



Louisiana Board of Pharmacy

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Minutes

Administrative Hearing

Tuesday, March 27, 2018 at 8:00 a.m.
&
Wednesday, March 28, 2018 at 8:00 a.m.

Location:

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

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A special meeting of the Louisiana Board of Pharmacy was held on Tuesday, March 27, 2018 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 public notice was properly posted.

A. Call to Order

Mr. Carl Aron, President, called the meeting to order at 8:05 a.m.

B. Invocation & Pledge

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

C. 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. Allen W. Cassidy, Jr.
- Ms. Jacqueline L. Hall
- Mr. Richard Mannino
- Ms. Chris B. Melancon
- Mr. Ronald E. Moore
- Mr. T. Morris Rabb
- Mr. Douglas E. Robichaux
- Mr. Richard A. Soileau
- Dr. Raymond J. Strong
- Mr. Rhonny K. Valentine

Members Absent:

- Mr. Richard M. Indovina, Jr.
- Mr. Marty R. McKay
- Ms. Diane G. Milano
- Mr. Blake P. Pitre
- Mr. Don L. Resweber

Staff Present:

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

Guests:

- Ms. Danielle Neupauer– The Rx Greenhouse
- Ms. Audie Klinger – The Rx Greenhouse
- Dr. Sajal Roy – The Rx Greenhouse
- Dr. Stephen Lacoste – The Rx Greenhouse
- Mr. Max Ciolino – The Rx Greenhouse

Mr. Alex Onstott – The Rx Greenhouse
Mr. Kevin Lagrange – The Apothecary Shoppe
Dr. Johnny Luu – Expressway Pharmacy
Ms. Tina Dang – Expressway Pharmacy
Mr. Woodrow Overton – The Rx Greenhouse
Dr. Lovie Rodgers – GNO Medical Dispensary
Mr. Nate Graff – GNO Medical Dispensary
Mr. Brian Staffa – GNO Medical Dispensary
Dr. Steve Charbonnet – P & C Herbals
Dr. Eric Peters – P & C Herbals
Mr. Ruston Henry – H & W Drug Store
Mr. Joel Fruge – Brown & Brown Insurance
Mr. Sam Karlin – The Advocate
Ms. Littice Bacon-Blood – The Times-Picayune / nola.com
Dr. Randy Mire – Capitol Wellness Solutions
Dr. Amy Nguyen – Capitol Wellness Solutions
Mr. Mark Slauch – Capitol Wellness Solutions
Mr. Carl Dabadie – Capitol Wellness Solutions
Mr. Brett Lofton – Capitol Wellness Solutions
Dr. T. J. Woodard – Capitol Wellness Solutions
Dr. Kathryn Cardwell – Green Magnolia
Ms. Amie Rabel – Green Magnolia
Dr. Seth Delise – Green Magnolia
Ms. Wendy Duran – Green Magnolia
Mr. Chris LaGrange – self
Mr. Omar Pecantte – Green Leaf Dispensary
Mr. Donald Richard – Green Leaf Dispensary
Dr. Arlene Richards – Green Leaf Dispensary
Mr. Peter Prevot – Bayou Therapeutics Pharmacy
Dr. Thanh Nguyen – Bayou Therapeutics Pharmacy
Ms. Tanya Breaux – Bayou Therapeutics Pharmacy
Dr. Scott Lastrapes – Bayou Therapeutics Pharmacy
Dr. Kevin Duplechain – Acadiana Therapeutic Remedies
Dr. John Martin – Acadiana Therapeutic Remedies
Dr. Matt Mitchell – Acadiana Therapeutic Remedies
Mr. Jacob Irving – Acadiana Therapeutic Remedies
Mr. Shane Primeaux – Acadiana Therapeutic Remedies
Ms. Christi Primeaux – Acadiana Therapeutic Remedies
Dr. Amarendar Kasarla – Acadiana Therapeutic Remedies
Ms. Helen Cobb – Acadiana Therapeutic Remedies
Mr. Eric Vidrine – The Apothecary Shoppe
Mr. Brian Ruden – The Apothecary Shoppe

Mr. Bond certified 12 of the 17 members were present, constituting a quorum for the conduct of official business.

