



# Louisiana Board of Pharmacy

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## Minutes

**Regular Meeting**

Wednesday, November 18, 2015 at 9:30 a.m.

**Location:**

Louisiana Board of Pharmacy  
3388 Brentwood Drive  
Baton Rouge, Louisiana 70809-1700

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, November 18, 2015 in the Boardroom of the Board's office, located at 3388 Brentwood Drive 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 9:35 a.m.

*2. Invocation & Pledge*

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Dr. Deborah Simonson then led the group in the recitation of the Pledge of Allegiance.

*3. Quorum Call*

Mr. Aron called upon the Secretary, Mr. Bond, to call the roll to establish a quorum.

**Members Present:**

Mr. Carl W. Aron  
Mr. Brian A. Bond  
Mr. Clovis S. Burch  
Mr. Ryan M. Dartez  
Ms. Jacqueline L. Hall  
Mr. Richard M. Indovina  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Ms. Diane G. Milano  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb  
Ms. Pamela G. Reed  
Mr. Don L. Resweber  
Dr. Deborah H. Simonson  
Mr. Richard A. Soileau  
Mr. Rhonny K. Valentine

**Members Absent:**

Mr. Ronald E. Moore

**Staff Present:**

Mr. Malcolm J. Broussard, Executive Director  
Mr. Carlos M. Finalet, III, General Counsel  
Mr. M. Joseph Fontenot, Assistant Executive Director

**Guests:**

Mr. Charles Trahan  
Ms. Kathleen Gaudet  
Mr. Al Gaudet  
Ms. Maureen Vocke  
Dr. Edward C. Vocke, III

Ms. Karen S. Vocke  
Ms. Sarah Vocke  
Mr. Michael Weber – Roadrunner Pharmacy  
Mr. John Rocchio – CVS Health  
Ms. Tammie Koelz – Walgreen Pharmacy  
Dr. Kirk Ryan – La. Veterinary Medical Association  
Dr. Trisha Marullo – La. Veterinary Medical Association  
Mr. Nick Caharin – NACDS  
Mr. Tim Koch – Wal-Mart Stores  
Mr. Jim Nickel – Walgreen Pharmacy  
Mr. David Ruckman – Target Pharmacy  
Mr. Russell Caffery – La. Independent Pharmacies Association  
Ms. Lauren Landry – La. Veterinary Medical Association  
Mr. Bland O'Connor – La. Veterinary Medical Association  
Mr. Everett McAllister – Pharmacy Technician Certification Board  
Mr. Ben J. Sims – Brookshire Grocery Co. Pharmacies  
Mr. Matt Moreau – Moreau Medical  
Mr. Geoffrey Gros – Wal-Mart Stores

Mr. Bond certified 16 of the 17 members were present, constituting a quorum for the conduct of official business.

*4. Call for Additional Agenda Items & Adoption of Agenda*

Mr. Aron asked if there were any additional agenda items, but none were offered. With no objection, the Board adopted the posted agenda dated November 16, 2015. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of accommodating certain guests. There were no objections to that request.

*5. Consideration of Minutes*

Mr. Aron reminded the members they had received the draft minutes from the Regular Board Meeting on August 12 and the Administrative Hearing on August 13, both of which were held in Baton Rouge, Louisiana. With no objections, he waived the reading thereof. With no requests for amendment or any objection to their approval, Mr. Aron declared the minutes were approved as presented. Mr. Bond reminded the members to sign the Minute Book.

*6. Report on Action Items*

Mr. Aron called on Mr. Broussard for the report. Mr. Broussard reviewed the rulemaking activities directed during the previous Board meeting, specifically in reference to the two emergency rules relative to Compounding for Office Use for Veterinarians and Electronic Signatures on Facsimile Prescriptions.

*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. Rabb 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 August 13, 2015 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 the Open Meetings Law requires all public bodies to provide an opportunity for public comment at all meetings and for each agenda item upon which a vote is to be taken. He solicited general comments on non-agenda items from the guests present, but none were offered.

*\* Statement of Purpose*

Mr. Aron reminded the members of the purpose and mission of the Board of Pharmacy by reciting the relevant portion of the Louisiana Pharmacy Practice Act. He urged the members to keep their mission in mind as they considered all the matters before them.

