860) re Complaint No. 07-0111** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for five years, beginning October 1, 2007 and ending October 1, 2012; and further, the Board ordered the automatic reinstatement of the license after serving 90 days on active suspension, with the remainder of the original suspensive period to be served on probation, subject to certain terms as enumerated in the consent agreement; and further, assessed her a fine of \$20,000 plus administrative and investigative costs.

During the discussion of the motion, Mr. Finalet informed the Board the consent agreement included a payment plan schedule for the fine and that the respondent had missed the deadline for one of the payments, following which she remedied the late payment and then included all future payments as post-dated checks. Since the late payment was a violation of the agreement, the Board needed to dispose of that related matter. Dr. Dixon then moved and Mr. McKay seconded to accept the late payment and take no further action on that matter at that time.

**Alfred Jordan (Pharmacist License No. 14490) re Complaint No. 07-0158** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the respondent; and further, assessed him a fine of \$1,500 plus administrative costs.

**Elite Pharmacy (Pharmacy Permit No. 5472) re Complaint No. 06-0052** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board revoked the permit; and further, prohibited the owner of the permit from holding any ownership interest in any pharmacy permitted by the Board.

**Randall Tyrone Shilling (Pharmacist License No. 14265) re Complaint No. 06-0053** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the respondent; and further, assessed him a fine of \$500 plus administrative costs.

**Janene Patrice Baham (Pharmacist License No. 16303) re Complaint No. 06-0055** Dr. Dixon moved and Mr. Bond seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for one year and stayed the execution thereof, and then placed the license on probation for one year, beginning October 1, 2007 and ending October 1, 2008, subject to certain terms as enumerated in the consent agreement; and further, assessed her a fine of \$2,500 plus administrative costs.

**Leo Moeray Kern (Pharmacist License No. 5769) re Complaint No. 06-0056** Dr. Dixon moved and Mr. McKay seconded to accept the voluntary surrender of the license. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective September 21, 2007.

**Samuel John Carevich, Jr. (Pharmacist License No. 10270) re Complaint No. 06-0057** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for five years, beginning October 1, 2007 and ending October 1, 2012; and further, ordered the automatic reinstatement of the license after serving 90 days on active suspension, with the remainder of the original suspensive period to be served on probation, subject to certain terms as enumerated in the consent agreement; and further, assessed him a fine of \$30,000 plus administrative costs.

**Penny Lee Durr Keller (Technician Certificate No. 2382) re Complaint No. 06-0059** Dr. Dixon moved and Mr. Bond seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the certificate for one year and stayed the execution thereof, and then placed the certificate on probation for one year, beginning October 1, 2007 and ending October 1, 2008, subject to certain terms as enumerated in the consent agreement; and further, assessed her a fine of \$2,500 plus administrative costs.

Dr. Dixon noted the completion of his report, and expressed his appreciation to the members of the Violations Committee for their ongoing efforts.

*9. Report of General Counsel*

Mr. Aron called upon Mr. Finalet, who presented the following files for Board action:

**Carla Sirman Huff (Technician Certificate No. 1259) re Complaint No. 07-0199** Dr. Dixon moved and Mr. Adams seconded to accept the voluntary surrender of the certificate. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the certificate, resulting in the suspension of the certificate for an indefinite period of time,

effective July 10, 2007.

**LaBorde's Freedom Pharmacy (Pharmacy Permit No. 5603 + CDS License No. C-005603)** Dr. Dixon moved and Ms. Alderman seconded to accept the voluntary surrender of the permit and license. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the permit and license, resulting in the suspension of the permit and license for an indefinite period of time, effective September 27, 2007.

**Tandy W. McElwee, Jr., MD (CDS License No. 6211)** Dr. Dixon moved and Mr. Pitre seconded to accept the voluntary surrender of the license. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective October 15, 2007.

**Amy Nicole Journet (Technician Candidate Registration No. 12518) re Complaint No. 07-0222** Mr. McKay moved and Mr. Cassidy seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board revoked the registration; and further, prohibited any future application for the reinstatement of the registration.