D. Call for Additional Agenda Items & Adoption of Agenda

Mr. Aron asked if there were any additional agenda items, but none were requested.

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 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, and none were offered.

F. Consideration of Communication from Board Member Richard Mannino

Mr. Aron reminded the members Mr. Mannino had sent an email to every other member of the Board the previous Friday evening informing them of his concerns. Following his explanation of the communication and subsequent discussion by several members, Mr. Bond asked Mr. Mannino if he wished to recuse himself from the proceedings. Mr. Mannino declined to recuse himself, however, he indicated he would not ask any questions and would not cast any votes. After further discussion among the members, Mr. Aron asked Mr. Mannino if he believed he could afford the applicants a fair and impartial hearing. When Mr. Mannino declined to provide a yes or no reply, Mr. Aron asked Mr. Mannino whether he wished to recuse himself. Mr. Mannino declined to do so. Mr. Aron asked the members their pleasure on that question. Mr. Bond then moved to recuse Mr. Mannino; Mr. Moore seconded the motion. Before any vote on the motion, Ms. Hall asked Mr. Mannino whether he could afford the applicants a fair and impartial hearing. Mr. Mannino answered in the affirmative. Mr. Aron asked Mr. Mannino whether he could apply the rules and standards adopted by the Board, and Mr. Mannino answered in the affirmative. At Mr. Aron's request, Mr. Moore withdrew his second and Mr. Bond withdrew his motion.

** Appearances*

Mr. Aron announced that since he had participated in some of the previous preliminary hearings by the Application Review Committee, he would abstain from participating in any of the hearings. He then appointed Mr. Rabb, First Vice President, as the Hearing Officer. Mr. Carlos Finalet appeared as Attorney for the Board's Application Review Committee. Ms. Celia Cangelosi appeared as Advisor to the Hearing Officer. Ms. Susan Erkle was the Official Recorder, and Mr. Malcolm Broussard was the Hearing Clerk.

Mr. Aron announced the members of the Application Review Committee were recused from participating in the administrative hearing – namely, Mr. Indovina, Mr. McKay, Ms. Milano, Mr. Pitre, and Mr. Resweber. Mr. Aron indicated that Mr. Soileau is the Chair of the Application Review Committee and was in attendance to present the committee's recommendations to the hearing panel, but was recused from any deliberations or decisions. Finally, Mr. Aron indicated the other members should abstain from any proceeding should the need arise. Without objection, Mr. Aron waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

AGENDA

NOTE: This agenda is tentative until 24 hours in advance of the meeting, at which time the most recent revision becomes official.
Revised 03-26-2018

- A. Call to Order
- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Call for Additional Agenda Items & Adoption of Agenda
- E. Opportunity for Public Comment
- F. Consideration of Communication from Board Member Richard Mannino
- * Appearances
- G. Formal Hearings
 - 1. Consideration of Applications for Marijuana Pharmacy Permit for **Region 1 – Metropolitan**
 - (a) The Rx Greenhouse, LLC d/b/a The Rx Greenhouse [Metairie, LA]
 - (b) GNO Medical Dispensary, LLC d/b/a GNO Medical Dispensary [Metairie, LA]
 - (c) P & C Herbals, LLC d/b/a P & C Herbals [New Orleans, LA]
 - (d) H & W Drug Store, Inc. d/b/a H & W Drug Store [New Orleans, LA]
 - (e) Expressway Pharmacy, LLC d/b/a Expressway Pharmacy [Gretna, LA]
 - (f) ~~JBL of LA, LLC d/b/a Medicine Woman Pharmacy [New Orleans, LA] {Withdrawn}~~
 - (g) ~~Community Choice Pharmacy, LLC d/b/a Community Choice Pharmacy [New Orleans, LA] {Withdrawn}~~
 - (h) ~~Claiborne Discount Pharmacy, LLC d/b/a Claiborne Discount Pharmacy [New Orleans, LA] {Withdrawn}~~
 - 2. Consideration of Applications for Marijuana Pharmacy Permit for **Region 2 – Capitol**
 - (a) Capitol Wellness Solutions, LLC d/b/a Capitol Wellness Solutions [Baton Rouge, LA]
 - (b) Green Magnolia Rx, LLC d/b/a Green Magnolia Rx [Baton Rouge, LA]
 - (c) ~~Louisiana Therapeutics Marijuana Pharmacy, LLC d/b/a Louisiana Therapeutics [Baton Rouge, LA] {Withdrawn}~~
 - (d) ~~Bayou Green Ventures, LLC d/b/a Strawberry Fields [Baton Rouge, LA] {Withdrawn}~~
 - (e) ~~Midcity Medical Pharmacy, LLC d/b/a Midcity Medical Pharmacy [Baton Rouge, LA] {Withdrawn}~~

