



# 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, December 6, 2006 at 1:00 p.m.

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

### **Administrative Hearing**

Thursday, December 7, 2006 at 8:30 a.m.

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

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, December 6, 2006 in the Boardroom of the Louisiana Board of Pharmacy, located at 5615 Corporate Blvd., 8<sup>th</sup> Floor, 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. Mr. Blake Pitre 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  
Ms. Patricea L. Angelle  
Mr. Carl W. Aron  
Mr. Brian A. Bond  
Mr. J. Douglas Boudreaux  
Mr. Allen W. Cassidy, Jr.  
Dr. Reuben R. Dixon  
Mr. Joseph V. Greco – *Late arrival*  
Ms. Jacqueline L. Hall  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb

**Members Absent:**

Dr. Lois R. Anderson  
Mr. Alvin A. Haynes, Jr.  
Mr. Fred H. Mills, 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

**Guests:**

Kenneth W. Schafermeyer, PhD – Institute for Certification of Pharmacy Technicians  
Robin Williams  
Mark L. Templet, RPh – Target Drug Stores  
Harold E. Kimball, RPh – Cardinal Health  
Katie MacMurray – Louisiana Pharmacists Association  
Melissa M. Corrigan – Pharmacy Technician Certification Board

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; none were requested. 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.

*5. Consideration of Minutes*

Mr. Aron reminded the Board members they had received the draft minutes from three previous meetings: the regular meeting in August, the special meeting in October, and the emergency hearing in November. He requested any amendments. Hearing no corrections, Mr. McKay moved and Ms. Alderman seconded,

**Resolved**, that the Minutes of the Regular Board Meeting of August 15, 2006 and the Administrative Hearing on August 16, 2006, both of which were 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. Mr. Adams then moved and Mr. Cassidy seconded,

**Resolved**, that the Minutes of the Special Board Meeting and Administrative Hearing on October 5, 2006, which was 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. Mr. Adams then moved and Dr. Dixon seconded,

**Resolved**, that the Minutes of the Emergency Interlocutory Hearing on November 9, 2006, which was held in Baton Rouge, Louisiana, are hereby adopted, ratified, and approved in their entirety.

The motion was approved after a unanimous vote of the members present at that meeting. Dr. Dixon reminded the members to sign the Minute Book.

*6. Report on Action Items*

Mr. Aron called upon Mr. Broussard for his report. Mr. Broussard indicated there were no action items from the last meeting.

*7. Confirmation of Acts*

At the request of Mr. Aron, Dr. Dixon moved and Ms. Melancon 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 16, 2006 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. Mr. Bond indicated he wished to nominate the existing officers for the same positions for the next year. Mr. Aron asked him to specifically name the officers and their positions. Mr. Bond then nominated Mr. Carl Aron for the office of President, Mr. T. Morris Rabb for the office of First Vice President, Mr. Marty R. McKay for the office of Second Vice President, Mr. Joseph L. Adams for the office of Third Vice President, and Dr. Reuben R. Dixon for the office of Secretary. Mr. Aron inquired whether there were any further nominations. Hearing none offered, Mr. Aron closed the nominations. Mr. Bond then moved that all nominees be elected by acclamation. Following multiple simultaneous attempts to second that motion, and hearing no objections, Mr. Aron declared the motion was approved, and the aforementioned nominees were elected by acclamation.

#### 10. *Committee Reports*

##### A. *Finance Committee*

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

- Statement of Assets, Liabilities, & Equity for September 30, 2006
- Interim Budget Performance Report for September 30, 2006
- Summary of Fund Balance for September 30, 2006
- Budget Worksheet for Fiscal Year 2007 – 2008
- Proposed Budget for Fiscal Year 2007 – 2008

Mr. Bond 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. Bond moved and Ms. Alderman seconded,

**Resolved**, that the Board approves the Proposed Budget for Fiscal Year 2007 – 2008 as reviewed and recommended by the Finance Committee.

The motion was approved after a unanimous vote in the affirmative. Mr. Aron expressed his appreciation to Mr. Bond for his report and to the committee for their work on the previous day.

