



# 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, August 5, 2009 at 1:00 p.m.

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

### Administrative Hearing

Thursday, August 6, 2009 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, August 5, 2009 in the Boardroom of the Board's office, 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 1:15 p.m.

*2. Invocation & Pledge*

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Mr. Douglas Boudreaux 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. J. Douglas Boudreaux  
Mr. Allen W. Cassidy, Jr.  
Dr. Reuben R. Dixon  
Ms. Sydnie M. Durand  
Ms. Jacqueline L. Hall  
Mr. John O. LeTard  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb  
Mr. Richard A. Soileau

**Members Absent:**

Ms. Chris B. Melancon  
Mr. Ronald E. Moore

**Staff Present:**

Mr. Malcolm J. Broussard, Executive Director  
Mr. Carlos M. Finalet, III, General Counsel  
Ms. Kathleen V. Gaudet, Chief Compliance Officer  
Mr. M. Joseph Fontenot, Prescription Monitoring Program Manager  
Dr. Edwin H. Adams, Compliance Officer  
Mr. Stephen L. Collins, Compliance Officer  
Mr. Huey J. Savoie, Compliance Officer  
Mr. Rayland M. Trisler, Compliance Officer  
Mr. Benjamin S. Whaley, Compliance Officer

**Guests:**

Mr. Matthew Wilkinson – HCA Hospitals  
Ms. Rebecca Rabbitt – ICPT (Institute for Certification of Pharmacy Technicians)  
Mr. Russell Champagne, CPA – Kolder, Champagne, Slaven & Co.  
Mr. John Harris – Abbott Laboratories  
Ms. Mary Staples – NACDS  
Ms. Jackie McCrey – Albertson's Pharmacies  
Mr. Melvin Roberts, Jr.  
Ms. Phyllis Perron – La. Pharmacists Association  
Ms. Crystal Perry – La. Pharmacists Association  
Mr. John Liggio – La. Board of Wholesale Drug Distributors  
Mr. George Lovecchio – La. Board of Wholesale Drug Distributors  
Ms. Linda Spradley – Spradley & Associates, for CVS Pharmacies  
Mr. Bud Courson – Courson & Nickel, for NACDS  
Mr. Randal Johnson – La. Independent Pharmacies Association

Dr. Dixon certified that all but two of the members were present, constituting a quorum.

*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.

*5. Consideration of Minutes*

Mr. Aron reminded the Board members they had received the draft minutes from the previous meeting. Mr. Cassidy suggested two amendments to the draft document: correction of a typographical error on page 12, line 5, changing 'ad' to 'at', and further, correction of the mover of the motion to recess on page 20. With no objection to those amendments, Mr. Pitre moved,

**Resolved**, that the Minutes – as corrected – of the Regular Board Meeting on May 6, 2009 and the Administrative Hearing on May 7, 2009, both held in Baton Rouge, Louisiana are approved in their entirety.

The motion was adopted after a unanimous vote in the affirmative. Mr. Aron directed the insertion of the corrections in the Minute Book. Dr. Dixon reminded the members to sign the Minute Book.

*6. Report on Action Items*

Mr. Broussard reported there were no action items from the previous meeting.

*7. Confirmation of Acts*

Pursuant to Mr. Aron's declaration that the officers, committees, and executive director had attended to the business of the Board since the last meeting in accordance with policies and procedures previously approved by the Board, Mr. McKay moved,

**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 May 7, 2009 are approved, adopted, and ratified by the entire Board.

The motion was adopted 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.

Mr. Aron paused to recognize three current and past members of the Board for various awards presented to them during the recent annual meeting of the Louisiana Pharmacists Association. In particular, current member John LeTard received the *Independent Pharmacist of the Year Award*. Previous member Patricea Angelle received the *Bowl of Hygeia Award* and previous executive director and board member Fred Mills received the *Pharmacist of the Year Award*.

Before continuing with the posted agenda, Mr. Aron directed the members' attention to two framed items on the wall of the Boardroom, both recent gifts to the Board. The first is a letter dated 28 May 2009, which reads as follows:

Subject: American Flag Flown in Honor of the Louisiana Board of Pharmacy

On behalf of myself and the many other Louisiana pharmacists serving in the military over the years, I present to you our national flag which has been flown in the board's honor for your longstanding support of military pharmacists over the years. It was my pleasure to have this flag flown over the Craig Joint Theater Hospital on Memorial Day. The Craig Joint Theater Hospital is located on Bagram Air Field and is the military's medical hub for Afghanistan. All wounded American and most coalition forces in the Afghanistan's theater of operations come through the Craig Joint Theater Hospital. We boast a 98% survival rate for our soldiers, sailors, and airmen that reach our doors alive. I am certain you would be proud to know that pharmacy is a part of the initial team receiving team for wounded patients. Specifically, we recommend medications and dosages, prepare them on the spot, and then if needed administer medications at the bedside during those first critical minutes of treatment. To come back to the point, on behalf of your Louisiana military pharmacists who are currently stationed all over the world please accept this flag as a small token of our appreciation for your support over the years.