3. Consideration of Applications for Marijuana Pharmacy Permit for **Region 3 – Teche**
 - (a) Bayou Therapeutics Pharmacy, LLC *d/b/a* Bayou Therapeutics Pharmacy [Schriever, LA]
 - (b) ~~Advanced Organix Enterprises, Inc. *d/b/a* Advanced Organix [St. Rose, LA] {Withdrawn}~~
 - (c) Green Leaf Dispensary, LLC *d/b/a* Green Leaf Dispensary [Houma, LA]
 - (d) ~~Raceland's Express, LLC *d/b/a* Therapeutic Dispensary of Louisiana [Raceland, LA] {Withdrawn}~~

4. Consideration of Applications for Marijuana Pharmacy Permit for **Region 4 – Acadian**
 - (a) Acadiana Therapeutic Remedies, LLC *d/b/a* Acadiana Therapeutic Remedies [Lafayette, LA]
 - (b) The Apothecary Shoppe, LLC *d/b/a* The Apothecary Shoppe [Lafayette, LA]
 - (c) ~~CB Medical Dispensaries, LLC *d/b/a* CB Medical Dispensaries [Lafayette, LA] {Withdrawn}~~
 - (d) ~~Cajun Pharmacy, LLC *d/b/a* Cajun Pharmacy [Lafayette, LA] {Withdrawn}~~
 - (e) ~~Cajun Pharmacy, LLC *d/b/a* Cajun Pharmacy [New Iberia, LA] {Withdrawn}~~
 - (f) ~~Acadian Food Mart of Lafayette, Inc. *d/b/a* Acadian Food Mart [Lafayette, LA] {Withdrawn}~~
 - (g) ~~Nicolas Bernard LeBas *d/b/a* LeBas' Apothecary [Ville Platte, LA] {Withdrawn}~~

H. Recess

G. Formal Hearing

Mr. Rabb then assumed the chair. Before calling for the hearings on the applications, he provided general comments relative to the timeline of the licensing process as well as the procedures to be followed during the hearings that day and the following day.

1. Consideration of Applications for Marijuana Pharmacy Permit for **Region 1 – Metropolitan**

Mr. Rabb recognized Mr. Richard Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed eight applicants for the marijuana pharmacy permit to be awarded in Region 1 during their meeting on January 23, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – The Rx Greenhouse, LLC *d/b/a* The Rx Greenhouse
- 2nd – GNO Medical Dispensary, LLC *d/b/a* GNO Medical Dispensary
- 3rd – P & C Herbals *d/b/a* P & C Herbals
- 4th – H & W Drug Store, Inc. *d/b/a* H & W Drug Store
- 5th – Expressway Pharmacy, LLC *d/b/a* Expressway Pharmacy
- 6th – JBL of LA, LLC *d/b/a* Medicine Woman Pharmacy

7th – Community Choice Pharmacy, LLC *d/b/a* Community Choice Pharmacy
8th – Claiborne Discount Pharmacy, LLC *d/b/a* Claiborne Discount Pharmacy

Mr. Soileau noted the applicants ranked 6th, 7th, and 8th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 27 hearing, leaving five applicants for the panel's consideration.