##### B. *Application Review Committee*

Mr. Aron called upon Mr. McKay for the committee report. Since the committee is fairly new, Mr. McKay explained the function of the committee and their general procedures. He then related the outcome of their

deliberations the previous day: approved the issuance of four technician candidate registrations, referred one technician candidate registration applicant for medical evaluation, approved one pharmacy permit applicant with the issuance of a Letter of Noncompliance to the permit holder, and referred one pharmacy permit applicant to the Violations Committee for its consideration of potential allegations of pharmacy regulations. Finally, he expressed his appreciation to the members of his committee for their efforts the previous day.

*C. Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She indicated the committee had approved 14 candidates for licensure by reciprocity since the last regular Board meeting, in accordance with policies and procedures previously approved by the Board. Further, the committee interviewed 23 candidates earlier that day. She then moved and Mr. McKay seconded,

**Resolved**, that the Board approve  
Carrie Silsbee Ackerman  
Patricia Teresa Blackmon  
Jeannie Uijin Chang  
Laura Sue Gray  
Ramson Mario Gutierrez  
Stephanie Simmons Hamilton  
Roberta Humphreys Herrick  
Kimberly Anne Hunter  
Christopher Ryan McGough  
Kimberly Jean Montoya  
Joshua Steven Paire  
Deborah Sexton Pechacek  
Jacob Rothwacks Raitt  
Gerald Scott Rye  
Roger Alfio Scandura  
Gregory Frank Schmack  
William Paul Sleasman  
Tania Stefanie Smiley  
Antoine Nguyen Trinh  
Laura Jane Walters  
Laura Michelle Watkins  
Frank Arthur Whitchurch, *and*  
Kelly Ann Wick

for pharmacist licensure by reciprocity.

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 efforts earlier that day.

It was noted that Mr. Greco arrived at 1:30 p.m.

*D. Violations Committee*

Mr. Aron called upon Dr. Dixon for the committee report. Dr. Dixon reviewed the number of respondents at the last Informal Conference in September 2006, an emergency interlocutory hearing in November 2006, as well as their next Informal Conference on December 12-13, 2006. He also reported several last-minute revisions to the agenda for the administrative hearing scheduled for the following day. Finally, he expressed his appreciation to the other members of his committee for their ongoing work.

*E. Impairment Committee*

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

**Jeremy Christopher Powell (Pharmacist License No. 16108)** 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 October 30, 2006. The motion was approved after a unanimous vote in the affirmative.

**Carolyn Annette Skerlong (Pharmacist License No. 16931)** Mr. Rabb moved and Dr. Dixon seconded to grant the request for the reinstatement of the suspended license, and then once reinstated, to suspend the license for five years and stay the execution thereof, and then place the license on probation for five years, beginning on December 6, 2006, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Glenn Young Adams (Pharmacist License No. 11017)** Mr. Rabb moved and Ms. Alderman seconded to grant the request for the reinstatement of the suspended license, to reinstate the license on January 1, 2007 and then once reinstated, to suspend the license for five years and stay the execution thereof, and then place the license on probation for five years, beginning on January 1, 2007, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Karen Odom Howington (Pharmacist License No. 14835)** Mr. Rabb moved and Dr. Dixon seconded to grant the request for the reinstatement of the suspended license, and then once reinstated, to suspend the license for ten years and stay the execution thereof, and then place the license on probation for ten years, beginning on December 6, 2006, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Christy Leann Henson Yeager Morales (Intern Registration No. 42604)** Mr. Rabb moved and Ms. Alderman seconded to deny the request for reinstatement of the suspended registration, and further, to condition the acceptance of any future application for reinstatement of the suspended

registration upon the satisfaction of certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**Lori Cheyenne Soileau (Intern Registration No. 41867)** Mr. Rabb moved and Ms. Alderman seconded to deny the request for modification of the diagnostic monitoring contract, and further, to suspend the registration effective immediately, and further to condition the acceptance of any future application for reinstatement of the suspended registration upon the satisfaction of certain terms as enumerated in the consent agreement.