/s/

Paul J. Hoerner, Lt Col, USAF, BSC  
Chief, Pharmacy Services  
Craig Joint Theater Hospital  
Bagram Air Field, Afghanistan

The second item is a folded American flag accompanied by two multicolor doubloons – one for the Task Force Med Unit and the second for the Operation Enduring Freedom campaign – as well as a certificate, all enclosed in a customized frame. The certificate reads as follows:

Presented to the Louisiana Board of Pharmacy

These Stars and Stripes were proudly flown on the 25<sup>th</sup> day of May 2009, over the Craig Joint Theater Hospital in Bagram Air Field, Afghanistan at the request of Lt Col Paul Hoerner in recognition of your longstanding support of military pharmacists. It represents the American

resolve following the attack on the World Trade Center and the Pentagon on September 11, 2001 and bears witness to the destruction of terrorist forces threatening the freedom of the United States of America and the world.

Mr. Aron informed the members that he had already acknowledged receipt of the gifts and expressed the Board's appreciation in his communication with Lt Col Hoerner. He then returned to the posted agenda.

## 9. *Committee Reports*

### A. *Finance Committee*

Mr. Aron called upon Mr. Russell Champagne, CPA for the first portion of the report. Mr. Aron noted the Board has contracted with Mr. Champagne to provide accounting services for several years, and that he traditionally visits with the Board during the first meeting in the fiscal year. He reviews the final report for the prior year and provides perspective on the Board's fiscal health. Mr. Champagne directed the members to the *FY 2008-2009 Final Report* in their meeting binder. He reviewed the entire report and responded to questions, and he closed with a review of the Board's last ten fiscal years, noting the growth of the Board's operations, consistent with the expanded scope of responsibilities imposed on the Board by legislative mandates. With no further discussion, Mr. Bond moved,

**Resolved**, that the Board approve and adopt the *Fiscal Year 2008-2009 Final Report*, as presented, subject to audit.

The motion was adopted after a unanimous vote in the affirmative. Mr. Aron expressed his appreciation to Mr. Champagne for the tenure and quality of his firm's services to the Board.

Mr. Aron then called upon Mr. Bond to present the proposed budget amendment. Mr. Bond directed the members to the *Proposed Budget Amendments for Fiscal Year 2009-2010* in their meeting binder. He then requested Mr. Broussard review the proposals in detail. Mr. Broussard described the proposed changes, directing the members to the various notes in the document. With no further discussion, Mr. Bond moved,

**Resolved**, that the Board approve and adopt the *Proposed Budget Amendments for Fiscal Year 2009-2010* as presented, *in globo*, as *FY 2009-2010 Budget Amendment No. 1*.

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

Finally, Mr. Bond expressed his appreciation to the other committee members for the efforts on the previous day.

### B. *Application Review Committee*

Mr. Aron called upon Mr. McKay for the committee report. Mr. McKay reported the committee met on June 24 to consider 14 referrals from the staff. He reported the disposition of 7 applications and then presented the following files for Board action.

#### **Daniel Mark Hardin – Applicant for Pharmacy Intern Registration**

Mr. McKay moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the

issuance of the registration, and then ordered the suspension of the registration for five years and stayed the execution thereof, and then placed the registration and any subsequent pharmacist license or other credential on probation for five years, subject to certain terms enumerated in the consent agreement.

**Jeffery Keoin Wallis – Applicant for Pharmacy Technician Candidate Registration** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

**Eric Shyrome Thomas – Applicant for Pharmacy Technician Candidate Registration** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

**Takeisa Dawnyai Walker – Applicant for Pharmacy Technician Candidate Registration** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

**Cory Ryan Prince – Applicant for Pharmacy Technician Candidate Registration** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

**Dawne Renee Smith – Owner’s Managing Officer at BWS Medical Express, LLC, Applicant for Pharmacy Permit** Mr. McKay moved to deny the application and refuse to issue the permit. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the permit.

**Denise Gregoire – Applicant for Pharmacy Technician Candidate Registration** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

Finally, Mr. McKay expressed his appreciation to the other committee members for their participation in the June meeting.

*C. Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She

reported the committee had approved four 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 29 applicants earlier that day. She then moved,

**Resolved**, that the Board approve  
David Louis Albin  
Mark Allen Boeshore  
Ronald Charles Cavaretta, Jr.  
John Michael Corcoran  
Carol Ann Crawford  
Joseph Michael Fleischman  
Amy Atwood Frazier  
Joe Keith Guy  
John Stephen Helfrich  
Enrique Javier Hernandez  
Paul Carey Jennings  
Joe Lee Jones, Jr.  
Jennifer Lin Lucas  
Khanh-Linh Thi Mai  
Harriet Jo-Ann Manis  
Joseph John Marinelli  
Dan Quoc Nguyen  
Frank Louis Pallaria, Jr.  
Si Van Pham  
Michelle Lynn Primavera  
Cindy Sawyer  
Jamie Marie Schell  
Ira Schulman  
Sharmia Nicole Thomas  
Michael Joseph Varnado, Jr.  
Debora Christine Wagner  
Dorothy Marie Wilkes, *and*  
Gary Wilford Williams

for pharmacist licensure by reciprocity.