a. **The Rx Greenhouse, LLC *d/b/a* The Rx Greenhouse (Case No. 18-0159)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee and Dr. Sajal Roy appeared for the applicant. Mr. Finalet presented one witness and submitted five exhibits. Dr. Roy presented four witnesses and submitted one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **GNO Medical Dispensary, LLC *d/b/a* GNO Medical Dispensary (Case No. 18-0160)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Salvadore Scaccia appeared for the applicant. Mr. Finalet presented one witness and submitted three exhibits. Dr. Scaccia presented four witnesses and submitted two exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

c. **P & C Herbals, LLC *d/b/a* P & C Herbals (Case No. 18-0161)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Steve Charbonnet appeared for the applicant. Mr. Finalet presented one witness and submitted three exhibits. Dr. Charbonnet presented two witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

d. **H & W Drug Store, Inc. *d/b/a* H & W Drug Store (Case No. 18-0162)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Ruston Henry appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Mr. Henry presented one witness and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

e. **Expressway Pharmacy, LLC *d/b/a* Expressway Pharmacy (Case No. 18-0163)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Johnny Luu appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Dr. Luu presented two

witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

2. Consideration of Applications for Marijuana Pharmacy Permit for Region 2 – Capitol

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed six applicants for the marijuana pharmacy permit to be awarded in Region 2 during their meeting on January 24, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – Capitol Wellness Solutions, LLC *d/b/a* Capitol Wellness Solutions
- 2nd – Green Magnolia Rx, LLC *d/b/a* Green Magnolia Rx
- 3rd – Louisiana Therapeutics Marijuana Pharmacy, LLC *d/b/a* Louisiana Therapeutics
- 4th – Bayou Green Ventures, LLC *d/b/a* Strawberry Fields
- 5th – MidCity Medical Pharmacy, LLC *d/b/a* MidCity Medical Pharmacy

Mr. Soileau noted the sixth applicant, Modern Pharma, LLC *d/b/a* Modern Pharma, withdrew their application at the conclusion of their interview with the committee; therefore, the committee did not rank that applicant. Mr. Soileau then reported the applicants ranked 3rd, 4th, and 5th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 27 hearing, leaving two applicants for the panel's consideration.

a. **Capitol Wellness Solutions, LLC *d/b/a* Capitol Wellness Solutions Case No. 18-0164)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Randy Mire appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Dr. Mire presented six witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **Green Magnolia Rx, LLC *d/b/a* Green Magnolia Rx (Case No. 18-0165)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Amy Rabel appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Ms. Rabel presented four witnesses and two exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

3. Consideration of Applications for Marijuana Pharmacy Permit for Region 3 – Teche

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed four applicants for the marijuana pharmacy permit to be awarded in Region 3 during their meeting on January 24, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – Bayou Therapeutics Pharmacy, LLC *d/b/a* Bayou Therapeutics Pharmacy
- 2nd – Advanced Organix Enterprises, Inc. *d/b/a* Advanced Organix
- 3rd – Green Leaf Dispensary, LLC *d/b/a* Green Leaf Dispensary
- 4th – Raceland's Express, LLC *d/b/a* Therapeutic Dispensary of Louisiana

Mr. Soileau reported the applicants ranked 2nd and 4th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 27 hearing, leaving two applicants for the panel's consideration.

a. **Bayou Therapeutics Pharmacy, LLC *d/b/a* Bayou Therapeutics Pharmacy (Case No. 18-0168)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Peter Prevot appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Mr. Prevot presented three witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **Green Leaf Dispensary, LLC *d/b/a* Green Leaf Dispensary (Case No. 18-0169)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Omar Pecantte appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Mr. Pecantte presented three witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

4. Consideration of Applications for Marijuana Pharmacy Permit for Region 4 – Acadian

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed eight applicants for the marijuana pharmacy permit to be awarded in Region 4 during their meetings on January 25 and 30, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – [Tie] Acadiana Therapeutic Remedies, LLC *d/b/a* Acadiana Therapeutic

