



Louisiana Board of Pharmacy

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Minutes

Administrative Hearing

Tuesday, April 17, 2018 at 8:00 a.m.
&
Wednesday, April 18, 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, April 17, 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. Morris Rabb, First Vice President, called the meeting to order at 9:00 a.m.

B. Invocation & Pledge

Mr. Rabb called upon Mr. Brian Bond, and he delivered the invocation. Ms. Chris Melancon 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

Guests:

- Mr. Kevin LaGrange – The Apothecary Shoppe
- Dr. Sajal Roy – The Rx Greenhouse
- Ms. Danielle Neupauer – The Rx Greenhouse
- Dr. Stephen Lacoste – The Rx Greenhouse
- Mr. Woody Overton – The Rx Greenhouse
- Mr. Alex Onstott – The Rx Greenhouse

Mr. Max Ciolino – The Rx Greenhouse
Mr. Ruston Henry – H & W Drug Store
Mr. Troy Henry – H & W Drug Store
Dr. Johnny Luu – Expressway Pharmacy
Ms. Tina Dang – Expressway Pharmacy
Dr. Lovie Rodgers – GNO Medical Dispensary
Dr. Eric Peters – P & C Herbals
Dr. Steve Charbonnet – P & C Herbals
Mr. Joel Fruge – Brown & Brown Insurance
Ms. Littice Bacon-Blood – nola.com
Mr. Brian Staffa – GNO Medical Dispensary
Ms. Allison Childers – WAFB-TV
Mr. Brandon Shackelford – WAFB-TV
Dr. Sal Scaccia – GNO Medical Dispensary
Mr. Nate Graff – GNO Medical Dispensary
Ms. Danielle Jackson – WBRZ-TV
Mr. Sam Karlin – The Advocate
Ms. Caitie Burkes – Baton Rouge Business Report
Ms. Amie Rabel – Green Magnolia
Dr. Seth Delise – Green Magnolia
Dr. Kathryn Cardwell – Green Magnolia
Dr. Amy Nguyen – Capitol Wellness Solutions
Mr. Carl Dabadie – Capitol Wellness Solutions
Dr. Randy Mire – Capitol Wellness Solutions
Mr. Brett Lofton – Capitol Wellness Solutions
Mr. Mark Slauch – iComply
Dr. T. J. Woodard – Capitol Wellness Solutions
Mr. Omar Pecantte – Green Leaf Dispensary
Mr. Donald Richard – Green Leaf Dispensary
Dr. Arlene Richard – Green Leaf Dispensary
Mr. Peter Prevot – Bayou Therapeutics Pharmacy
Mr. Greg Hilburn – USA Today Network
Dr. Thanh Nguyen – Bayou Therapeutics Pharmacy
Ms. Tanya Breaux – Bayou Therapeutics Pharmacy
Dr. Scott Lastrapes – Green Leaf Dispensary
Dr. Kevin Duplechain – Acadiana Therapeutic Remedies
Dr. Matthew Mitchell – Acadiana Therapeutic Remedies
Ms. Helen Cobb – Acadiana Therapeutic Remedies
Dr. Amarendar Kasarla – Acadiana Therapeutic Remedies
Mr. Jacob Irving – Acadiana Therapeutic Remedies
Mr. Shane Primeaux – Acadiana Therapeutic Remedies
Ms. Christi Primeaux – Acadiana Therapeutic Remedies
Mr. Eric Vidrine – The Apothecary Shoppe
Mr. Brian Ruden – The Apothecary Shoppe
Dr. John Condos – Medicis
Dr. James Thibodeaux – Medicis
Dr. William Condos – Medicis

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. Rabb 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. Rabb reminded the members and guests the Board President had appointed him to serve as the Hearing Officer during the previous hearings on March 27 and 28, and that he would continue to serve in that capacity for the continuation of those hearings that day. Mr. Carlos Finalet appeared as Attorney for the Board's Application Review Committee. Ms. Celia Cangelosi appeared as Advisor to the Hearing Officer. Ms. Lori Wiggins was the Official Recorder, and Mr. Malcolm Broussard was the Hearing Clerk. Without objection, Mr. Rabb waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