Mr. Finalet noted the completion of his report.

At this point, Mr. Aron indicated he was prepared to revert to the Formal Hearing portion of the agenda.

#### *7. Formal Hearings*

Mr. Aron called upon Mr. Finalet, who presented the following files for Board action:

**April Nugent Benson (Technician Certificate No. 5513) re Complaint No. 07-0064** Mr. Finalet appeared for the Board and noted the absence of the respondent. After verifying her absence, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet then presented an opening statement, several exhibits, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law; he then submitted the matter of the Board for its consideration. Mr. McKay moved and Ms. Alderman seconded to enter into executive session for the purpose of discussing the respondent's professional competence. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 9:10 a.m. and then returned to open session at 9:20 a.m., at the instant case.

Ms. Alderman moved and Mr. McKay seconded

**Resolved**, that the Board accept the Findings of Fact as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Ms. Alderman moved and Mr. McKay seconded

**Resolved**, that the Board accept the Conclusions of Law as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Ms. Alderman moved and Mr. McKay seconded

**Resolved**, that the Board revoke Pharmacy Technician Certificate No. 5513, held by April Nugent Benson; and further, to order the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative and hearing costs, including the costs of the general counsel and the official recorder; and further, to condition the acceptance of any future application for the reinstatement of the certificate, or any application for any other credential issued by the Board, upon the satisfaction of the following terms: (1) respondent shall have paid all assessments levied herein, (2) respondent shall have no pending legal or disciplinary matters against her in any jurisdiction, and (3) respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety or welfare pursuant to a medical evaluation from an addictionist approved by the Board.

The motion was approved after a unanimous vote in the affirmative.

**Wendy Inez Aikens (Technician Certificate No. 6515) re Complaint No. 07-**

**0097** Mr. Finalet appeared for the Board, and the respondent was present without counsel. Mr. Finalet presented an opening statement and several exhibits. The respondent presented her testimony and responded to questions from the members. Both sides offered closing statements and rested their cases.

Mr. Finalet offered proposed Findings of Fact and Conclusions of Law and then submitted the matter to the Board for its consideration. Mr. Cassidy moved and Mr. McKay seconded to enter into executive session for the purpose of discussing the respondent's professional competence. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 9:40 a.m. and then returned to open session at 9:50 a.m., at the instant case.

Ms. Melancon moved and Mr. Cassidy seconded

**Resolved**, that the Board accept the Findings of Fact as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Ms. Melancon moved and Mr. Pitre seconded

**Resolved**, that the Board accept the Conclusions of Law as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Ms. Melancon moved and Mr. McKay seconded

**Resolved**, that the Board suspend Pharmacy Technician Certificate No. 6515, held by Wendy Inez Aikens; and further, to order the respondent to pay the following assessments: (1) a fine of \$500, (2) the administrative hearing fee of \$250, and (3) the investigative and hearing costs, including the costs of the general counsel and the official recorder; and further, to condition the acceptance of any future application for the reinstatement of the certificate, or any application for any other credential issued by the Board, upon the satisfaction of the following terms: (1) respondent shall have paid all assessments levied herein, (2) respondent shall have no pending legal or disciplinary matters against her in any jurisdiction, and (3) respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety or welfare pursuant to a medical evaluation from an addictionist approved by the Board.

The motion was approved after a unanimous vote in the affirmative.

**Karen Rena Ross (Technician Certificate No. 7606) re Complaint No. 07-0089** Mr. Finalet appeared for the Board, and noted the absence of the respondent. After verifying her absence, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet then presented an opening statement, several exhibits, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law; he then submitted the matter of the Board for its consideration. Mr. McKay moved and Ms. Alderman seconded to enter into executive session for the purpose of discussing the respondent's professional competence. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:05 a.m. and returned to open session at 10:10 a.m., at the instant case.