Remedies AND The Apothecary Shoppe, LLC *d/b/a* The Apothecary Shoppe
3rd – CB Medical Dispensaries, LLC *d/b/a* CB Medical Dispensaries – Lafayette
4th – Cajun Pharmacy, LLC *d/b/a* Cajun Pharmacy – Lafayette
5th – Cajun Pharmacy, LLC *d/b/a* Cajun Pharmacy – New Iberia
6th – Acadian Food Mart of Lafayette, Inc. *d/b/a* Acadian Food Mart
7th – Nicholas Bernard LeBas *d/b/a* LeBas' Apothecary

Mr. Soileau noted the eighth applicant, Modern Wellness, LLC *d/b/a* Modern Wellness, withdrew their application at the conclusion of their interview with the committee; therefore, the committee did not rank that applicant. Mr. Soileau then reported the applicants ranked 3rd, 4th, 5th, 6th, and 7th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 27 hearing, leaving two applicants for the panel's consideration.

a. **Acadiana Therapeutic Remedies, LLC *d/b/a* Acadiana Therapeutic Remedies (Case No. 18-0170)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Kevin Duplechain appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Dr. Duplechain presented four witnesses and one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **The Apothecary Shoppe, LLC *d/b/a* The Apothecary Shoppe (Case No. 18-0171)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Eric Vidrine appeared for the applicant. Mr. Finalet presented one witness and seven exhibits, three under seal. Mr. Vidrine presented three witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

Mr. Finalet indicated completion of the cases scheduled for that day. Mr. Rabb expressed his appreciation to Ms. Erkle for her recording services that day.

H. Recess

Mr. Rabb indicated the hearings for all of the applicants in Regions 1 through 4 had been recessed and that the panel had addressed all items of business on the posted agenda. Without objection, Mr. Rabb placed the hearing panel in recess at 4:22 pm.

* * * * *

An Administrative Hearing was convened on Wednesday, March 28, 2018 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice, and public notice was properly posted.

A. Call to Order

Mr. Carl Aron, President, called the meeting to order at 9:00 a.m.

B. Invocation & Pledge

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

C. 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. Allen W. Cassidy, Jr.
Ms. Jacqueline L. Hall
Mr. Richard Mannino
Ms. Chris B. Melancon
Mr. Ronald E. Moore
Mr. T. Morris Rabb
Mr. Douglas E. Robichaux
Mr. Richard A. Soileau
Dr. Raymond J. Strong
Mr. Rhonny K. Valentine

Members Absent:

Mr. Richard M. Indovina, Jr.
Mr. Marty R. McKay
Ms. Diane G. Milano
Mr. Blake P. Pitre
Mr. Don L. Resweber

Staff Present:

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

Guests:

Dr. John Condos – Medicis
Dr. William Condos – Medicis
Dr. James Thibodeaux – Medicis
Mr. Joel Fruge – Brown & Brown Insurance
Mr. Nick Felton – APS
Ms. Michelle Williams – The Pill Box Pharmacy / Medicine Cabinet Pharmacy
Ms. Angela Carrizales – Bayou Dispensary
Mr. Robert Ray – Ray's Pharmacies
Ms. Rachel Lacroix – Ray's Pharmacies

Dr. Ryan O’Glee – NorLa Pharm
Mr. Douglas Boudreaux – Hope Pharmacy
Ms. Jennifer Boudreaux – Hope Pharmacy
Mr. Chris Whittington – Hope Pharmacy
Ms. Grace Boudreaux – Hope Pharmacy
Mr. Darren White – NorLa Pharm
Mr. Jesse McCormick – NorLa Pharm
Dr. Jessica Clark – Delta Medmar
Mr. Bill Windham – NorLa Pharm
Mr. Kevin Schneider – Purivera Pharmacy
Mr. Greg Morrison – NorLa Pharm
Ms. Amy Pleasant – Grace Specialty Pharmacy
Mr. Sam Karlin – The Advocate
Dr. Darren Martin – Willow Pharmacy
Mr. David Brown – Willow Pharmacy

Mr. Bond certified 12 of the 17 members were present, constituting a quorum for the conduct of official business.