The motion was adopted after a unanimous vote in the affirmative. Ms. Hall then moved,

**Resolved**, that with respect to the application submitted by Fernando Luis Garcia, the Board authorize the issuance of a pharmacist license by reciprocity upon the Board's receipt of appropriate documentation relative to the dismissal of all pending charges, and further, the Board authorize the denial of the application and the refusal to issue the license upon the Board's receipt of appropriate documentation relative to a conviction or other adverse action from the pending legal matter.

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

Finally, Ms. Hall expressed her appreciation to the other members

of the committee for their work that morning.

*D. Violations Committee*

Mr. Aron called upon Dr. Dixon for the committee report. Dr. Dixon reported the committee held an informal conference on June 10-11, 2009 and reviewed that docket. He also reported their next informal conference was scheduled for September 16-18, 2009 and reviewed that docket. He then reviewed the docket for the administrative hearing scheduled for the next day.

Finally, Dr. Dixon 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.

**Charissa Dawn Abshire (PST.15560)** Mr. Rabb moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the suspension of the license for an indefinite period of time, effective May 13, 2009.

**Claude Albert Henderson, Jr. (PST.11775)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, subject to the satisfaction of certain conditions itemized in the consent agreement, and then once reinstated, suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years, subject to certain terms as enumerated in the consent agreement.

**Christi Shantelle Williams (PST.15233)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years, subject to certain terms as enumerated in the consent agreement.

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***Editor's Note:*** In preparation for the transition to a new licensure information system, the Board has adopted a coding system for its credentials, such that a three-lettered prefix will be followed by a period and then immediately by the credential number. Some of the relevant prefixes include PHY for pharmacy permit, PST for pharmacist license, PNT for pharmacy intern registration, CPT for certified pharmacy technician certificate, PTC for pharmacy technician candidate registration, and CDS for controlled dangerous substance license.

**Leo Gerard Riche (PST.14961)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, suspended the license for ten years and stayed the execution thereof, and then placed the license on probation for ten years, subject to certain terms as enumerated in the consent agreement.

**Chris David Bonvillain (PST.14463)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years, subject to certain terms as enumerated in the consent agreement.

**Raquelle Danielle Woodard (PNT.44998)** Mr. Rabb moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the suspension of the registration for an indefinite period of time, effective August 4, 2009.

**Charles Paul Guidry (PNT.46089)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative.

**Jimmy Ray Donald, Jr. (PNT.46103)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the issuance of the registration, suspended the registration for five years and stayed the execution thereof, and then placed the registration on probation for five years, subject to certain terms as enumerated in the consent agreement.

**Kirkland Daniel Jeanne – Applicant for Pharmacist License by Reciprocity** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the issuance of a pharmacist license by reciprocity.

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.

**Michael Bart Metettal (PST.11793)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request for the reinstatement of the previously lapsed license, subject to the satisfaction of certain

conditions itemized in the consent agreement.

**River Parishes Hospital Pharmacy (PHY.5310)** Mr. Adams moved to grant the request for termination of probation. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request for the termination of probation and the restoration of the permit to an unrestricted status.

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

G. *Tripartite Committee*  
(No report.)

H. *Regulation Revision Committee*

Mr. Aron called upon Dr. Anderson for the committee report. She reported the committee met on June 25 to review several topics. With respect to (1) *Limited Practice Permits*, (2) *Prescription Drug Take-Back Programs*, (3) *Hospital Pharmacy Dispensing/Distribution Processes and Recordkeeping Rules*, and (4) *Pharmacist Immunization without Prescription*, the committee voted to continue those matters until their next meeting. With respect to the topic *Necessity of a New Permit Classification and Rules for Colleges of Pharmacy*, the committee noted the absence of any interested parties on the topic at multiple meetings; following additional discussion, the committee concluded their deliberations and voted to return the topic to the Board with no recommendations.

Dr. Anderson reminded the members they had referred a request for approval of a life safety education and training program to the committee. She reported the members reviewed the materials and found them satisfactory for the Board's intent. She then moved,

**Resolved**, that the Board approve the *CPR Pro for the Professional Rescuer* educational program from the American Safety & Health Institute (ASHI) as an acceptable alternative to the requirement stipulated in §521 of the Board's rules.

