



Louisiana Board of Pharmacy

5615 Corporate Boulevard, 8th Floor
Baton Rouge, Louisiana 70808-2537
www.labp.com



Minutes

Regular Meeting

Wednesday, May 9, 2007 at 1:00 p.m.

Louisiana Board of Pharmacy
5615 Corporate Boulevard, 8th Floor
Baton Rouge, Louisiana 70808

Administrative Hearing

Thursday, May 10, 2007 at 8:30 a.m.

Louisiana Board of Pharmacy
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Baton Rouge, Louisiana 70808

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, May 9, 2007 in the Boardroom of the Louisiana Board of Pharmacy, located on the 8th 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. Mr. Fred Mills 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
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
Ms. Jacqueline L. Hall
Mr. Marty R. McKay
Ms. Chris B. Melancon
Mr. Fred H. Mills, Jr.
Mr. Blake P. Pitre
Mr. T. Morris Rabb

Members Absent:

Mr. Joseph V. Greco
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

Guests:

Mr. & Mrs. Ronald J. Hingle – Recipient of Gold Certificate
Katie Craig – Louisiana Society of Health System Pharmacists
Mary Staples – National Association of Chain Drug Stores
Jerry Moore – Teva Pharmaceuticals

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. Mr. Rabb requested an opportunity to discuss the issuance of a pharmacy permit to the ULM College of Pharmacy. Hearing no objection from the members, Mr. Aron indicated he would entertain that matter following the committee reports. Mr. Mills then requested an opportunity to discuss requesting authority from the Board to negotiate a Wal-Mart claim with FEMA. Hearing no objection from the members, Mr. Aron indicated he would entertain that matter immediately following Mr. Rabb's request. 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 the previous meeting. He requested any amendments. Hearing no corrections, Mr. Pitre moved and Dr. Dixon seconded,

Resolved, that the Minutes of the Regular Board Meeting of March 6, 2007 and the Administrative Hearing on March 7, 2007, 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. 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 reported there were no action items from the last meeting.

7. Confirmation of Acts

At the request of Mr. Aron, Mr. McKay moved and Mr. Cassidy 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 March 7, 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. *Special Order of the Day – Presentation of Gold Certificate*

Mr. Aron called upon Mr. Ronald J. Hingle, holder of Louisiana Pharmacist License No. 5721. Mr. Aron presented Mr. Hingle with a pharmacist certificate engraved in gold, commemorating fifty years of practice as a pharmacist licensed in Louisiana. He thanked Mr. Hingle for his service to the citizens of the state and to the profession of pharmacy. Mr. Aron also informed him that one of the benefits of the gold certificate was a waiver of all future renewal fees. The members and staff congratulated Mr. Hingle with a standing ovation.

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 March 31, 2007
- Interim Budget Performance Report for March 31, 2007
- Summary of Fund Balance for March 31, 2007

Mr. Mills reviewed all the reports and answered questions from members. He indicated the report was informational only, requiring no further action by the Board. He then directed the members to a proposed budget amendment prepared by staff. Since a substantial portion of the revenue and expenses for the current budget were related to the prescription monitoring program, and since the implementation of that program was deferred until the next fiscal year, the amendment is proposed in order to reduce the year-end variance. He then moved and Dr. Dixon seconded,

Resolved, that the Board approve and adopt the proposed budget amendments as presented, *in globo*, as Budget Amendment No. 2.

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

Finally, Mr. Mills expressed his appreciation to the members of the committee for their continuing efforts.

B. *Application Review Committee*

Mr. Aron called upon Mr. McKay for the committee report. Mr. McKay reported the committee had not met since the last Board meeting, and that the next committee meeting was scheduled for May 30. The preliminary docket for that meeting listed one applicant for a pharmacy technician candidate registration and one applicant for a pharmacy permit.

C. *Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She indicated the committee had interviewed 16 applicants earlier that day. She then moved and Ms. Alderman seconded,

Resolved, that the Board approve
Clayton Paul Boquet
Michele lee Bradshaw
Richard Anthony Brusica
James Garrett Castillo

Benjamin Lee Chandler
Angela Lynn Fipps-White
Robert Stuart Gelb
Karen Michelle Jernigan
Elizabeth Lempert
Whitford Corneal Morgan
Regina Michelle Sanders
Jill Ann Schachte
James Salvatore Scozzari
Everette Glenn Wilson
Valerie June Woerndle, *and*
James Edward Ziolkowski

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.