D. Call for Additional Agenda Items & Adoption of Agenda

Mr. Aron asked if there were any additional agenda items, but none were requested.

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 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, and none were offered.

** Appearances*

Mr. Aron announced that since he had participated in some of the previous preliminary hearings by the Application Review Committee, he would abstain from any of the hearings; he appointed Mr. Rabb, First Vice President, as the Hearing Officer. Mr. Carlos Finalet appeared as Attorney for the Board’s Application Review Committee. Ms. Celia Cangelosi appeared as Advisor to the Hearing Officer. Ms. Susan Erkle was the Official Recorder, and Mr. Malcolm Broussard was the Hearing Clerk.

Mr. Aron announced the members of the Application Review Committee were recused from participating in the administrative hearing – namely, Mr. Indovina, Mr. McKay, Ms. Milano, Mr. Pitre, and Mr. Resweber. Mr. Aron indicated that Mr. Soileau is the Chair of the Application Review Committee and was in attendance to present the committee’s recommendations to the hearing panel, but was recused from any deliberations or decisions. Finally, Mr. Aron indicated the other members should abstain from any proceeding should the need arise. Without objection, Mr. Aron waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

AGENDA

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Revised 03-26-2018

- A. Call to Order
- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Call for Additional Agenda Items & Adoption of Agenda
- E. Opportunity for Public Comment
- * Appearances
- F. Formal Hearings
 - 1. Consideration of Applications for Marijuana Pharmacy Permit for **Region 5 – Southwest**
 - (a) ~~Calcasieu Therapeutics, LLC d/b/a Calcasieu Therapeutics [Lake Charles, LA]~~
{Withdrawn}
 - (b) Medicis, LLC d/b/a Medicis [Lake Charles, LA]
 - (c) ~~CarMed Direct, Inc. d/b/a The Dispensary of SWLA [Lake Charles, LA]~~ {Withdrawn}
 - (d) ~~Clinical Pharmacy of SWLA, LLC d/b/a Clinical Pharmacy of SWLA [Lake Charles, LA]~~
{Withdrawn}
 - 2. Consideration of Applications for Marijuana Pharmacy Permit for **Region 6 – Central**
 - (a) ~~CB Medical Dispensaries, LLC d/b/a CB Medical Dispensaries [Marksville, LA]~~
{Withdrawn}
 - (b) RAR Oil Ventures, LLC d/b/a Cenla Natural Medicine Dispensary [Alexandria, LA]
 - (c) Widel, LLC d/b/a The Pill Box Pharmacy #003 [Alexandria, LA]
 - 3. Consideration of Applications for Marijuana Pharmacy Permit for **Region 7 – Northwest**
 - (a) NorLa Pharm, LLC d/b/a NorLa Pharm [Shreveport, LA]
 - (b) Hope Pharmacy, LLC d/b/a Hope Pharmacy [Shreveport, LA]
 - (c) Bayou Dispensary, LLC d/b/a Bayou Dispensary [Shreveport, LA]
 - 4. Consideration of Applications for Marijuana Pharmacy Permit for **Region 8 – Northeast**
 - (a) ~~BRFHH Monroe, LLC d/b/a University Health Conway Dispensary [Monroe, LA]~~
{Withdrawn}
 - (b) Delta Medmar, LLC d/b/a Delta Medmar [West Monroe, LA]
 - (c) Prescription Shoppe, LLC d/b/a Grace Specialty Pharmacy [West Monroe, LA]

5. Consideration of Applications for Marijuana Pharmacy Permit for Region 9 – Southeast

- (a) Willow Pharmacy, LLC *d/b/a* Willow Pharmacy [Madisonville, LA]
- (b) Purivera Pharmacy, LLC *d/b/a* Purivera Pharmacy [Covington, LA]
- (c) ~~Remedy Rx, LLC *d/b/a* Remedy Rx [Mandeville, LA] {Withdrawn}~~
- (d) ~~Perfect Health, LLC *d/b/a* Perfect Health [Ponchatoula, LA] {Withdrawn}~~

G. Adjourn

F. Formal Hearing

Mr. Rabb then assumed the Chair. Before calling for the hearings on the applications, he provided general comments relative to the timeline of the licensing process as well as the procedures to be followed during the hearings that day.