Mr. McKay moved and Ms. Alderman seconded

**Resolved**, that the Board accept the Findings of Fact as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. McKay moved and Mr. Cassidy seconded

**Resolved**, that the Board accept the Conclusions of Law as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. McKay moved and Mr. Rabb seconded

**Resolved**, that the Board revoke Pharmacy Technician Certificate No. 7606, held by Karen Rena Ross; and further, to order the respondent to pay the following assessments: (1) a fine of \$5,000,

(2) the administrative hearing fee of \$250, and (3) the investigative and hearing costs, including the costs of the general counsel and the official recorder; and further, to condition the acceptance of any future application for the reinstatement of the certificate, or any application for any other credential issued by the Board, upon the satisfaction of the following terms: (1) respondent shall have paid all assessments levied herein, (2) respondent shall have no pending legal or disciplinary matters against her in any jurisdiction, and (3) respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety or welfare pursuant to a medical evaluation from an addictionist approved by the Board.

The motion was approved after a unanimous vote in the affirmative.

**Marilyn Joyce Felton (Pharmacist License No. 15321) re Complaint No. 07-**

**0100** Mr. Finalet appeared for the Board, and noted the absence of the respondent. After verifying her absence, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet then presented an opening statement, several exhibits, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law; he then submitted the matter of the Board for its consideration. Mr. McKay moved and Mr. Cassidy seconded to enter into executive session for the purpose of discussing the respondent's professional competence. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:20 a.m. and returned to open session at 10:30 a.m., at the instant case.

Mr. Cassidy moved and Ms. Alderman seconded

**Resolved**, that the Board accept the Findings of Fact as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. Cassidy moved and Mr. Pitre seconded

**Resolved**, that the Board accept the Conclusions of Law as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. Cassidy moved and Mr. McKay seconded

**Resolved**, that the Board suspend Pharmacist License No. 15321, held by Marilyn Joyce Felton; and further, to order the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative and hearing costs, including the costs of the general counsel and the official recorder; and further, to condition the acceptance of any future application for the reinstatement of the certificate, or any application for any other credential issued by the Board, upon the

satisfaction of the following terms: (1) respondent shall have paid all assessments levied herein, and (2) respondent shall have no pending legal or disciplinary matters against her in any jurisdiction.

The motion was approved after a unanimous vote in the affirmative.

**Doreen Flettrich Korndorffer (Technician Certificate No. 1737) re Complaint No. 07-0143** Mr. Finalet appeared for the Board, and noted the absence of the respondent. After verifying her absence, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet then presented an opening statement, several exhibits, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law; he then submitted the matter of the Board for its consideration. Mr. McKay moved and Mr. Pitre seconded to enter into executive session for the purpose of discussing the respondent's professional competence. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:40 a.m. and returned to open session at 10:45 a.m., at the instant case.

Mr. Rabb moved and Mr. Pitre seconded

**Resolved**, that the Board accept the Findings of Fact as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. Rabb moved and Mr. McKay seconded

**Resolved**, that the Board accept the Conclusions of Law as proposed by General Counsel, adopt them as our own, and enter them into the hearing record.

The motion was approved after a unanimous vote in the affirmative. Mr. Rabb moved and Ms. Alderman seconded

**Resolved**, that the Board revoke Pharmacy Technician Certificate No. 1737, held by Doreen Flettrich Korndorffer; and further, to order the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative and hearing costs, including the costs of the general counsel and the official recorder; and further, to condition the acceptance of any future application for the reinstatement of the certificate, or any application for any other credential issued by the Board, upon the satisfaction of the following terms: (1) respondent shall have paid all assessments levied herein, (2) respondent shall have no pending legal or disciplinary matters against her in any jurisdiction, and (3) respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety or welfare pursuant to a medical evaluation from an addictionist approved by the Board.

The motion was approved after a unanimous vote in the affirmative.

Mr. Finalet noted the completion of all matters scheduled for that day. Mr. Aron expressed his appreciation to Ms. Bourgeois for her professional recording services.

*10. Adjourn*

Mr. Pitre moved and Ms. Alderman seconded to adjourn. The motion was approved after a unanimous vote in the affirmative. With no further business before the Board, Mr. Aron adjourned the meeting at 10:45 a.m.

Respectfully submitted,

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Reuben R. Dixon, Pharm.D.  
Secretary