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 March 2007, the docket for the administrative hearing set for the next day, as well as the docket for their next Informal Conference in June 2007. 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.

Robert Howard Robinson (Pharmacist License No. 9899) Mr. Rabb moved and Mr. Bond seconded to accept the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective March 13, 2007. The motion was approved after a unanimous vote in the affirmative.

Michael Anthony Joplin (Pharmacist License No. 11329) 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 March 30, 2007. The motion was approved after a unanimous vote in the affirmative.

Michael Thomas Savario (Pharmacist License No. 16568) Mr. Rabb moved and Ms. Alderman seconded to accept the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective May 2, 2007. The motion was approved after a unanimous vote in the affirmative.

Kristi C. Vial (Pharmacist License No. 15607) Mr. Rabb moved and Mr. Boudreaux seconded to accept the voluntary surrender of the license, resulting in the suspension of the license for an indefinite period of time, effective May 8, 2007. The motion was approved after a unanimous vote in the affirmative.

Benji Joseph Juneau (Pharmacist License No. 16348) Mr. Rabb moved and Mr. Boudreaux seconded to grant the request for the reinstatement of the suspended license effective June 21, 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 June 21, 2007, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

Jerry Dale Walters (Pharmacist License No. 16806) Mr. Rabb moved and Mr. Bond seconded to grant the request for modification of his May 5, 2004 Probation Board Order, to remove Article 2-h restricting the respondent from accepting an appointment as a pharmacist-in-charge of a pharmacy, and further, to continue all other terms and conditions as enumerated in the original order. The motion was approved after a unanimous vote in the affirmative.

Mr. Rabb then presented the committee's recommendation for the *Roster of Approved Addictionists*. In response to questions from the members, he reviewed the strategies for selection of addictionists for the Board's Practitioner Recovery Program. He also reviewed the intake process for newly discovered impaired practitioners. He then moved and Ms. Angelle seconded,

Resolved, that the Board approve the Impairment Committee's *Roster of Approved Addictionists* for Fiscal Year 2007-2008.

The motion was approved after a unanimous vote in the affirmative. At the request of the members, Mr. Aron directed Mr. Broussard to post the roster in the Boardroom Library.

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.

Billy Clifton Osbon, Jr. (Pharmacist License No. 14094) Mr. Adams moved and Dr. Dixon seconded to grant the request for the reinstatement of the lapsed license. The motion was approved after a unanimous vote in the affirmative.

Paul Hopkins Young (Pharmacist License No. 15320) Mr. Adams moved and Mr. Pitre seconded to suspend the license for three years, five months,

and nine days, effective May 9, 2007 and terminating on October 18, 2010; and further, to stay execution of the suspension and then place the license on probation for the suspensive period, subject to certain terms as enumerated in the consent agreement. The motion was approved after a unanimous vote in the affirmative.

John Wayne Baque (Pharmacist License No. 11850) Mr. Adams moved and Ms. Alderman seconded to grant the request for the early termination of his probation, originally scheduled to end July 29, 2007. 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.

G. Regulation Revision Committee

Mr. Aron called upon Dr. Anderson for the committee report. She reported the committee had not met since the last Board meeting, and that the next committee meeting was scheduled for May 31. She then reviewed the topics on the preliminary agenda for that meeting.

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

H. Tripartite Committee

Mr. Aron called upon Mr. Bond for the committee report. He reported the committee had not met since the last Board meeting, and there were no assignments pending from the Board.

I. Legislative Committee

Mr. Aron called upon Ms. Alderman for the committee report. She directed the members to the report in their meeting packet. The members discussed the bills briefly, and then requested staff to keep them informed about the progress of the items on the alert list. Mr. Mills opened a discussion of communicating the Board's position and/or concerns about specific legislation to legislative committee chairs and/or other representatives.

Following a short discussion, Mr. Aron indicated he would charge the Board's Executive Committee to develop a policy and procedure for communications with legislators, and further, he would request input from the Legislative Committee on drafting communications relative to specific legislative measures.

At this point, Mr. Aron declared a brief recess. It was noted the Board recessed at 2:15 p.m. and reconvened in open session at 2:40 p.m.

J. Executive Committee

Mr. Aron noted the committee met on April 19 to review all committee operations, policies and procedures, as well as contracts and agreements.