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

Dr. Anderson reminded the members about the topic of drugs of concern for the Prescription Monitoring Program. She reported the committee voted to recommend the approval of a proposal to identify the drugs tramadol and butalbital/acetaminophen as drugs of concern to facilitate the collection of data for those drugs. She then moved,

**Resolved**, that the Board approve *Regulatory Proposal 2009-1 ~ Drugs of Concern*, and further, to authorize the Executive Director to submit the proposed rule for promulgation upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

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

Dr. Anderson reminded the members of their action on *Regulatory Proposal 2009-5 ~ Remote Processing Services* during their last Board meeting. Following the failure of the motion for approval of that proposal, HCA Hospitals filed a request for reconsideration of the matter. During their committee meeting, the members believed it was possible the physical construction of the proposal may have misled some board members. The committee then constructed a different proposal, deleting the concept of permitting remote processing from out-of-state locations and retaining the concept of permitting remote processing to occur within the state at any hour of the day regardless of whether the pharmacy was open for business. She then moved,

**Resolved**, that the Board approve *Regulatory Proposal 2009-6 ~ In-State Remote Processing*, and further, to authorize the Executive Director to submit the proposed rule for promulgation upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

The motion failed by a vote of 5-9. Ms. Alderman, Mr. Bond, Mr. Boudreaux, Mr. Cassidy, Ms. Durand, Mr. LeTard, Mr. McKay, Mr. Pitre, and Mr. Soileau objected.

Dr. Anderson reported on some current activities at the Office of Public Health at the Dept. of Health and Hospitals relative to influenza immunization. She suggested the members stay tuned for communications from that state agency. Mr. Aron reiterated the initiative was not an activity undertaken by the Board, and that questions should be referred to DHH.

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

At this point, Mr. Aron declared a brief recess. It was noted the Board recessed at 3:10 pm and then reconvened in open session at 3:40 pm. Mr. Aron then resumed the posted agenda sequence.

*I. Executive Committee*

Mr. Aron reported the committee had met the previous day to review several matters, some of which required action. He then presented the following matters to the Board for its consideration. Mr. Rabb moved,

**Resolved**, that the Board defer further consideration of the approval of the technician certification examination administered by the Institute for Certification of Pharmacy Technicians (ICPT) pending receipt of an evaluation of that test conducted by an appropriate organization mutually acceptable to ICPT and the National Association of Boards of Pharmacy (NABP).

The motion was adopted after a majority vote in the affirmative; Mr. Boudreaux and Mr. Cassidy objected. Mr. Rabb moved,

**Resolved**, that the Board approve the proposed modification of *Board Policy I.B.5.a ~ Reinstatement Committee*.

The motion was adopted after a unanimous vote in the affirmative. Mr. Rabb

moved,

**Resolved**, that the Board approve the proposed professional services agreement with Portico Learning Solutions, at the stipulated rate, in an amount not to exceed \$25,000 for Fiscal Year 2009-2010.

The motion was adopted after a unanimous vote in the affirmative. Mr. Rabb moved,

**Resolved**, that the Board approve the Legislative Auditor's Compliance Questionnaire for 2009.

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

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

## 10. Staff Reports

### J. Prescription Monitoring Program

Mr. Aron called upon Mr. Fontenot for the report. Mr. Fontenot provided follow-up information on several issues.

- The sole pharmacy not in compliance with the reporting requirement met with the Violations Committee and entered into a voluntary consent agreement with the Board. He agreed to the entry of a Letter of Reprimand against his pharmacy permit, some assessments, and agreed to achieve compliance no later than July 15, 2009. Although an extra visit from the compliance officer was necessary, that pharmacy is now reporting appropriately.
- Some volume indicators as of the end of the second quarter (June 30):
  - 12.4 million prescriptions in the database
  - 1,643 prescribers and dispensers authorized to access the database have made approximately 159,000 queries, then averaging approximately 1,000 queries per day.
  - Law enforcement agencies have submitted approximately 350 requests to date
- Mr. Fontenot reminded the members of the PMP Annual Report on the Board's website, and then abstracted the following information suggesting early signs of success with the program. The vendor compared monthly totals from December 2008 and May 2009 with respect to four different drugs:
  - For hydrocodone/acetaminophen products, there was a 4% reduction in the number of prescriptions and a 6.9% (1,025,021) reduction in the number of doses.
  - For alprazolam products, there was a 3.4% reduction in the number of prescriptions and a 2.2% reduction in the number of doses.
  - For methadone products, there was a 13% reduction in the number of prescriptions and a 13% reduction in the number of doses.
  - For oxycodone products, there was a 17% reduction in the number of prescriptions and a 12% reduction in the number of doses

*K. Chief Compliance Officer*

Mr. Aron called upon Ms. Gaudet for the report. She directed the members to the *Statistical Summary for Fiscal Year 2008-2009* in their meeting binder. That report included information that 501 complaints were closed out during the fiscal year, then relayed information as to the different processes used to close the complaints. The report also related that 132 of those complaints were referred to the Violations Committee and that 110 of those cases resulted in formal action by the Board. Finally, the report also presented information as to how many credentials received various types of sanctions

*L. General Counsel*

Mr. Aron called upon Mr. Finalet for the report. He deferred the presentation of his report until the following day.