Prior to any vote being taken, Mr. Adams moved and Mr. Boudreaux seconded to enter into executive session for the purpose of discussing the physical or mental health of the respondent. The motion was approved after a unanimous roll call vote in the affirmative. It was noted the Board entered into executive session at 1:45 p.m., and then returned to open session at 2:05 p.m., at the instant matter.

The motion was approved after a unanimous vote in the affirmative. Ms. Hall then moved and Mr. Pitre seconded, to authorize the Executive Director to automatically reinstate the suspended registration upon receipt of evidence from ULM College of Pharmacy of her readmission to that college of pharmacy. 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.

**Tammie Rochelle Wright (Technician Certificate No. 3620)** Mr. Adams moved and Mr. Rabb seconded to grant the request for the reinstatement of the lapsed certificate. The motion was approved after a unanimous vote in the affirmative.

**Capri Rhea Miller (Technician Certificate No. 3675)** Mr. Adams moved and Mr. Cassidy seconded to grant the request for the reinstatement of the lapsed certificate, conditioned upon the satisfaction of certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

**John Herbert Finnan, Sr., MD (Pharmacist License No. 9937)** Mr. Adams moved and Mr. Boudreaux seconded to grant the request to reinstate the lapsed license, conditioned upon the satisfaction of certain terms as enumerated in the consent agreement. The motion was approved after a

unanimous vote in the affirmative.

**Cynthia Marie Willis (Pharmacist License No. 14177)** Mr. Adams moved and Ms. Alderman seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative.

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

At this point, Mr. Aron declared a brief recess. It was noted the Board recessed at 2:15 p.m., and then reconvened in open session at 2:30 p.m. Mr. Aron indicated his intention to re-order the agenda to accommodate travel plans of one of the guests. There were no objections.

*13. Request for Approval of Pharmacy Technician Certification Examination*

Mr. Aron directed the members to the background information prepared by staff. He also reminded the members of their access to the supporting documentation prepared and submitted by the petitioner. He then introduced the petitioner, Dr. Kenneth Schafermeyer, Director of Education at the Institute for the Certification of Pharmacy Technicians (ICPT). Dr. Schafermeyer petitioned the Board for approval of the technician certification examination administered by ICPT as an alternative to the examination administered by the Pharmacy Technician Certification Board (PTCB). He presented additional materials at that time, and responded to questions from the members and staff. Mr. Aron informed the members that staff would need to research issues relating to psychometric validity and security of test items, therefore, he suggested the referral of the petition to the Executive Committee for its consideration and report back to the Board. There were no objections; the petition was referred.

At this point, Mr. Aron returned to the posted agenda.

*10. Committee Reports (cont.)*

*G. Regulation Revision Committee*

Mr. Aron called upon Mr. Broussard for the committee report. He reported the committee had met twice since the August Board meeting. He described the activities during those meetings, related the topics currently before the committee, and announced the date of their next committee meeting.

*H. Tripartite Committee*

Mr. Aron noted the committee had not met since the August Board meeting, and there was no report.

*I. Legislative Committee*

Mr. Aron noted the committee had not met since the August Board meeting, and there was no report.

*J. Executive Committee*

Mr. Aron noted the committee had not met since the August Board meeting, and there was no report. However, he did report a visit by several interns from ULM College of Pharmacy to his pharmacy, for the purpose of discussing medication administration by pharmacists and whether that professional function could be delegated to pharmacy interns under the supervision of qualified pharmacists. Mr. Aron reviewed the regulation in question, and informed the interns that a change in the regulation would be required in order for that function to be delegated to a pharmacy intern. The interns concluded their visit with a letter to the Board requesting the Board's consideration of their request. Mr. Aron referred the matter to the Regulation Revision Committee.