With respect to contracts and agreements, the committee reviewed all contracts for professional services, noting that all vendors had fulfilled their contractual obligations and that no performance issues were identified. He reported Mr. Rabb was prepared to offer the committee recommendations for continuations of each of the contracts. Mr. Rabb moved and Mr. McKay seconded

Resolved, that the Board approve the proposed legal services contract with Celia R. Cangelosi, at the stipulated rate, in an amount not to exceed \$80,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the proposed legal services contract with E. Wade Shows, at the stipulated rate, in an amount not to exceed \$40,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the proposed accounting services contract with Kolder, Champagne, Slaven & Company, in an amount not to exceed \$11,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the proposed licensure database software support agreement with Software Applications, Inc., at the stipulated rate, in an amount not to exceed \$20,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the proposed information system network support service agreement with Essential Solutions, LLC, at the stipulated rate, in an amount not to exceed \$20,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the proposed website maintenance agreement with Mr. Michael Yoches, at the stipulated rate, in an amount not to exceed \$10,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the National Association of Boards of Pharmacy as the administrator for the pharmacist licensure examinations (NAPLEX, MPJE, and FPGEE) for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the Pharmacy Technician Certification Board (PTCB) as the administrator for the pharmacy

technician certification examination for Fiscal Year 2007-2008. The motion was approved after a unanimous vote in the affirmative. Mr. Rabb moved and Ms. Alderman seconded

Resolved, that the Board approve the NABP Foundation as the publisher of the Board's newsletter, at the stipulated rate, in an amount not to exceed \$25,000 for Fiscal Year 2007-2008.

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

Resolved, that the Board approve the National Confederation of Professional Services (NCPS) as the vendor for the drug screening program for Fiscal Year 2007-2008.

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

Mr. Aron continued with the committee report, informing the members the committee had reviewed the Board's entire Policies & Procedures Manual and was prepared to recommend the Board's continuing approval of that document, along with two new policies. Mr. Rabb moved and Mr. McKay seconded

Resolved, that the Board approve *Policy No. I.A.1 – Authority to Implement Policies & Procedures*.

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

Resolved, that the Board approve *Policy No. III.B – Louisiana State Documents Depository Program*.

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

Resolved, that the Board renew its approval of the Board's Policy & Procedure Manual.

The motion was approved after a unanimous vote in the affirmative. Mr. Aron then informed the members the committee had conducted the annual performance review for the executive director and had authorized an adjustment in his compensation.

Finally, Mr. Aron expressed his appreciation to the members of the committee for their continuing efforts.

K. Added Agenda Item – Pharmacy Permit for ULM College of Pharmacy

Mr. Aron called upon Mr. Rabb to discuss his request. Mr. Rabb informed the members the university had submitted an application for a pharmacy permit. He believed the university met the minimum specifications for a prescription department in their dispensing laboratory area, and he also informed the members the university did not want to have any controlled substances. He then moved, and Mr. Pitre seconded

Resolved, that the Board approve the issuance of a community pharmacy permit to the ULM College of Pharmacy.

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

L. Added Agenda Item – Wal-Mart Claim with FEMA

Mr. Aron called upon Mr. Mills to discuss his request. Mr. Mills reviewed

the past events surrounding the contributions from Wal-Mart following Hurricane Katrina and that Wal-Mart had still not been paid. FEMA requested documentation of Mr. Mill's authority from the Board to continue the processing of the Wal-Mart claim at FEMA. By consensus, the Board voted unanimously to grant Mr. Mills the authority to represent the Board to further assist Wal-Mart in pursuit of its FEMA claim.

Mr. Mills then raised a related point, suggesting the Tripartite Committee might wish to address emergency preparedness contingency planning for drug distribution. He further indicated the Dept. of Health and Hospitals would most likely welcome an approach from the Board on that topic. Mr. Aron referred the matter to the Tripartite Committee, reminding them of the recently released materials from the National Association of Boards of Pharmacy.

11. *Staff Reports*

A. *Chief Compliance Officer*

Mr. Aron called upon Ms. Gaudet for her report. She informed the members that the compliance division staff had continued their efforts to conclude their investigations of outstanding complaints and had also made a concerted effort to keep pace with the increased level of inspections of both pharmacies as well as facilities for CDS licenses.