NOTICE IS HEREBY GIVEN that the Administrative Hearings convened and then recessed on March 27, 2018 will reconvene at 8:00 a.m. on Tuesday, April 17, 2018 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 03-30-2018

- 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 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]
- 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]
- 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) Green Leaf Dispensary, LLC *d/b/a* Green Leaf Dispensary [Houma, LA]
- 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]
- 5. Consideration of Applications for Marijuana Pharmacy Permit for **Region 5 – Southwest**
 - (a) Medicis, LLC *d/b/a* Medicis [Lake Charles, LA]

H. Recess

F. Formal Hearing

Mr. Rabb provided general comments relative to 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**
 - a. **The Rx Greenhouse, LLC *d/b/a* The Rx Greenhouse (Case No. 18-0159)**

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Sajal Roy appeared for the applicant. Mr. Finalet presented one witness and submitted three exhibits. Dr. Roy presented four witnesses and submitted two exhibits. The members questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.
 - b. **GNO Medical Dispensary, LLC *d/b/a* GNO Medical Dispensary (Case No. 18-0160)**

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Nate Graff appeared for the applicant. Mr. Finalet presented one witness and submitted three exhibits. Mr. Graff presented four witnesses and submitted four exhibits.

The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

- c. **P & C Herbals, LLC d/b/a P & C Herbals (Case No. 18-0161)**
Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Steven Charbonnet appeared for the applicant. Mr. Finalet presented one witness and submitted one exhibit. Dr. Charbonnet presented two witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.
- d. **H & W Drug Store, Inc. d/b/a H & W Drug Store (Case No. 18-0162)**
Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Ruston Henry appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Henry presented two witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.
- e. **Expressway Pharmacy, LLC d/b/a Expressway Pharmacy (Case No. 18-0163)**
Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Johnny Luu appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Dr. Luu presented two witnesses and one exhibit. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 1 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Cassidy moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:20 a.m. and then returned to open session at 12:19 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Moore then moved,
Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials

and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We reject the recommendation of the Application Review Committee and determine H & W Drug Store, Inc. is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 1 to H & W Drug Store, Inc.; and further,
3. We deny the applications submitted by
 - a. Expressway Pharmacy, LLC;
 - b. GNO Medical Dispensary, LLC;
 - c. P & C Herbals, LLC; and
 - d. The Rx Greenhouse, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative. Mr. Rabb noted the hearings for the applicants for Region 2 were noticed for 12:30 p.m. He declared a brief recess.

It was noted the hearing panel recessed at 12:25 p.m. and then reconvened at 12:30 p.m.

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

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Randy Mire appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Dr. Mire presented six witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Aime Rabel appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Ms. Rabel presented four witnesses and no exhibits. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 2 were concluded and questioned the members if they were prepared to deliberate and render a decision. Ms. Melancon moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or

public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 12:53 p.m. and then returned to open session at 1:04 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Cassidy then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We accept the recommendation of the Application Review Committee and determine Capitol Wellness Solutions, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 2 to Capitol Wellness Solutions, LLC; and further,
3. We deny the application submitted by Green Magnolia Rx, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative. Mr. Rabb noted the hearings for the applicants for Region 3 were noticed for 1:30 p.m. He declared a brief recess.

It was noted the hearing panel recessed at 1:10 p.m. and then reconvened at 1:30 p.m.

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

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Peter Prevot appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Prevot presented three witnesses and one exhibit. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Omar Pecantte appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Pecantte presented three witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the

members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 3 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Mannino moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 2:26 p.m. and then returned to open session at 2:40 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Valentine then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We reject the recommendation of the Application Review Committee and determine Green Leaf Dispensary, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 3 to Green Leaf Dispensary, LLC; and further,
3. We deny the application submitted by Bayou Therapeutics Pharmacy, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative. Mr. Rabb noted the hearings for the applicants for Region 4 were noticed for 3:30 p.m. He declared a brief recess.