*M. Report of Executive Director*

Mr. Aron called upon Mr. Broussard for the report. Mr. Broussard directed the members to his report which was posted in the Boardroom Library prior to the meeting; it was also included in the meeting binder. He reviewed the following topics:

- Meeting Activity
- Reports
  - Annual Report for 2009  
At Mr. Broussard's reminder of the necessity for formal approval of this report, Ms. Alderman moved,  
**Resolved**, that the Board approve the Annual Report for 2009.  
The motion was adopted after a unanimous vote in the affirmative.
  - Census Reports – Credentials Division
  - Census Reports – Compliance Division
  - Licensure Activity Report
  - Exceptions Report
    1. PIC at Multiple Pharmacies
    2. Special Work Permits
- Examinations
  - MPJE
  - NAPLEX
  - PTCB
- Operations
  - 2009 Renewal Cycle for Technicians
  - 2009 Technician CE Audit
  - e-License Project
- Collaborations
  - Collaborative Drug Therapy Management (CDTM)
- Regulatory Activities at Other Agencies

- Legislative Activities
- NABP Elections
- NABP Annual Meeting

Prior to continuing with the agenda, Mr. Aron recognized Ms. Durand for a motion. She noted that Mr. Broussard was currently serving as Treasurer for the National Association of Boards of Pharmacy (NABP) and that his term would conclude at the next NABP Annual Meeting in May 2010. She indicated that he is interested in submitting a letter of intent to stand for nomination and election as the President-Elect of NABP at that meeting, but that he would not do so without the full support of the Board. She expressed her opinion of his suitability to lead the NABP and hoped the members would agree. She then moved,

**Resolved**, that the Louisiana Board of Pharmacy endorse and fully support the candidacy of Mr. Malcolm Broussard, Executive Director, for the office of President-Elect of the National Association of Boards of Pharmacy.

The motion was adopted after a unanimous second and vote in the affirmative. Mr. Broussard expressed his appreciation to the members for their motion and support.

*11. Request for Opinion – Use of Robotic Technology in Sterile Compounding Activities*

Mr. Aron reported the petitioner was en route, but suffered the cancellation of a connecting flight. He contacted the Board office and requested the opportunity to present his request at a later date. Mr. Aron deferred the matter to a later date.

*12. Request for Opinion – Sale of Medical Gases and Medical Devices Pursuant to Prescription*

Mr. Aron requested Mr. Broussard to provide background information on the topic, and he then introduced Mr. John Liggio, Executive Director of the Louisiana State Board of Wholesale Drug Distributors as well as his associate, Mr. George Lovecchio, a compliance officer for that agency.

Mr. Broussard related the historical lack of enforcement by the Board of Pharmacy in the area of medical gases and medical devices. Mr. Liggio related the increasing frequency of discovery of distribution facilities dispensing medical gases and devices pursuant to a prescription, but without a permit from the Board of Pharmacy.

Several members offered their opinion that the dispensing of medical gases and devices pursuant to a prescription should be regulated by the Board of Pharmacy, but they also acknowledged several challenges associated with current pharmacy laws and rules.

Mr. Aron referred the matter to the Regulation Revision Committee for their consideration of appropriate recommendations for this matter.

*13. Request for Opinion – Distribution of Drugs By and Between Pharmacies*

Mr. Aron requested Mr. Broussard to provide the background information on the topic. He reviewed the Prescription Drug Marketing Act of 1987, the federal rules, the state law, and the state rules all relative to wholesale distribution, as well as the exceptions contained therein. He identified the two exceptions on the federal level that

do not exist on the state level. He suggested that many pharmacies may be misinformed as to whether or not they may distribute – as opposed to dispense – drugs using their pharmacy permit or whether they need a distributor permit. Mr. Liggio provided additional information to the members.

Mr. Aron directed Board staff to develop some guidance language for approval by both Boards for communication to pharmacists and pharmacies.

#### *14. Announcements*

Mr. Aron reminded the members and staff of the calendar notes, and then directed them to that information in their meeting packets.

#### *15. Recess*

Mr. Soileau moved to recess until the following morning. Having completed the tasks itemized on the posted agenda, and with no further business before the Board, Mr. Aron recessed the meeting at 5:35 p.m.

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An Administrative Hearing was convened on Thursday, August 6, 2009 in the Boardroom of the Board's office, 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.

#### *A. Call to Order*

Mr. Aron called the meeting to order at 8:40 a.m.

#### *B. 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.

At this point, Ms. Durand moved,

**Resolved**, that the Board dedicate this meeting to Lt. Col. Paul J. Hoerner, USAF, BSC in recognition and grateful appreciation for his military service.