*\*\* Special Order of the Day – Presentation of Pharmacist Gold Certificates.*

Mr. Aron informed the members present that 134 pharmacists received their initial license from the Louisiana Board in 1965, and of that number, 51 were still actively licensed and qualified for their gold certificate, and further, that three of that number were present to receive their gold certificates. He then presented those certificates to:

- PST.008941 – Charles Davis Trahan
- PST.009015 – Edward Charles Vocke, III
- PST.009016 – Karen Schell Vocke

All of the members and guests congratulated each of the recipients with a round of generous applause.

*9. Election of Board Officers*

Mr. Aron reminded the members of their duty to elect officers for the Board during the final Board meeting of the calendar year. He then conducted the election, and the following members assumed their respective offices immediately:

- President – Carl W. Aron
- First Vice President – T. Morris Rabb
- Second Vice President – Marty R. McKay
- Third Vice President – Chris B. Melancon
- Secretary – Brian A. Bond

*10. Committee Reports*

*A. Finance Committee*

Mr. Aron called upon Mr. Pitre for the committee report. Mr. Pitre reported the committee had met the previous day to review two documents prepared by the staff. Mr. Pitre directed the members to the interim report for the current fiscal year, reviewed the highlights, and indicated the report was presented for information only and required no action by the Board. He then directed the members to the *Proposed Budget for Fiscal Year 2016-2017*. He indicated the committee members had reviewed the proposal, which

included performance adjustments for the staff in 2016, and voted to recommend the adoption of the proposed budget as presented. He then moved,

**Resolved**, to approve and adopt the Proposed Budget for Fiscal Year 2016-2017.

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

Finally, he expressed his appreciation to the other committee members for their efforts the previous day.

*B. Application Review Committee*

Mr. Aron called upon Mr. Soileau for the committee report. Mr. Soileau reported the committee met on September 22 to consider five referrals from the staff. Following their interviews of the applicants and subsequent deliberations, the committee authorized the issuance of a pharmacist license without restriction, and also deferred the consideration of one applicant for a PTC registration as well as one applicant for a CPT certificate, both pending resolution of previously existing legal matters. He then presented the following files to the Board for their consideration of the committee recommendations.

**Larry Wade (Applicant for PTC Registration)** Mr. Soileau moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the issuance of the PTC registration as well as any other credential for which he might qualify, then immediately suspended the registration (and any subsequent credential) for eighteen months and stayed the execution of the suspension, then placed the registration (and any subsequent credential) on probation for eighteen months, effective on the date of issuance, subject to certain terms enumerated in the consent agreement.

**LaTashua Yvette Mitchell (Applicant for PTC Registration)** Mr. Soileau moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the issuance of the PTC registration as well as any other credential for which she might qualify, then immediately suspended the registration (and any other subsequent credential) for eighteen months and stayed the execution of the suspension, then placed the registration (and any subsequent credential) on probation for eighteen months, effective on the date of issuance, subject to certain terms enumerated in the consent agreement.

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

*C. Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She reported the staff had evaluated 66 applications for pharmacist licensure by reciprocity and that none of them contained information that warranted a committee-

level review. In conformance with policies and procedures previously approved by the Board, the staff approved the applications and issued the credentials.

Finally, she closed her report with appreciation to the other committee members for their ongoing efforts.

*D. Violations Committee*

Mr. Aron called upon Mr. Bond for the committee report. Mr. Bond reported the committee held an informal conference on September 2-3, 2015 to consider their posted agenda which included 25 cases: 9 pharmacists, 7 pharmacy technicians, 8 pharmacy permits, and one CDS license for a physician. After interviews and deliberations, the committee took no formal action against 9 of the cases. The committee directed the issuance of non-disciplinary Letters of Noncompliance to three of the respondents. In addition, the committee directed one respondent to submit to a medical evaluation and deferred further consideration of that matter pending receipt and review of the results of that evaluation. The committee offered proposed voluntary consent agreements to the remaining 12 respondents, and all but one accepted the proposal. The single respondent who did not accept the committee proposal was scheduled for a future administrative hearing. Mr. Bond then presented the following files to the members for their consideration.

**Kollam, Inc. d/b/a Safe Pharmacy (PHY.006997)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the permit owner a fine of \$35,000 plus administrative and investigative costs.