It was noted the hearing panel recessed at 2:45 p.m. and then reconvened at 3:30 p.m.

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

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. Kevin Duplechain appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Dr. Duplechain presented six witnesses and two exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Eric Vidrine appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Vidrine presented three witnesses and one exhibit. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 4 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Valentine moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 4:10 p.m. and then returned to open session at 4:27 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Dr. Strong then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. In the absence of a clear recommendation from the Application Review Committee, we determine The Apothecary Shoppe, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 4 to The Apothecary Shoppe, LLC; and further,
3. We deny the application submitted by Acadiana Therapeutic Remedies, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative.

5. Consideration of Application for Marijuana Pharmacy Permit for Region 5 – Southwest

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Dr. John Condos appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Dr. Condos presented four witnesses and no exhibits. The members then questioned

the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearing for the single applicant in Region 5 was concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Mannino moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 4:35 p.m. and then returned to open session at 4:49 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Cassidy then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We accept the recommendation of the Application Review Committee and determine Medicis, LLC is a qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 5 to Medicis, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative.

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

H. Recess

Mr. Rabb indicated the permits had been awarded for Regions 1 through 5 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 4:50 p.m.

* * * * *

An Administrative Hearing was convened on Wednesday, April 18, 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. Morris Rabb, First Vice President, called the hearing to order at 8:05 a.m.

B. Invocation & Pledge

Mr. Aron called upon Mr. Bond, and he delivered the invocation. Mr. Moore 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

Guests:

Mr. Andrew Clements
Ms. Michelle Williams – The Medicine Cabinet Pharmacy
Ms. Rachel Lacroix – Ray's Pharmacy
Mr. Robert Ray – Ray's Pharmacy
Mr. Joseph Williams – The Medicine Cabinet Pharmacy
Ms. Angela Carrizales – Bayou Dispensary
Dr. Jeff Adair – Bayou Dispensary
Mr. Carlos Carrizales – Bayou Dispensary
Ms. Sheryl Adair – Bayou Dispensary
Ms. Betsy Mayes – The Medicine Cabinet Pharmacy
Mr. Chris Whittington – Hope Pharmacy

Mr. Greg Hilburn – USA Today Network
Mr. Doug Boudreaux – Hope Pharmacy
Ms. Jennifer Boudreaux – Hope Pharmacy
Mr. Kasey Edwards – Bayou Dispensary
Dr. Jessica Clark – Delta Medmar
Mr. Brian Ruden – Bayou Dispensary
Mr. Darren White – NorLa Pharm
Dr. Ryan O’Glee – NorLa Pharm
Mr. Sam Karlin – The Advocate
Mr. Bill Windham – NorLa Pharm
Mr. Gregory Morrison – NorLa Pharm
Ms. Amy Pleasant – Grace Specialty Pharmacy
Mr. Brian Ruden – Purivera Pharmacy
Dr. Ashlynn Mahoney – Purivera Pharmacy
Mr. Kevin Schneider – Purivera Pharmacy
Dr. Itzel Harriott – Purivera Pharmacy
Mr. David Brown – Willow Pharmacy
Dr. Darren Martin – 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. Rabb 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. Rabb reminded the members and guests the Board President had appointed him to serve as the Hearing Officer during the previous hearings on March 27 and 28, and that he would continue to serve in that capacity for the continuation of those hearings that day. Mr. Carlos Finalet appeared as Attorney for the Board’s Application Review Committee. Ms. Celia Cangelosi appeared as Advisor to the Hearing Officer. Mr. Mark LaCour was the Official Recorder, and Mr. Malcolm Broussard was the Hearing Clerk. Without objection, Mr. Rabb waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