At this point, Mr. Aron returned to a previous matter on the agenda. He noted the arrival of Ms. Melissa M. Corrigan, Executive Director of the Pharmacy Technician Board. She had traveled to the meeting to participate in the discussion with ICPT, and was unaware that the agenda item would be moved earlier. Mr. Aron asked if any members objected to the reconsideration of the petition; no objections were offered. Ms. Corrigan reviewed the PTCB examination and answered questions from the members and staff. Mr. Aron then returned to the posted agenda

#### 11. *Staff Reports*

##### *A. Chief Compliance Officer*

Mr. Aron called upon Ms. Gaudet for the report. She informed the members that approximately 92% of the pharmacies had been inspected during the 2006 calendar year, and that they anticipated completing almost all of the inspections before the end of the year. She also related the attendance of several compliance officers at the annual meeting of the National Association of Drug Diversion Investigators (NADDI) in October. She indicated that the topics were very timely, including prescription drug abuse and Internet pharmacy investigations.

##### *B. General Counsel*

Mr. Aron called upon Mr. Finalet for the report. Mr. Finalet informed the members of the status of two matters that had been appealed to the judicial system. The Board had denied the petition for a re-hearing from Tyler Downtown Drugs, and the respondent had appealed that decision to the 19<sup>th</sup> Judicial District Court. More recently, respondent has indicated their intent to withdraw the appeal. With respect to the matters involving Steve Michel and The Medicine Shoppe pharmacy, the respondents had filed a motion in the 19<sup>th</sup> Judicial District Court to stay the order of the Board. The court denied that motion, and the Board's order is now effective; the pharmacist's license is actively suspended for six months with probation for the remainder of the five year period, and the pharmacy permit is on probation for five years. He responded to questions from members and staff.

##### *C. Executive Director*

Mr. Aron called upon Mr. Broussard for the report. He opened his report by reviewing his attendance at various conferences since the last Board meeting. He then reported on the progress of the renewal activity, and then directed the members to the current census report in their meeting packet. He reminded the members of the proposed amendment to the personnel policy and procedure manual relative to sick leave. Following his explanation of the proposed policy and a short discussion, Mr. Pitre moved and Mr. Adams seconded,

**Resolved**, that the Board approve and amendment to the personnel policy regarding sick leave, such that a medical excuse would be required for an employee who had been on sick leave for 24 or more consecutive hours, or for any sick leave taken immediately before or after a paid holiday.

The motion was approved after a unanimous vote in the affirmative. Mr. Broussard then informed the members the legislative auditor had given the Board a good report, with no findings or recommendations. He then reviewed all the regulatory activity and the status of each pending project. He informed the members of some substantial new content on the Board's website, and then demonstrated how to access that information. Finally, Mr. Broussard reminded the members that when the legislature granted the Board authority to conduct criminal background checks for applicants for our credentials, the Board elected to not require that procedure for pharmacy permit applicants, only for persons, including pharmacists, pharmacy interns, pharmacy technicians, and pharmacy technician candidates. He suggested that the time might be appropriate to require that procedure for pharmacy permit applicants. Following a discussion of the logistics involved in the implementation of that process, Mr. McKay moved and Ms. Alderman seconded,

**Resolved**, that the Board require both parties (owner's managing officer and pharmacist-in-charge) executing applications for pharmacy permits to submit to criminal background checks as part of the application review process.

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

*12. Request for Exception to LAC 46:LIII.903.A.1.d – Parkview Baptist School*

Mr. Aron directed the members to the background information prepared by staff. He then introduced the petitioner, Mr. Robert Williams, attorney for a recent graduate of that school. He made a presentation to the members and staff, and requested the Board to interpret the rule in such a manner as to permit graduates of Parkview Baptist School to meet the educational qualification itemized in the cited rule. He responded to questions from members and staff. Mr. Bond moved and Ms. Angelle seconded,

**Resolved**, that the Board request an expedited opinion from Charles Foti, Attorney General for the State of Louisiana, on the legalities and validity of the Board's requirements to qualify for registration as a pharmacy technician candidate, specifically LAC 46:LIII.903.A.1.d.

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

moved and Mr. McKay seconded,

**Resolved**, that upon receipt of the opinion requested from the Office of the Attorney General, the Executive Committee reviews the cited rule and the opinion, and then report to the Board the results of its deliberations.

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

#### *14. Announcements*

Mr. Broussard reminded the members and staff of several calendar notes, and then directed them to all of that information in their meeting packet.