B. *General Counsel*

Mr. Aron called upon Mr. Finalet for his report. Mr. Finalet reviewed the docket for the administrative hearing the next day.

C. *Executive Director*

Mr. Aron called upon Mr. Broussard for his report. He opened his report by reviewing his attendance at various conferences since the last Board meeting. He directed the members to the current census report in the Boardroom Library, and he then reported on the recently begun renewal activity for pharmacy technicians. He then indicated there were no changes to the information concerning MPJE, NAPLEX, and PTCB testing results since the last Board meeting. He reported the results of the recent CE audit, demonstrating an 11% non-compliance rate. Finally, he reported on the two regulatory projects (2006-3 and 2007-1) moving forward.

12. *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.

13. *Recess*

Mr. Cassidy moved and Mr. Boudreaux 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 4:15 p.m.

An Administrative Hearing was convened on Thursday, May 10, 2007 in the Boardroom of the Louisiana Board of Pharmacy, located on the 8th Floor at 5615 Corporate Blvd. 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 8:35 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. Ms. Celia R. Cangelosi served as Complaint 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, Dr. Anderson, Mr. Bond, and Dr. Dixon) 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 should 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, May 10, 2007 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
 - 01. MedSouth Rx – Applicant for Pharmacy Permit Complaint No. 06-0221
 - 02. Steve Patrick Michel (Pharmacist License No. 11999) Complaint No. 06-0235
 - 03. Brenda Bester Butler (Technician Certificate No. 6336) Complaint No. 06-0234
 - 04. Gary Vincent Schexnayder (Technician Certificate No. 5358)
Complaint No. 06-0229
- G. Report of Violations Committee – Consideration of Voluntary Consent Agreements
 - 05. Kimberly Greer (Technician Certificate No. 3714) Complaint No. 06-0227
 - 06. Monroe Medical Clinic Pharmacy (Pharmacy Permit No. 4928)
Complaint No. 07-0013
 - +
07. Candy Melissa Jones (Pharmacist License No. 15546) Complaint No. 07-0014
 - 08. Barry Jon Sylvester (Pharmacist License No. 14795) Complaint No. 06-0201
 - 09. Randolph Eugene McEwen (Pharmacist License No. 14282)
Complaint No. 06-0217
 - 10. First Dose Pharmacy (Pharmacy Permit No. 5498) Complaint No. 06-0199
 - +
11. Randolph Eugene McEwen (Pharmacist License No. 14282)
Complaint No. 06-0200
 - 12. First Dose Pharmacy (Pharmacy Permit No. 5498) Complaint No. 06-0242
 - +
13. Randolph Eugene McEwen (Pharmacist License No. 14282)
Complaint No. 06-0243
 - +
14. Barry Jon Sylvester (Pharmacist License No. 14795) Complaint No. 06-0244
 - 15. Pharmacy City, LLC (Pharmacy Permit No. 5640) Complaint No. 06-0240
 - +
16. Cathy Morris Jones (Pharmacist License No. 13455) Complaint No. 06-0241
 - 17. Pharmacy City, LLC (Applicant for Pharmacy Permit) Complaint No. 07-0039
 - 18. Leesville Drug Co. (Pharmacy Permit No. 662) Complaint No. 06-0171
 - +
19. Blane Edwin Perry (Pharmacist License No. 11249) Complaint No. 06-0172

- 20. Rite Aid Pharmacy No. 7303 (Pharmacy Permit No. 1447) Complaint No. 07-0008
- + 21. Thomas Louis Martin (Pharmacist License No. 11595) Complaint No. 07-0012
- + 22. Stacey Nichelle Bernard (Pharmacist License No. 15210) Complaint No. 07-0009
- + 23. Coby James Hebert (Pharmacist License No. 17754) Complaint No. 07-0010
- + 24. Scotty Paul Broussard (Pharmacist License No. 15681) Complaint No. 07-0011
- 25. Paul Van Bentem (Technician Certificate No. 7426) Complaint No. 06-0164
- 26. Wal-Mart Pharmacy No. 10-2913 (Pharmacy Permit No. 4796)
Complaint No. 06-0073
- + 27. Dana Marie Gros (Pharmacist License No. 17732) Complaint No. 06-0074
- + 28. Summer Lee Raia (Technician Certificate No. 7497) Complaint No. 06-0075