**Brandon Kyle Hendrickson (PST.020622)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the respondent a fine of \$5,000 plus administrative costs.

**Kerry Morris Andrade (CPT.008499)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed the respondent a fine of \$250 plus administrative costs.

**Park Irmat Drug, Inc. d/b/a Irmat Pharmacy (PHY.007007)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the permit owner a fine of \$30,000 plus administrative and investigative costs.

**Majeste's St. Claude Pharmacy, Inc. d/b/a St. Claude Pharmacy (PHY.005760)** Mr. Bond moved to approve the proposed voluntary consent

agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the permit.

**Gregory Jon Wendling (PST.013246)** Mr. Bond moved to approve the proposed voluntary consent agreement. During the discussion, Mr. Soileau moved to enter into executive session for the purpose of discussing the character and professional competence of the respondent. The motion for executive session was adopted after a unanimous roll call vote in the affirmative.

It was noted the Board entered into executive session at 10:15 a.m. and then returned to open session at 10:45 a.m.

Mr. Aron reminder the members the original motion was still pending. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for one year and stayed the execution of the suspension, then placed the license on probation for one year, effective November 18, 2015, subject to certain terms enumerated in the consent agreement; and further, assessed the respondent a fine of \$25,000 plus administrative and investigative costs; and further, placed two permanent restrictions on the license: (1) he shall not have any ownership interest in any pharmacy licensed by the Board after December 31, 2015, and (2) he shall not serve as the pharmacist-in-charge of any pharmacy licensed by the Board after December 31, 2015.

**William Paul Collins (PST.013528)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$5,000 plus administrative costs; and further, placed a restriction on the license by prohibiting him from serving as the pharmacist-in-charge of any pharmacy licensed by the Board.

**Ashley Nicole Rausin (CPT.01112)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited the acceptance of any application for the reinstatement of the certificate or for any other credential issued by the Board.

**Northside Pharmacy, LLC d/b/a Global Pharmacy (PHY.007110)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the permit owner a fine of \$50,000 plus administrative and investigative costs.

**Walgreen Louisiana Co., Inc. d/b/a Walgreen Pharmacy No. 7197 (PHY.004999)** Mr. Bond moved to approve the proposed voluntary consent

agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the permit owner a fine of \$10,000 plus administrative and investigative costs.

**Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 5296 (PHY.005851)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed the permit owner a fine of \$50,000 plus administrative and investigative costs.

Mr. Bond reported the committee will meet on December 16 to consider that docket of 37 cases, which includes 14 pharmacists, 5 pharmacy technicians, 4 pharmacy technician candidates, and 14 pharmacy permits.

Finally, Mr. Bond concluded his report with appreciation to the other committee members for their ongoing efforts.

*E. Impairment Committee*

Mr. Aron called upon Mr. Rabb for the committee report. Mr. Rabb reported the committee met the previous day to consider 10 referrals from the staff. Following their interviews of the applicants and subsequent deliberations, the committee executed a no-practice agreement with one of the applicants and then deferred further consideration of that matter pending the receipt and review of additional information requested of the applicant. Mr. Rabb then presented the following files to the members for their consideration.

**Charles Paul Guidry (PST.020067)** 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 active suspension of the license for an indefinite period of time, effective November 3, 2015.

**Kelly Ann Smith (CPT.012498)** 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 active suspension of the certificate for an indefinite period of time, effective October 5, 2015.

**Andrea Katherine Bourque (PST.019587)** 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 active suspension of the license for an indefinite period of time, effective October 13, 2015.

**Hoa Thi Pham (PNT.046513)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the applicant's request for the

reinstatement of the previously suspended intern registration, contingent upon verification of her re-enrollment in a college of pharmacy; and further, upon said verification, the intern registration shall be automatically reinstated, then suspended for five years with execution of the suspension stayed, and then placed on probation for five years, effective on the date of reinstatement, subject to certain terms enumerated in the consent agreement.

**Benji Joseph Juneau (PST.016348)** Mr. Rabb moved to approve the applicant's request for termination of the probationary period scheduled to conclude on November 16, 2021. The motion was adopted after a unanimous vote in the affirmative. The Board removed all probationary terms and restored the license to active and unrestricted status.