The motion was adopted after a unanimous second and vote in the affirmative.

#### *C. Quorum Call*

Mr. Aron called upon Secretary Dixon, and he called the roll. After doing so, he informed Mr. Aron that all of the members except Mr. Boudreaux, Ms. Melancon, and Mr. Moore were present, constituting a quorum.

#### *D. Call for Additional Agenda Items*

Mr. Aron asked if there were any additional agenda items; none were requested. At that 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. There were no objections to his request.

*E. Opportunity for Public Comment*

Mr. Aron reminded the members and guests 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.

*F. Formal Hearings*

Mr. Aron declared the Administrative Hearing in session, and then served as the Hearing Officer. Ms. Celia Cangelosi served as the Prosecuting Attorney, and Mr. Carlos M. Finalet, III served as General Counsel for the Board. Mr. Mark LaCour was the Official Recorder, and Mr. Malcolm Broussard served as the Hearing Clerk. Mr. Aron indicated the jury for the formal hearings would be composed of all the members except for those members present at the last meeting of the Violations Committee – specifically, Mr. Adams, Mr. Bond, Dr. Dixon, and Mr. Rabb. 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, August 6, 2009 in the Board office, for the purpose to wit:

*A G E N D A*

NOTE: This agenda is tentative until 24 hours in advance of the meeting, at which time the most recent revision becomes official.  
Revised 07-22-2009

- 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. PHY.5581 – Triel Regions Pharmacy Complaint No. 08-0059
  - 02. CPT.8502 – Kirsten Nicole Carter Complaint No. 09-0230
  - 03. CDS.33691 – Curtis Lee Beauregard, M.D. Complaint No. 09-0228
  - 04. CDS.12566 – Maria Carmen Palazzo, M.D. Complaint No. 09-0266
  - 05. CPT.7221 – Misty Dawn McCarty Complaint No. 08-0211
  - 06. PHY.4436 – Complete Vital Care, Inc. Complaint No. 09-0257
- G. Report of Violations Committee – Consideration of Voluntary Consent Agreements
  - 07. PHY.1188 – Walter Birdsall Pharmacy, Inc. Complaint No. 08-0185

08.	PHY.2125 – Walgreen Pharmacy No. 110-01790	Complaint No. 08-0300
+		
09.	PST.14951 – Philomene Biagas Burrell	Complaint No. 08-0301
+		
10.	CPT.8798 – Christy Huelynn Madison	Complaint No. 09-0260
11.	PHY.2841 – Walgreen Pharmacy No. 110-02920	Complaint No. 09-0285
12.	CPT.8777 – Sue Lin Chin	Complaint No. 08-0262
13.	PHY.5937 – Cardinal Health <i>dba</i> Medical Plaza Pharmacy	Complaint No. 08-0290
+		
14.	PHY.5929 – Cardinal Health <i>dba</i> Lake Charles Memorial Hosp.	Complaint No. 08-0292
15.	PHY.5811 – CVS Pharmacy No. 5321	Complaint No. 09-0229
16.	PST.15462 – Kevin Alan Broussard	Complaint No. 08-0057
17.	PHY.1388 – Thompson’s Family Pharmacy	Complaint No. 09-0300
18.	PST.8572 – Adolph Fields Bynum, Sr.	Complaint No. 08-0060
+		
19.	PST.8266 – Merlin Joseph Gilyot, Sr.	Complaint No. 08-0061
+		
20.	CPT.2127 – Lurthie Slaughter Leatherman	Complaint No. 08-0063
+		
21.	CPT.6540 – Deborah Louise Slaughter-Ford	Complaint No. 08-0064
+		
22.	CPT.6751 – Kalisha Jenay Slaughter	Complaint No. 08-0065
23.	PHY.2236 – Ardoin’s Crescent Drug Store	Complaint No. 09-0280
+		
24.	PST.6035 – Amos Lee Ardoin	Complaint No. 09-0281
25.	PHY.4647 – Lincare, Inc <i>dba</i> United Medical, Inc.	Complaint No. 09-0310

H. Report of General Counsel

*Consideration of Voluntary Consent Agreements*

26.	PST.16302 – Dung Tran Nguyen	Complaint No. 09-0276
27.	CPT.8083 – Sabrina Denise Smith	Complaint No. 09-0400
28.	CPT.5659 – Latricia Lockhart Ventura	Complaint No. 09-0399

*Consideration of Voluntary Surrenders*

29.	CPT.7306 – Brandy Nicole Bush	Complaint No. 09-0351
30.	CDS.31619 – Vintage Poirier, DDS	Complaint No. 09-0352
31.	PST.14644 – Jimmy Martin Taylor, II	Complaint No. 09-0284
32.	CPT.7447 – Nastassia Yvette Nash	Complaint No. 09-0370

## I. Adjourn

Mr. Aron called upon Ms. Cangelosi to proceed with the formal hearings. She then presented the following matters to the members of the hearing panel for their consideration.