H. Report of General Counsel

Consideration of Voluntary Consent Agreements

- 29. Veterinary Pharmacies of America (Pharmacy Permit No. 5151)
Complaint No. 07-0015
- 30. PharmaCare Specialty Pharmacy (Pharmacy Permit No. 5677)
Complaint No. 07-0037
- 31. Caremark KS Specialty Pharmacy (Pharmacy Permit No. 5670)
Complaint No. 07-0075

Consideration of Voluntary Surrenders

- 32. Phien The Nguyen (Technician Candidate Registration No. 12563)
Complaint No. 07-0086
- 33. Kathy Anne Bull (Technician Candidate Registration No. 11710)
Complaint No. 07-0068
- 34. Desire Narcotic Rehabilitation Center (CDS License No. 15310)
Complaint No. 07-0074
- 35. Esplanade Pharmacy (CDS License No. C-004579) Complaint No. 07-0110
- 36. Barney Thomas Dotson (Pharmacist License No. 14629) Complaint No. 07-0078
- 37. David Michael Pelous (Pharmacist License No. 11181) Complaint No. 07-0088

G. Adjourn

7. *Formal Hearings*

Mr. Aron recognized Ms. Cangelosi, who presented the following matter to the Board:

Steve Patrick Michel (Pharmacist License No. 11999) re Complaint No. 06-

0235 Mr. Aron indicated his prior knowledge of this matter, vacated the chair, and appointed Mr. Rabb as the Hearing Officer for this matter. Ms. Cangelosi appeared for the Board. Mr. Eric Bopp appeared for Mr. Michel and noted the appearance of his client. Ms. Cangelosi offered an opening statement, after which Mr. Bopp offered an opening statement. During his opening statement, he offered to stipulate the admissibility of certain evidence. Ms. Cangelosi requested a brief recess to determine all possible stipulations.

Mr. Rabb declared a brief recess for this matter and then returned the chair to Mr. Aron to preside over a different matter in the interim. It was noted that Mr. Aron returned to the chair as Hearing Officer at 8:50 a.m. and then presided over the following case

Brenda Bester Butler (Technician Certificate No. 6336) re Complaint No. 06-

0234 Mr. Aron recognized Mr. Finalet, who 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, witnesses and exhibits, 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. Angelle 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 8:55 a.m. and then returned to open session at 9:05 a.m., at the instant case.

Mr. Cassidy moved and Ms. Boudreaux seconded

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

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

Melancon moved and Ms. Angelle seconded

Resolved, that the Board accept the Conclusions of Law as offered by the General Counsel, adopt all of them as our own, and then 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. 6336, held by Brenda Bester Butler, and further, to order 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 complaint counsel, the advisor to the hearing officer, and the official recorder; and further: to condition the acceptance of any future application for the reinstatement of the certificate upon the satisfaction of the following terms: (a) respondent shall have paid all assessments levied herein; and (b) respondent shall have no pending legal or

disciplinary matters against her in any jurisdiction; and (c) respondent shall receive an evaluation by an addictionist approved by the Board with a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare.

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

Mr. Finalet indicated the parties from the first matter were ready to proceed. Mr. Aron again vacated the chair, appointing Mr. Rabb as the Hearing Officer for that matter. It was noted that proceeding resumed at 9:10 a.m.

Steve Patrick Michel (Pharmacist License No. 11999) re Complaint No. 06-0234 (cont) Ms. Cangelosi informed Mr. Rabb that there was an agreement to stipulate to certain exhibits. Mr. Rabb accepted the stipulation agreement as Joint Exhibit No. 1. The stipulation was read aloud for the benefit of the hearing panel. Ms. Cangelosi then rested her case. Mr. Bopp presented the respondent as his only witness. After he rested his case, both counselors offered closing statements. Ms. Cangelosi offered proposed Findings of Fact and Conclusions of Law and a proposed Order of the Board; she then submitted the matter to the Board for its consideration. Mr. McKay then 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 the hearing panel entered into executive session at 11:15 a.m. and they reconvened in open session at 11:55 a.m.