Mr. Finalet announced that Ms. Marlene Cashen, the Board's court reporter for over thirty years, had recently retired and moved away to the state of Washington. The members expressed their desire to formalize their appreciation of her long tenure of service to the Board. Ms. Alderman then moved and Ms. Angelle seconded,

**Resolved**, that the Louisiana Board of Pharmacy hereby recognizes Marlene Cashen's long and distinguished service to the Board as its stenographer for more than 30 years.

The motion was approved after a unanimous vote in the affirmative. Mr. Aron requested the staff secure a suitable plaque for the occasion.

#### *15. Recess*

Mr. McKay moved and Ms. Angelle 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 5:40 p.m.

An Administrative Hearing was convened on Thursday, December 7, 2006 in the Boardroom of the Louisiana Board of Pharmacy, located at 5615 Corporate Blvd., 8<sup>th</sup> Floor 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*

Mr. Aron called upon Mr. Bond, and he delivered the invocation. Ms. Melancon 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, Mr. Greco, 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. Mr. Mark LaCour was the Official Recorder. Mr. Malcolm Broussard was the Hearing Clerk. Due to prior knowledge, the members of the Violations Committee (Mr. Adams, Mr. Bond, Dr. Dixon, and Mr. Rabb) abstained from the formal hearings, and the remainder of the Board members present served as the jury, with Mr. Aron's reminder that any of them could abstain from any particular matter where appropriate.

Mr. Aron directed the entry of the posted docket 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, December 7, 2006 in the Board office, for the purpose to wit:

#### A G E N D A

- 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
  - 1. Janel Stelly King (Technician Certificate No. 2223)
  - 2. Lewis Duane Roe, Jr. (Candidate Registration No. 10182)
- G. Report of Violations Committee – Consideration of Voluntary Consent Agreements
  - 3. Louis Oliver Lenfant, Jr. (Pharmacist License No. 10793)
  - 4. Bishoy Samir Ramzy (Intern Registration No. 42209)
  - 5. Batiste Drugs, Inc. (Pharmacy Permit No. 2134)

- +
  - 6. Sharon Kay Batiste (Pharmacist License No. 9569)
  - 7. CVS Pharmacy No. 5326 (Pharmacy Permit No. 5406)
  - 8. CVS Pharmacy No. 5614 (Pharmacy Permit No. 5433)
- H. Report of General Counsel
  - Consideration of Voluntary Consent Agreements*
    - 9. Applied Pharmacy Services (Pharmacy Permit No. 5303)
    - 10. Jamie Danielle Brady (Technician Certificate No. 7420)
  - Consideration of Voluntary Surrenders*
    - 11. Sandra Gail Fontenot (Technician Certificate No. 4316)
- G. Adjourn

Mr. Aron indicated he would reorder the agenda to begin with the Report of the Violations Committee.

8. *Report of Violations Committee – Consideration of Voluntary Consent Agreements*  
Mr. Aron called upon Dr. Dixon, who presented the following files for Board action.

**Louis Oliver Lenfant (Pharmacist License No. 10793)** Dr. Dixon moved and Mr. McKay seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for ten years, beginning on May 12, 2005, and further, conditioned the acceptance of any future application for reinstatement of the license upon the passage of at least twenty months on active suspension, and further, the Board assessed the respondent a fine of \$50,000 plus investigative and administrative costs.

**Bishoy Samir Ramzy (Intern Registration No. 42209)** Dr. Dixon moved and Mr. Rabb seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the registration, and any subsequent credential, for two years and stayed the execution thereof, and then placed the registration, and any subsequent credential, on probation for two years, beginning October 15, 2006, subject to certain terms as enumerated in the consent agreement, and further, assessed the respondent investigative and administrative costs.

**Batiste Drugs, Inc. (Pharmacy Permit No. 2134)** Dr. Dixon moved and Mr. McKay seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board revoked the permit, and further, prohibited any party with an ownership interest in that pharmacy from holding any ownership interest in any other pharmacy in the state.