**Clay Devoe Jones (PST.015687)** Mr. Rabb moved to approve the applicant's request for termination of the probationary period scheduled to conclude on February 21, 2018. The motion was adopted after a unanimous vote in the affirmative. The Board removed all probationary terms and restored the license to active and unrestricted status.

**Tiffany Cathleen Luse Upshaw (PST.018936)** Mr. Rabb moved to approve the applicant's request to modify the probationary terms by removing the restriction on the pharmacist-in-charge (PIC) privilege. The motion was adopted after a unanimous vote in the affirmative. The Board modified the probationary terms by restoring the PIC privilege to active status.

**Amy Rebecca Douglas (Applicant for Pharmacist License by Reciprocity)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the issuance of the pharmacist license, then immediately suspended it for a period of time ending May 15, 2028 and stayed the execution of the suspension, then placed the license on probation for a period of time ending May 15, 2028, subject to certain terms enumerated in the consent agreement.

**Stephen Leonard Collins (PST.011311)** Mr. Rabb moved to approve the proposed voluntary 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 of the suspension, then placed the license on probation for five years, effective November 18, 2015, subject to certain terms enumerated in the consent agreement.

Finally, Mr. Rabb closed his report with appreciation to his fellow committee members for their work the previous day and for the ongoing staff support.

*F. Reinstatement Committee*

Mr. Aron called upon Ms. Melancon for the committee report. Ms. Melancon reported the committee had met the previous day to consider the nine referrals from the staff. Following their interviews of the applicants and subsequent deliberations, the committee deferred consideration of one application pending receipt and review of additional information requested by the committee; and further, allowed one applicant to withdraw his application. She then reported the following files to the members for their consideration.

**Physician Choice Pharmacy, LLC d/b/a Physician Choice Pharmacy (PHY.006739)** Ms. Melancon moved to approve the application for reinstatement of the lapsed permit, contingent upon the completion of certain requirements. The motion was adopted after a unanimous vote in the affirmative. The Board authorized the reinstatement of the permit, contingent upon the completion of certain requirements no later than December 15, 2015.

**Shantelle Dionne Payton (CPT.010037)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the applicant's request for reinstatement of the previously suspended certificate by converting the duration of the suspension from an indefinite term to a term of three years and stayed the execution of the suspension, then placed the certificate on probation for three years, effective November 18, 2015, subject to certain terms enumerated in the consent agreement.

**Jennifer LaCole Farmer (CPT.008812)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the applicant's request for reinstatement of the lapsed certificate, then immediately suspended the certificate for three years and stayed the execution of the suspension, then placed the certificate on probation for three years, effective November 18, 2015, subject to certain terms enumerated in the consent agreement.

**Crystal Eva Terrebonne (CPT.006116)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the lapsed certificate, contingent upon the satisfaction of certain requirements no later than November 18, 2016.

**Trang Phuong Nguyen (CPT.004717)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the lapsed certificate, contingent upon the satisfaction of certain requirements no later than November 18, 2016.

**Delilah Burgess LaFitte (CPT.004491)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the lapsed certificate, contingent upon the satisfaction of certain requirements no later than November 18, 2016.

**Bruce Leonard Wilson (CDS.045878-MD)** Ms. Melancon moved to approve the reinstatement of the previously suspended license. The motion was adopted after a unanimous vote in the affirmative. The Board reinstated the CDS license to active and unrestricted status.

Ms. Melancon closed the report with appreciation to the other committee members for their work the previous day.

*G. Tripartite Committee*

Mr. Aron noted the committee had not met since the last Board meeting.

*H. Regulation Revision Committee*

Mr. Aron called upon Mr. McKay for the committee report. Mr. McKay noted the committee met on September 22 to review a first draft of a proposed set of rules for the marijuana pharmacy permit. He indicated the members suggested several revisions to that first draft and would review a second draft at their next meeting, and further, had no documents ready to submit to the Board for approval at this meeting. However, he noted the Board did need to review the comments and testimony offered during a public hearing on a previously approved regulatory proposal relative to compounding for office use for veterinarians. He directed the members to a summary of those comments in their electronic meeting binder.