**Kirsten Nicole Carter (CPT.8502)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, she was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, four witnesses, and seven exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 9:15 a.m. and then returned to open session, at the instant case, at 9:55 a.m.

Ms. Alderman moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 7 to remove the specific times of the day, Item 9 to insert the words 'recorded as' immediately following the word 'officially', and Item 16 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Alderman moved,

**Resolved**, that the Board accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by correcting the certificate number, and deleting the following citations: La. R.S. 37:1164(44), La. R.S. 37:1241(A)(3), La. R.S. 37:1241(A)(15), and La. R.S. 40:951(33), adopt the amended conclusions as our own, and then enter them into the hearing record.

Prior to the vote, Mr. McKay suggested the panel members did not intend to remove the La. R.S. 37:1241(A)(15) citation from the document. He then moved to amend the motion to return that citation to the proposed conclusions of law. The motion to amend was adopted after a unanimous vote in the affirmative. With no further discussion, the main motion to accept the amended conclusions was adopted after a unanimous vote in the affirmative. Ms. Alderman moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 8502, held by Kirsten Nicole Carter, shall be, and is hereby, revoked, effective on the entry of this order; and further, the respondent shall pay the following assessments: (1) a fine of \$1,000; (2) the administrative hearing fee of \$250; and (3) the investigative and hearing costs, including the costs of the prosecuting attorney, the advisor to the hearing officer, and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned 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 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 adopted after a unanimous vote in the affirmative.

**Complete Vital Care, Inc. (PHY.4436)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, respondent was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, three witnesses, and six exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Ms. Alderman moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:25 a.m. and then returned to open session, at the instant case, at 10:45 a.m.

Mr. Soileau moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 11 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Mr. Soileau moved,

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

The motion was adopted after a unanimous vote in the affirmative. Mr. Soileau moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Permit No. 4436, held by Complete Vital Care, Inc., shall be, and is hereby, revoked, effective on the entry of this order; and further, the respondent shall pay the following assessments: (1) a fine of \$10,000; (2) the administrative hearing fee of \$250; and (3) the investigative and hearing costs, including the costs of the prosecuting attorney and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of this permit, shall be conditioned 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 him in any jurisdiction.

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

**Triel Regions Pharmacy (PHY.5581)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, the respondent was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, two witnesses, and seven exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 11:00 a.m. and then returned to open session, at the instant case, at 11:15 a.m.

Ms. Hall moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 9 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Hall moved,

**Resolved**, that the Board accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by deleting La. R.S. 37:1241(A)(3), adopt the amended conclusions as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Hall moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Permit No. 5581, held by Triel Regions Pharmacy, shall be, and is hereby, revoked, effective on the entry of this order; and further, the respondent shall 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 prosecuting attorney and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned 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 him in any jurisdiction.

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

**Misty Dawn McCarty (CPT.7221)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, the respondent was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, one witness, and six exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. Pitre moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 11:30 a.m. and then returned to open session, at the instant case, at 11:45 a.m.

Mr. McKay moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 12 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay moved,

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

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 7221, held by Misty Dawn McCarty, shall be,

and is hereby, suspended, effective on the entry of this order; and further, the respondent shall 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 prosecuting attorney and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned 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 adopted after a unanimous vote in the affirmative.

At this point, Mr. Aron declared a brief recess for lunch. It was noted the hearing panel recessed at 11:50 a.m. and then reconvened in open session at 12:20 p.m. Mr. Aron requested Ms. Cangelosi to continue with the matters scheduled for hearing that day. She then presented the remaining cases for the hearing panel's consideration.

**Maria Carmen Palazzo (CDS.12566.MD)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, the respondent was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, one witness, and four exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 12:40 p.m. and then returned to open session, at the instant case, at 1:00 p.m.

Mr. McKay moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 5 to correct the new address of 5941 Milne Blvd, Item 6 to correct the language at the end of the first sentence to read "address of record and the new address." as well as the final sentence to read: "The certified mailing was received at the address of record on July 6, 2009 and received at the new address on July 7, 2009.", and Item 7 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay moved,

**Resolved**, that the Board accept the Conclusion of Law as proposed by the Prosecuting Attorney, adopt it as our own, and then enter it into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Controlled Dangerous Substance License No. 12566, held by Maria Carmen Palazzo, MD, shall be, and is hereby, suspended for an indefinite period of time, effective on the entry of this order.

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

**Curtis Lee Beauregard (CDS.33691.MD)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, the respondent was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, one witness, and four exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 12:40 p.m. and then returned to open session, at the instant case, at 1:00 p.m.