1. Consideration of Applications for Marijuana Pharmacy Permit for Region 5 – Southwest

Mr. Rabb recognized Mr. Richard Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed five applicants for the marijuana pharmacy permit to be awarded in Region 5 during their meeting on January 30, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – Calcasieu Therapeutics, LLC *d/b/a* Calcasieu Therapeutics
- 2nd – Medicis, LLC *d/b/a* Medicis
- 3rd – CarMed Direct, Inc. *d/b/a* The Dispensary of SWLA
- 4th – Clinical Pharmacy of SWLA, LLC *d/b/a* Clinical Pharmacy of SWLA

Mr. Soileau noted the fifth applicant, Modern Medicine, LLC *d/b/a* Modern Medicine, withdrew their application at the conclusion of their interview with the committee; therefore, the committee did not rank that applicant. Mr. Soileau then reported the applicants ranked 1st, 3rd, and 4th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 28 hearing, leaving one applicant for the panel's consideration.

a. **Medicis, LLC *d/b/a* Medicis (Case No. 18-0173)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. John Condos appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Dr. Condos presented one witness and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

2. Consideration of Applications for Marijuana Pharmacy Permit for Region 6 – Central

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed the following three applicants for the marijuana pharmacy permit to be awarded in Region 6 during their meeting on January 30, 2018, listed here in alphabetical order:

- CB Medical Dispensaries, LLC *d/b/a* CB Medical Dispensaries
- RAR Oil Ventures, LLC *d/b/a* Cenla Natural Medicine Dispensary
- Widel, LLC *d/b/a* The Pill Box Pharmacy #003

Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee declined to rank the applicants and recommended rejection of all applications and a new solicitation of applications for the region.

Mr. Soileau then reported one of the applicants had withdrawn their application after the notification of the committee's recommendation and prior to the distribution of the formal notices to appear at the March 28 hearing, leaving two applicants for the panel's consideration.

a. **RAR Oil Ventures, LLC *d/b/a* Cenla Natural Medicine Dispensary (Case No. 18-0174)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Robert Ray appeared for the applicant. Mr. Finalet presented one witness and four exhibits. Mr. Ray presented two witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **Widel, LLC *d/b/a* The Pill Box Pharmacy #003 (Case No. 18-0175)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Joseph Williams appeared for the applicant. Mr. Finalet presented two witnesses and four exhibits. Mr. Finalet informed the panel one of the exhibits was a request to amend the application form to change the name (but not the ownership) of the legal entity seeking ownership of the permit, *from* Widel, LLC *to* The Medicine Cabinet Pharmacy, LLC. Mr. Rabb requested staff to change the name of the applicant as requested. Mr. Williams presented three witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

3. Consideration of Applications for Marijuana Pharmacy Permit for Region 7 – Northwest

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed three applicants for the marijuana pharmacy permit to be awarded in Region 7 during their meeting on

January 31, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – NorLa Pharm, LLC *d/b/a* NorLa Pharm
- 2nd – Hope Pharmacy, LLC *d/b/a* Hope Pharmacy
- 3rd – Bayou Dispensary, LLC *d/b/a* Bayou Dispensary

Mr. Soileau reported all three applications remain for the panel's consideration.

- a. **NorLa Pharm, LLC *d/b/a* NorLa Pharm (Case No. 18-0176)**
Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Bill Windham appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Mr. Windham presented four witnesses and two exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.
- b. **Hope Pharmacy, LLC *d/b/a* Hope Pharmacy (Case No. 18-0177)**
Mr. Rabb convened hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Doug Boudreaux appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Mr. Boudreaux presented three witnesses one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.
- c. **Bayou Dispensary, LLC *d/b/a* Bayou Dispensary (Case No. 18-0178)**
Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Angela Carrizales appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Ms. Carrizales presented one witness and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

It was noted Mr. Moore departed the hearing prior to the consideration of the applicants for Regions 8 and 9.