Mr. Boudreaux moved and Ms. Alderman seconded

Resolved, that the Board accept the Findings of Fact as offered by the Complaint Counsel, amend them as reflected in the Final Order, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the Board accept the Conclusions of Law as offered by the Complaint Counsel, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the Board suspend Pharmacist License No. 11999, held by Steve Patrick Michel, for five years, and further, to order respondent to pay the following assessments: (a) a fine of \$25,000, (b) the administrative hearing fee of \$250, and (c) the investigative and hearing costs, including the costs of the complaint counsel, the advisor to the hearing officer, and the official recorder; and further: to condition the acceptance of any future application for the reinstatement of the certificate upon the satisfaction of the following

terms: (a) respondent shall have paid all assessments levied herein; and (b) respondent shall have no pending legal or disciplinary matters against him in any jurisdiction; and (c) respondent shall have paid all assessments levied in his August 18, 2006 Board Order re Complaint No. 05-0008.

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

With the matter concluded, Mr. Rabb relinquished the chair to Mr. Aron, who indicated the panel would act on the next matter before recessing for lunch. It was noted the hearing panel initiated the next case at 12:00 noon.

Gary Vincent Schexnayder (Technician Certificate No. 7242) re Complaint No. 06-0229 Mr. Finalet appeared for the Board and noted the absence of the respondent. After verifying the absence of the respondent, Mr. Aron ruled the matter would continue as a default proceeding. Mr. Finalet presented an opening statement, one witness and three exhibits, and then a closing statement. He offered proposed Findings of Fact, proposed Conclusions of Law, and a proposed Board Order; he then submitted the matter to 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 12:10 p.m. and then reconvened in open session at 12:20 p.m.

Ms. Alderman moved and Mr. Boudreaux seconded

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

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

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

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

Resolved, that the Board revoke Technician Certificate No. 7242, held by Gary Vincent Schexnayder, 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 complaint counsel, the advisor to the hearing officer, and the official recorder; and further: to condition the acceptance of any future application for the reinstatement of the certificate upon the satisfaction of the following terms: (a) respondent shall have paid all assessments levied herein; and (b) respondent shall have no pending legal or

disciplinary matters against him in any jurisdiction; and (c) respondent shall receive an evaluation by an addictionist approved by the Board with a favorable recommendation for his return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare.

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

At this point, Mr. Aron declared a luncheon recess. It was noted the hearing panel recessed at 12:25 p.m. and then reconvened in open session at 12:50 p.m. Mr. Aron indicated his prior knowledge of the matter, vacated the chair, and appointed Mr. Rabb as Hearing Officer.

MedSouth Rx (Applicant for Pharmacy Permit) re Complaint No. 06-0221

Ms. Cangelosi appeared for the Board. Mr. Edward Bopp and Mr. Eric Bopp appeared for the respondent and noted the appearance of their client. Ms. Cangelosi offered an opening statement, followed by a similar statement from Mr. Edward Bopp. Mr. Eric Bopp then requested a sequestration order, and Mr. Rabb applied the order to one of the Board's witnesses. Ms. Cangelosi offered two witnesses and several exhibits; Mr. Eric Bopp offered the respondent as their witness as well as several exhibits. Both counselors offered closing arguments and rested their cases. Ms. Cangelosi offered proposed Findings of Fact, Conclusions of Law, and a proposed Board Order; she then submitted the case to the Board for its consideration. Mr. McKay moved and Ms. Angelle seconded to enter into executive session for the purpose of discussing the respondent's professional competency. The motion was approved after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 2:20 p.m., and then reconvened in open session, at the instant case, at 3:15 p.m.

Mr. Pitre moved and Mr. Boudreaux seconded

Resolved, that the Board accept the Findings of Fact as offered by Complaint Counsel, adopt them as our own, and then enter them into the hearing record.

The motion was approved after a majority vote in the affirmative; Mr. Cassidy objected. Mr. Boudreaux moved and Mr. McKay seconded

Resolved, that the Board accept the Conclusions of Law as offered by Complaint Counsel, amend them as reflected in the Final Order, adopt them as our own, and then enter them into the hearing record.

The motion was approved after a majority vote in the affirmative; Mr. Cassidy objected. Ms. Alderman moved and Mr. McKay seconded

Resolved, that the Board order the respondent to pay the following assessments: (a) the administrative hearing fee of \$250, and (b) the investigative and hearing costs, including the costs of the complaint counsel, the advisor to the hearing officer, and the official recorder; and further: to condition the acceptance of any future

application for a permit upon the satisfaction of the following terms:
(a) respondent shall have paid all assessments levied herein; and
(b) respondent shall have no pending legal or disciplinary matters against him in any jurisdiction.