Ms. Alderman moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 7 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Alderman moved,

**Resolved**, that the Board accept the Conclusion of Law as proposed by the Prosecuting Attorney, adopt it as our own, and then enter it into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Alderman moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Controlled Dangerous Substance License No. 33691, held by Curtis Lee Beauregard, MD, shall be, and is hereby, suspended for an indefinite period of time, effective on the entry of this order.

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

Ms. Cangelosi noted the completion of all formal hearings scheduled for that day. Mr. Aron expressed his appreciation to Ms. Cangelosi for her legal services that day.

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

Mr. Aron called upon Dr. Dixon for the report. Dr. Dixon presented the following matters to the members for their consideration:

**Walter Birdsall Pharmacy (PHY.1188)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$2,000 plus administrative and investigative costs

**Walgreen Pharmacy No. 110-1790 (PHY.2125)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$2,500 plus administrative costs.

**Philomene Biagas Burrell (PST.14951)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning, and further, assessed a fine of \$250 plus administrative costs.

**Christy Huelynn Madison (CPT.8798)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning, and further, assessed a fine of \$250 plus administrative costs.

**Walgreen Pharmacy No. 2920 (PHY.2841)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for thirty days and stayed the execution thereof, and then placed the permit on probation for thirty days, and further, assessed a fine of \$5,000 plus administrative costs.

**Sue Lin Chin (CPT.8777)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$250 administrative costs.

**Cardinal Health Solutions dba Medical Plaza Pharmacy (PHY.5937)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$5,000 plus investigative and administrative costs.

**Cardinal Health Solutions dba Lake Charles Memorial Hospital Pharmacy (PHY.5929)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$5,000 plus administrative costs.

**CVS Pharmacy No. 5321 (PHY.5811)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning, and further, assessed investigative and administrative costs.

**Kevin Alan Broussard (PST.15462)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years, subject to certain terms as enumerated in the consent agreement, and further, assessed investigative and administrative costs.

**Adolph Fields Bynum, Sr. (PST.8572)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed investigative and administrative costs.

**Merlin Joseph Gilyot (PST.8266)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed administrative costs.

**Deborah Louise Slaughter-Ford (CPT.6540)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$250 plus administrative costs.

**Kalisha Jenay Slaughter (CPT.6751)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$250 plus administrative costs.

**Lurthie Slaughter Leatherman (CPT.2127)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$250 plus administrative costs.

**Thompson's Family Pharmacy (PHY.1388)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$3,000 plus administrative costs.

**Ardoin's Crescent Drug Store (PHY.2236)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for five years and stayed the execution thereof, and then placed the license on probation for five years, subject to certain terms as enumerated in the agreement, and further, the Board revoked

the CDS license effective July 31, 2009, and further, assessed a fine of \$10,000 plus investigative and administrative costs.

**Amos Lee Ardoin (PST.6035)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years subject to certain terms as enumerated in the consent agreement, and further, assessed a fine of \$5,000 plus administrative costs.

**Lincare, Inc. dba United Medical, Inc. (PHY.4647)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the suspension of the permit for an indefinite period of time, effective June 22, 2009.

*H. Report of General Counsel*

Mr. Aron called upon Mr. Finalet for the report. Mr. Finalet then presented the following matters to the members for their consideration.

**Dung Tran Nguyen (PST.16302)** Dr. Dixon moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$250 plus administrative costs.

**Sabrina Denise Smith (CPT.8083)** Mr. McKay moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited any future application for the reinstatement of the certificate.

**Latricia Lockhart Ventura (CPT.5659)** Mr. McKay moved to approve the consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited any future application for the reinstatement of the certificate.

**Vintage Poirier (CDS.31619.DDS)** Mr. Cassidy moved to accept the voluntary surrender. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the suspension of the license for an indefinite period of time, effective June 3, 2009.

**Jimmy Martin Taylor (PST.14644)** Dr. Dixon moved to accept the voluntary surrender. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the suspension of the license for an indefinite period of time, effective June 8, 2009.

**Brandy Nicole Bush (CPT.7306)** Mr. McKay moved to accept the voluntary surrender. The motion was adopted after a unanimous vote in the affirmative.

The Board accepted the voluntary surrender of the credential, resulting in the suspension of the certificate for an indefinite period of time, effective May 26, 2009.

**Jeanna Lee Hester (PST.18716)** Mr. McKay moved to accept the voluntary surrender. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the suspension of the license for an indefinite period of time, effective July 21, 2009.

**Nastassia Yvette Nash (CPT.7447)** Mr. McKay moved to accept the voluntary surrender. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the suspension of the certificate for an indefinite period of time, effective July 6, 2009.

*I. Adjourn*

Mr. Cassidy moved to adjourn. The motion was adopted after a unanimous vote in the affirmative. Having completed the tasks itemized on the posted agenda, and with no further business before the Board, Mr. Aron adjourned the meeting at 1:25 p.m.

Respectfully submitted,

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Reuben R. Dixon, PharmD  
Secretary