4. Consideration of Applications for Marijuana Pharmacy Permit for Region 8 – Northeast

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed the following three applicants for the marijuana pharmacy permit to be awarded in Region 8 during their meeting on January 31, 2018, listed here in alphabetical order:

- BRFHH Monroe, LLC *d/b/a* University Health Conway Dispensary
- Delta Medmar, LLC *d/b/a* Delta Medmar
- Prescription Shoppe, LLC *d/b/a* Grace Specialty Pharmacy

Following their review of the application materials and testimony of the applicants

and considering the evaluation criteria specified in the Board's rules, the committee declined to rank the applicants and recommended rejection of all applications and a new solicitation of applications for the region.

Mr. Soileau then reported one of the applicants had withdrawn their application after the notification of the committee's recommendation and prior to the distribution of the formal notices to appear at the March 28 hearing, leaving two applicants for the panel's consideration.

a. **Delta Medmar, LLC d/b/a Delta Medmar (Case No. 18-0179)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Windham appeared for the applicant. Mr. Finalet presented one witness and four exhibits, one under seal. Mr. Windham presented three witnesses and no exhibits. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

b. **Prescription Shoppe, LLC d/b/a Grace Specialty Pharmacy (Case No. 18-0180)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Amy Pleasant appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Ms. Pleasant presented one witness and one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

5. Consideration of Applications for Marijuana Pharmacy Permit for Region 9 – Southeast

Mr. Rabb recognized Mr. Soileau, Chair of the Board's Application Review Committee. Mr. Soileau reported the committee interviewed four applicants for the marijuana pharmacy permit to be awarded in Region 9 during their meeting on January 31, 2018. Following their review of the application materials and testimony of the applicants and considering the evaluation criteria specified in the Board's rules, the committee ranked the applicants in the following order:

- 1st – Willow Pharmacy, LLC d/b/a Willow Pharmacy
- 2nd – Purivera Pharmacy, LLC d/b/a Purivera Pharmacy
- 3rd – Remedy Rx, LLC d/b/a Remedy Rx
- 4th – Perfect Health, LLC d/b/a Perfect Health

Mr. Soileau then reported the applicants ranked 3rd and 4th had withdrawn their applications after the notification of the rankings and prior to the distribution of the formal notices to appear at the March 28 hearing, leaving two applicants for the panel's consideration.

a. **Willow Pharmacy, LLC d/b/a Willow Pharmacy (Case No. 18-0181)**

Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application

Review Committee. Mr. David Brown appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Mr. Brown presented two witnesses and one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

- b. **Purivera Pharmacy, LLC d/b/a Purivera Pharmacy (Case No. 18-0182)**
Mr. Rabb convened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Kevin Schneider appeared for the applicant. Mr. Finalet presented one witness and three exhibits. Mr. Schneider presented one witness and one exhibit. Mr. Rabb then recessed the hearing and tendered the exhibits and testimony to the members for their review during the recess.

Mr. Finalet indicated completion of the cases scheduled for that day. Mr. Rabb expressed his appreciation to Ms. Erkle for her recording services that day.

Ms. Hall questioned Mr. Rabb whether the hearing panel could provide additional time for applicants to withdraw their applications in order to avoid an adverse action which would require a report to the National Practitioner Data Bank. Following substantial discussion among the members, Mr. Soileau noted that all of the applicants were given a deadline to withdraw their application, and an extension of the deadline now, after a number of applicants had already withdrawn, would not be fair and consistent treatment of all the applications. The members reached consensus not to further extend the original deadline.

G. Adjourn

Mr. Rabb indicated the hearings for all of the applicants in Regions 5 through 9 had been recessed and that the panel had addressed all items of business on the posted agenda. Without objection, Mr. Rabb adjourned the hearing at 3:20 pm.

Respectfully submitted,

Brian A. Bond
Secretary