During the discussion of the comments, Mr. Aron recognized Dr. Kirk Ryan and Dr. Trisha Marullo from the La. Veterinary Medical Association, who spoke in support of the current regulatory proposal. Mr. Aron reminded the members of a draft guidance document from the federal Food & Drug Administration relative to the use of bulk drugs when compounding veterinary prescriptions; this document was submitted during the public hearing. He indicated that guidance document verified the legal authority for pharmacists to compound veterinary preparations pursuant to a specific prescription, but also indicated there was no clear federal authority for pharmacists to compound veterinary preparations for office use. Following additional discussion, the members voiced concern about the potential promulgation of a rule that might ultimately be contradictory to federal laws or rules. Mr. McKay reminded the members of the marijuana pharmacy permit proposal still in committee, and indicated their proposal had a disclaimer and warning to the pharmacists as to the conflict between state and federal governing documents. Mr. Broussard directed the members to the marijuana pharmacy proposal in the electronic Boardroom Library so they could see that language. After additional discussion, Mr. Aron indicated he believed the members still wished to allow compounding for office use for veterinarians

but wished to develop disclaimer language to put pharmacists on notice about the apparent conflict in federal and state governing documents. He then referred the regulatory proposal back to the Regulation Revision Committee with a directive to develop disclaimer language for the Board's consideration at their next meeting in February 2016. Further, he directed Mr. Broussard to continue re-publishing the original Emergency Rule as necessary.

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

*I. Executive Committee*

Mr. Aron indicated the committee met the previous day to consider their posted agenda. He then directed the members to the two policy proposals in their electronic meeting binders. Mr. Rabb then moved,

**Resolved**, that the Board approve the proposed revision of PPM Policy No. II.A.6 ~ Flexible Special Entrance Rates for Salaries.

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

**Resolved**, that the Board approve the new policy LPM Policy No. I.P ~ Worker's Compensation Post-Accident Drug Testing.

The motion was adopted after a unanimous vote in the affirmative. Mr. Aron then referred the members to the Final Report from the Legislative Auditor. He indicated the committee reviewed the auditor's findings and the executive director's reply, as well as the staff's plan for remediation going forward. He also briefly reviewed the current staffing changes.

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

At this point, Mr. Aron declared a luncheon recess. It was noted the members recessed at 11:50 a.m. and then reconvened in open session at 12:40 p.m. He re-ordered the agenda to address the topic for which most of the guests were present.

*12. Request to Delay Implementation of Requirement for National Accreditation of Pharmacy Technician Training Programs – Mr. Timothy Koch, Wal-Mart Stores*

Mr. Aron recognized Mr. Koch and invited him to the witness table. He was joined at the table by Mr. John Rocchio from CVS Health. At the outset of his presentation, Mr. Koch indicated he also wished to discuss the currently existing requirement of 600 hours of practical experience as one of the qualifications for a Louisiana pharmacy technician certificate. Mr. Aron indicated he would allow that additional discussion as part of this agenda item.

Mr. Koch reminded the members of their rule change in 2013, where they amended the existing pharmacy technician rule to begin requiring (in January 2016) the completion of a nationally-accredited pharmacy technician training program. He indicated Wal-Mart was preparing to apply for the accreditation of their program and then noted a recent change in the accreditation standards that was implemented after the Board's 2013 rule change. Wal-Mart and other chain pharmacies indicated their difficulty with complying with the new accreditation standards and initiated dialogue with

ACPE, ASHP, PTCB, NABP, as well as the newly-formed Pharmacy Technician Accreditation Commission (PTAC). In September of 2015, aware of the impending January 2016 implementation date of the Board's rule, Mr. Koch and several of the chain pharmacies, petitioned the Board to delay the implementation of the national accreditation requirement for pharmacy technician training programs. At the meeting, Mr. Koch suggested that 2020 would be an appropriate delay, since that was the date that PTCB had already announced would be a change in the eligibility for their examination, specifically requiring completion of a nationally-accredited training program in order to attempt that test. At that point in his presentation, he suggested it would be appropriate to hear additional information from PTCB.

Mr. Aron recognized Mr. Everett McAllister, CEO of PTCB, who then came to the witness table. He described that organization's recent decision to require completion of an accredited training program to establish eligibility to attempt the PTCB test, beginning in 2020. He also described their upcoming task analysis in 2016, an exercise they complete every five years, to ensure the validity of their examination test questions. He congratulated the Louisiana Board for taking a national leadership position in setting standards for the education and training of pharmacy technicians.