The motion was approved after a majority vote in the affirmative; Mr. Boudreaux, Mr. Cassidy, and Mr. Pitre objected. With the matter concluded, Mr. Rabb relinquished the chair to Mr. Aron.

Ms. Cangelosi informed Mr. Aron that all matters scheduled for hearing that day had been presented. Mr. Aron expressed his appreciation to Ms. Cangelosi for her services that day.

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

Kimberly Greer (Technician Certificate No. 3714) 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 certificate, and prohibited any future application for reinstatement of the certificate.

Monroe Medical Clinic Pharmacy (Pharmacy Permit No. 4928) 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 permit for one year, stayed the execution thereof, and then placed the permit on probation for one year, beginning April 15, 2007, subject to certain terms as enumerated in the consent agreement; further, the Board ordered the respondent to pay the following assessments: (1) a fine of \$3,500, (2) the administrative hearing fee of \$250, and (3) the costs of the investigation as identified in the consent agreement.

Candy Melissa Jones (Pharmacist License No. 15546) 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 one year, stayed the execution thereof, and then placed the license on probation for one year, beginning April 15, 2007, subject to certain terms as enumerated in the consent agreement; and further, the Board ordered the respondent to pay a fine of \$1,000 and the administrative hearing fee of \$250.

Barry Jon Sylvester (Pharmacist License No. 14795) re Complaint No. 06-0201 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 Warning to the respondent; and further, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Randolph Eugene McEwen (Pharmacist License No. 14282) re Complaint

No. 06-0217 Dr. Dixon moved and Ms. Angelle seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board ordered the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

First Dose Pharmacy (Pharmacy Permit No. 5498) re Complaint No. 06-0199 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 ordered the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

Randolph Eugene McEwen (Pharmacist License No. 14282) re Complaint No. 06-0200 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, stayed the execution thereof, and then placed the license on probation for five years, beginning on April 15, 2007, subject to certain terms as enumerated in the consent agreement; and further, the Board ordered the respondent to pay a fine of \$5,000 and the administrative hearing fee of \$250.

First Dose Pharmacy (Pharmacy Permit No. 5498) re Complaint No. 06-0242 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 revoked the permit.

Randolph Eugene McEwen (Pharmacist License No. 14282) re Complaint No. 06-0243 Dr. Dixon moved and Ms. Angelle 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, stayed the execution thereof, and then placed the license on probation for five years, beginning on April 15, 2007, subject to certain terms as enumerated in the consent agreement; and further, the Board ordered the respondent to pay the following assessments: (1) a fine of \$15,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

Barry Jon Sylvester (Pharmacist License No. 14795) re Complaint No. 06-0244 Dr. Dixon moved and Mr. Adams seconded to accept the voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board suspended the license for two years, stayed the execution thereof, and then placed the license on probation for two years, beginning on April 15, 2007, subject to certain terms as enumerated in the consent agreement; and further, the Board ordered the respondent to pay a fine of \$500 and the administrative hearing fee of \$250.

Pharmacy City, LLC (Pharmacy Permit No. 5640) re Complaint No. 06-0240

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 Warning to the respondent; and further, the Board ordered the respondent to pay the following assessments: (1) a fine \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

Cathy Morris Jones (Pharmacist License No. 13455) 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, the Board ordered the respondent to pay a fine of \$1,000 and the administrative hearing fee of \$250.

Pharmacy City, LLC (Applicant for Pharmacy Permit) re Complaint No. 07-0039 Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. The Board issued a Letter of Warning to the respondent; and further, the Board ordered the respondent to pay the administrative hearing fee of \$250 and the investigative costs as identified in the consent agreement.

Leesville Drug Co. (Pharmacy Permit No. 662) 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 suspended the permit for ten years, stayed the execution thereof, and then placed the permit on probation for ten years, beginning on January 1, 2007, subject to certain terms as enumerated in the consent agreement; and further; the Board ordered the respondent to pay the following assessments: (1) a fine of \$25,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

Blane Edwin Perry (Pharmacist License No. 11249) 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 ten years, beginning on April 15, 2007; and further, the Board ordered the respondent to pay the following assessments: (1) a fine of \$10,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement; and further, the Board conditioned the acceptance of any future application for the reinstatement of the license upon the successful completion of the following conditions: (1) respondent shall have served no less than two years of active suspension, and (2) respondent shall have paid all assessments levied in the consent agreement.