**Sharon Kay Batiste (Pharmacist License No. 9569)** Dr. Dixon moved and Ms. Alderman seconded to accept the 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, prohibited the respondent from holding any ownership interest in any other pharmacy in the state, and further, assessed the respondent investigative and administrative costs.

At this point, Mr. Aron reordered the agenda to receive the report of general counsel.

*9. Report of General Counsel*

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

**Applied Pharmacy Services (Pharmacy Permit No. 5303)** Dr. Dixon moved and Mr. Pitre seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board issued a Letter of Warning to the permit holder, and further, assessed the permit holder a fine of \$5,000 plus administrative costs.

**Jamie Danielle Brady (Technician Certificate No. 7420)** Dr. Dixon moved and Mr. McKay seconded to accept the 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 reinstatement.

**Sandra Gail Fontenot (Technician Certificate No. 4316)** Mr. McKay moved and Dr. Dixon seconded to accept the voluntary surrender of the certificate. The motion was approved after a unanimous vote in the affirmative. The Board suspended the certificate for an indefinite period of time.

At this point, Mr. Aron reverted to the formal hearing portion of the agenda.

*7. Formal Hearings*

Mr. Aron called upon Mr. Finalet, and he presented the following files for Board action.

**Lewis Duane Roe, Jr. (Candidate Registration No. 10182)** Mr. Finalet appeared for the Board and noted the absence of the respondent. After verifying his absence, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet offered an opening statement, exhibits and witnesses, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law and a proposed Order of the Board; he then submitted the matter to the Board for its consideration. Ms. Alderman moved and Ms. Angelle 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 that the hearing panel entered into executive session at 8:55 a.m. and then reconvened in open session at 9:05 a.m.

Mr. McKay moved and Ms. Angelle seconded,

**Resolved**, that the Board accept the Findings of Fact and Conclusions of Law as offered by the general counsel, and then adopt them as their own.

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

**Resolved**, that the Board revoke Technician Candidate Registration No. 10182, and further, to assess the respondent a fine of \$500 plus all investigative, administrative, and hearing costs, and further, to condition the acceptance of any future application for reinstatement upon the completion of certain terms as enumerated in the Final Order.

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

It was noted that Mr. Greco arrived at 9:05 a.m.

**Janel Stelly King (Technician Certificate No. 2223)** 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 offered an opening statement, exhibits and witnesses, and then rested his case. He offered a closing statement as well as proposed Findings of Fact and Conclusions of Law and a proposed Order of the Board; he then submitted the matter to 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 that the hearing panel entered into executive session at 9:15 a.m. and then reconvened in open session at 9:25 a.m.

Mr. McKay moved and Ms. Alderman seconded,

**Resolved**, that the Board accept the Findings of Fact as offered by the general counsel, amend them as reflected in the Final Order, and then adopt them as our own.

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

**Resolved**, that the Board accept the Conclusions of Law as offered by the general counsel, and then adopt them as our own.

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

**Resolved**, that the Board revoke Technician Certificate No. 2223, and further, to assess the respondent a fine of \$500 plus all investigative, administrative, and hearing costs, and further, to condition the acceptance of any future application for reinstatement upon the completion of certain terms as enumerated in the Final Order.

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

Mr. Finalet noted the completion of all matters scheduled for formal hearing that day. Mr. Aron expressed his appreciation to Mr. Finalet and Mr. LaCour for their services. At this point, Mr. Aron returned to the Report of the Violations Committee to address the remaining matters on the agenda.

*8. Report of the Violations Committee (cont.)*

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

**CVS Pharmacy No. 5326 (Pharmacy Permit No. 5406)** Dr. Dixon moved and Mr. Cassidy seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board assessed the permit holder a fine of \$15,000 plus investigative and administrative costs.

**CVS Pharmacy No. 5614 (Pharmacy Permit No. 5433)** Dr. Dixon moved and Mr. Boudreaux seconded to accept the consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board assessed the permit holder a fine of \$20,000 plus investigative and administrative costs.

*10. Adjourn*

Mr. McKay moved and Ms. Angelle 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 9:35 a.m.

Respectfully submitted,

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Reuben R. Dixon, Pharm.D.  
Secretary