Mr. Aron then recognized Mr. John Rocchio from CVS Health who described their support for the stakeholder group expressing concern for the timing of the implementation of the national accreditation requirement. In addition, he also noted a concern for the placement of the requirement on the application for a pharmacy technician certificate as opposed to the pharmacy technician candidate registration. He indicated there could be implementation issues for technician candidates credentialed under one requirement and seeking a pharmacy technician certificate under a different requirement. He suggested the Board may wish to re-consider the placement of the requirement, in addition to a delay in the timing of the requirement.

Mr. Koch then addressed the current Board rule requiring 600 hours of practical experience. He indicated the accreditation standard required a minimum of 600 hours of education and training, and he suggested the addition of another 600 hours of practical experience was perhaps more than was necessary for a minimally competent pharmacy technician. He encouraged the Board to re-consider the 600 hour requirement, and following the prevailing trend for pharmacy students where all of their practical experience requirements were allocated to the professional experience program in a college of pharmacy, he suggested the Board yield all of their practical experience requirement to the accredited program curriculum.

With completion of the organized presentations, Mr. Aron opened the discussion by encouraging members to ask questions and indicate their concerns. Following extensive discussion, Mr. Aron requested a motion from the members to resolve the matter. After several motions and amendments, none of which were voted upon, Mr. McKay moved,

**Resolved**, to amend LAC 46:LIII.905.A.3.b by changing the January 1, 2016 date to January 1, 2017; and further, to make that change effective on November 30, 2015 by Emergency Rule; and further, to authorize the Executive Director to re-publish that Emergency Rule as necessary to complete the promulgation process.

The motion was adopted after a majority vote in the affirmative; Dr. Simonson objected, stating her preference for a six-month delay. Mr. McKay then moved to adopt the

Declaration of Emergency describing the necessity for the Emergency Rule. That motion was adopted after a unanimous vote in the affirmative. Mr. Aron then referred Chapter 9 of the Board's rules to the Regulation Revision Committee, with an instruction to develop language for the Board's consideration that would change the placement of the requirement for national accreditation of the pharmacy technician training program from a requirement for the pharmacy technician certificate to a requirement for the pharmacy technician candidate registration, as well as elimination of the 600 hour practical experience requirement; further, he asked the committee to prioritize that project so the rule amendment could be promulgated before the end of the one year delay just adopted.

At this point, Mr. Aron declared a brief recess. It was noted the members recessed at 2:35 p.m. and then re-convened in open session at 2:50 p.m. Mr. Aron then resumed the sequence of the posted agenda. It was noted that Mr. Resweber departed the meeting during the recess, and further, Ms. Reed and Dr. Simonson had not yet returned to the meeting room when the meeting resumed.

## 11. Staff Reports

### J. Report of Assistant Executive Director

Mr. Aron called upon Mr. Fontenot for his report. Mr. Fontenot then directed the members to a copy of the quarterly report on the Prescription Monitoring Program (PMP) report in their electronic meeting binder. He reviewed the report and all of the reporting parameters.

Mr. Fontenot then informed the members of an ongoing discussion with the PMP Advisory Council relative to record retention issues of the prescription transaction information. The council developed a recommendation that five years of data be readily available with the older data being archived for research purposes. Mr. Aron referred that matter to the Regulation Revision Committee for their development of proposed legislative language.

Mr. Fontenot then directed the members to the requests for exemption from the PMP reporting requirements. Mr. Rabb moved,

**Resolved**, to authorize the issuance of PMP reporting waivers to:

- > PHY.000002-HOS – Abbeville Gen Hosp (LA);
- > PHY.007153-NR – Barnes Precision Specialty (FL);
- > PHY.007152-NR – BioCure (TX);
- > PHY.007192-NR – Direct Success Pharmacy Dept (NJ);
- > PHY.007173-NR – Liberty Medical Supply (FL);
- > PHY.006683-HOS – LSU Health B.R. North Clinic (LA);
- > PHY.006313-NR – Option Care (TX);
- > PHY.006739-NR – Physician Choice Pharmacy (FL);
- > PHY.007150-HOS – Promise Hosp of Miss-Lou (LA);
- > PHY.007083-NR – Rxpress Pharmacy (TX);
- > PHY.007143-HOS – University Med Ctr Inpatient Rx (LA);
- > PHY.006727-IR – University Med Ctr Outpatient Rx (LA);
- > PHY.007134-HOS – Promise Hosp of La. (LA); and
- > PHY.007008-IR – AcariaHealth Pharmacy (LA)

once they have executed the standard consent agreement for that purpose.