Rite Aid Pharmacy No. 7303 (Pharmacy Permit No. 1447) 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, the Board ordered the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in

the consent agreement.

Thomas Louis Martin (Pharmacist License No. 11595) Dr. Dixon moved and Mr. McKay seconded to accept the voluntary consent agreement. Ms. Angelle requested the record to reflect her abstention from voting on this matter. The motion was approved after a unanimous vote in the affirmative of the remainder of the members present and voting. The Board issued a Letter of Reprimand to the respondent; and further, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Stacey Nichelle Bernard (Pharmacist License No. 15210) 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, ordered the respondent to pay the administrative hearing fee of \$250.

Coby James Hebert (Pharmacist License No. 17754) 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, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Scotty Paul Broussard (Pharmacist License No. 15681) 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, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Paul Van Bentem (Technician Certificate No. 7426) 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 Warning to the respondent; and further, the Board ordered the publication of this sanction in its newsletter; and further, the Board ordered the respondent to earn 300 hours of practical experience as specified in the consent agreement; and further, the Board ordered the respondent to pay the administrative hearing fee of \$250 and the investigative costs as identified in the consent agreement.

Wal-Mart Pharmacy No. 10-2913 (Pharmacy Permit No. 4796) 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, the Board ordered the respondent to submit a policy statement addressing procedures to verify credentials of its pharmacy employee; and further, the Board ordered the respondent to pay the following assessments: (1) a fine of \$5,000, (2) the administrative hearing fee of \$250, and (3) the investigative costs as identified in the consent agreement.

Dana Marie Gros (Pharmacist License No. 17732) 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, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Summer Lee Raia (Technician Certificate No. 7497) 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, the Board ordered the respondent to pay the administrative hearing fee of \$250.

Dr. Dixon noted the completion of the report from the Violations Committee; Mr. Aron expressed his appreciation to him and the members of the committee for their ongoing efforts.

9. Report of General Counsel

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

Veterinary Pharmacies of America (Pharmacy Permit No. 5151) 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 Warning to the respondent; and further, the Board ordered the respondent to pay a fine of \$5,000 and the administrative hearing fee of \$250.

PharmaCare Specialty Pharmacy (Pharmacy Permit No. 5677) 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 Warning to the respondent; and further, the Board ordered the respondent to pay a fine of \$5,000 and the administrative hearing fee of \$250.

Caremark KS Specialty Pharmacy (Pharmacy Permit No. 5670) 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 Warning to the respondent; and further, the Board ordered the respondent to pay a fine of \$5,000 and the administrative hearing fee of \$250.

Phien The Nguyen (Technician Candidate Registration No. 12563) Mr. McKay moved and Ms. Melancon seconded to accept the voluntary surrender of the registration. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the registration, resulting in the suspension of the registration for an indefinite period of time, effective April 24, 2007.

Kathy Anne Bull (Technician Candidate Registration No. 11710) Mr. McKay moved and Mr. Cassidy seconded to accept the voluntary surrender of the

registration. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the registration, resulting in the suspension of the registration for an indefinite period of time, effective April 18, 2007.

Desire Narcotic Rehabilitation Center (CDS License No. 15310) Mr. McKay moved and Dr. Dixon seconded to accept the voluntary surrender of the CDS license. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the CDS license resulting in a suspension of the CDS license for an indefinite period of time, effective April 30, 2007.

Barney Thomas Dotson (Pharmacist License No. 14629) Mr. McKay moved and Ms. Alderman 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 May 8, 2007.

David Michael Pelous (Pharmacist License No. 11181) Dr. Dixon moved and Ms. Angelle 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 May 9, 2007.

Esplanade Pharmacy (CDS License No. C-004579) Dr. Dixon moved and Mr. Cassidy seconded to accept the voluntary surrender of the CDS license. The motion was approved after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the CDS license, resulting in the suspension of the CDS license for an indefinite period of time, effective May 9, 2007.

Mr. Finalet noted the completion of all matters scheduled for that day. Mr. Aron expressed his appreciation to Mr. LaCour for his services.

10. Adjourn

Ms. Alderman 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 3:55 p.m.

Respectfully submitted,

Reuben R. Dixon, Pharm.D.
Secretary