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

Finally, Mr. Fontenot indicated completion of his report.

It was noted Dr. Simonson returned to the meeting room at 3:10 p.m.

*K. Report of General Counsel*

Mr. Aron called upon Mr. Finalet for the report. Mr. Finalet then presented the following files to the Board for its consideration.

**ZooPharm Corporation d/b/a ZooPharm (PHY.005096)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed the permit owner a fine of \$10,000 plus administrative costs.

**Randal J. Davis (PST.020051)** Mr. Burch moved to approve the proposed voluntary 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 \$1,000 plus administrative costs.

**Sarah Gail Cunningham (PST.020607)** Mr. McKay moved to approve the proposed voluntary 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 \$1,000 plus administrative costs.

**Carolyn Ann LaDart (PST.044244)** Mr. McKay moved to approve the proposed voluntary 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 \$1,000 plus administrative costs.

**Bradley Donovan Woolridge (PST.020193)** Mr. McKay moved to approve the proposed voluntary 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 \$1,000 plus administrative costs.

**Tameshia Deon Johnson (CPT.011342)** Mr. McKay moved to approve the proposed voluntary 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.

**Kyle Christian Pagan (CPT.012064)** Mr. McKay moved to approve the proposed voluntary 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.

It was noted Ms. Reed returned to the meeting room at 3:20 p.m.

**Salisa Spinks FitzSimons (CPT.002190)** Mr. McKay moved to approve the proposed voluntary 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.

**Tiffanie Ann Zaunbrecher (CPT.008061)** Mr. McKay moved to approve the proposed voluntary 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.

**Joshua Joseph LeBlanc (CPT.011758)** Mr. McKay moved to approve the proposed voluntary 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.

**Khaira Michelle Weber (CPT.009745)** Mr. McKay moved to approve the proposed voluntary 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.

**Ashleigh Nechelle Chappuis (CPT.009096)** Mr. McKay moved to approve the proposed voluntary 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.

**Barbara Ann Denais Smith (CDS.009959-MD)** Mr. McKay moved to suspend the CDS license due to the voluntary surrender of her medical license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective July 20, 2015.

**Kimberly Galland Robeau (CDS.040316-APN)** Mr. McKay moved to suspend the CDS license due to the voluntary surrender of her nursing license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective April 14, 2015.

**Darolyn Alesia Richard (CPT.010185)** Mr. McKay moved to approve the proposed voluntary 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.

**LaQuisha Marie Jackson (CPT.010000)** Mr. McKay moved to approve the proposed voluntary 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.

**Charles E. Brewer (CDS.014443-DDS)** Mr. McKay moved to suspend the CDS license due to the voluntary surrender of his federal DEA registration. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective November 4, 2015.

Finally, Mr. Finalet indicated the completion of his report.

*L. 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
  - Census Reports – Credentials & Compliance Divisions
  - Production Reports – Credentials Division
  - Exceptions Report
- Examinations
  - MPJE
  - NAPLEX
  - PARE
  - PTCB
- Operations
  - Credentials Division
  - Compliance Division
  - Administrative Division
- State Activities
  - 2016 Regular Session of Louisiana Legislature
- National Activities
  - U.S. Environmental Protection Association (EPA)
  - United States Pharmacopeia (USP)
  - National Association of Boards of Pharmacy (NABP)
  - NABP-AACP District 6 Annual Meeting
  - MALTAGON
- International Activities
  - International Pharmaceutical Federation (FIP)
  - World Health Professions Alliance (WHPA)

Finally, Mr. Broussard indicated the completion of his report.

*13. Announcements*

Mr. Aron directed the members to the announcements in their meeting binder.

*14. Adjourn*

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron adjourned the meeting at 3:35 p.m.

Respectfully submitted,

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Brian A. Bond  
Secretary