NOTICE IS HEREBY GIVEN that the Administrative Hearings convened and then recessed on March 28 will reconvene at 8:00 a.m. on Wednesday, April 18, 2018 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 03-30-2018

- 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 6 – Central**
 - (a) RAR Oil Ventures, LLC *d/b/a* Cenla Natural Medicine Dispensary [Alexandria, LA]
 - (b) The Medicine Cabinet Pharmacy, LLC *d/b/a* The Pill Box Pharmacy #003 [Alexandria, LA]
 - 2. 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]
 - 3. Consideration of Applications for Marijuana Pharmacy Permit for **Region 8 – Northeast**
 - (a) Delta Medmar, LLC *d/b/a* Delta Medmar [West Monroe, LA]
 - (b) Prescription Shoppe, LLC *d/b/a* Grace Specialty Pharmacy [West Monroe, LA]
 - 4. 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]
- G. Adjourn

F. Formal Hearing

Mr. Rabb provided general comments relative to the procedures to be followed during the hearings that day.

- 1. Consideration of Applications for Marijuana Pharmacy Permit for **Region 6 – Central**
 - a. **RAR Oil Ventures, LLC *d/b/a* Cenla Natural Medicine Dispensary (Case No. 18-0174)**
 Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Robert Ray appeared for the

applicant. Mr. Finalet presented one witness and one exhibit. Mr. Ray presented two witnesses and one exhibit. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Joseph Williams appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Williams presented three witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 6 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Valentine moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 8:45 a.m. and then returned to open session at 9:31 a.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Dr. Strong then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We reject the recommendation from the Application Review Committee and determine The Medicine Cabinet Pharmacy, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 6 to The Medicine Cabinet Pharmacy, LLC; and further,
3. We deny the application submitted by RAR Oil Ventures, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments. Mr. Robert Ray, the representative from RAR Oil Ventures, LLC reported his belief the late application submitted by The Medicine Cabinet Pharmacy, LLC should have resulted in an automatic disqualification of the application. Mr. Rabb acknowledged the public comment. The motion was then adopted after a unanimous roll call vote in the affirmative.

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

- a. **NorLa Pharm, LLC d/b/a NorLa Pharm (Case No. 18-0176)**
Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Jesse McCormick appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. McCormick presented four witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.
- b. **Hope Pharmacy, LLC d/b/a Hope Pharmacy (Case No. 18-0177)**
Mr. Rabb reconvened hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Doug Boudreaux appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Boudreaux presented three witnesses and one exhibit. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.
- c. **Bayou Dispensary, LLC d/b/a Bayou Dispensary (Case No. 18-0178)**
Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Angela Carrizales appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Ms. Carrizales presented three witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 7 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Moore moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 10:05 a.m. and then returned to open session at 10:49 a.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Ms. Melancon then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We reject the recommendation from the Application Review Committee and determine Hope Pharmacy, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 7 to Hope Pharmacy, LLC; and further,
3. We deny the applications submitted by:
 - a. NorLa Pharm, LLC; and
 - b. Bayou Dispensary, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative.

Mr. Rabb noted the transcript from the March 28 hearing reflected the departure of Mr. Moore prior to the consideration of the applications in Regions 8 and 9. Mr. Rabb asked Mr. Moore if he had reviewed the transcript and other exhibits for those applications. Mr. Moore reported he had read the transcript and reviewed the exhibits for both applications from Region 8 and both applications from Region 9.

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

Mr. Rabb noted the primary representative for Delta Medmar, LLC was not present but was en route and asked if the representative from Prescription Shoppe, LLC was prepared and willing to make their presentation first. The representative from Prescription Shoppe, LLC indicated she was prepared and willing to make her presentation first to give the representative from Delta Medmar additional time to arrive at the hearing.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Ms. Amy Pleasant appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Ms. Pleasant presented one witness and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Jesse McCormick appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. McCormick presented four witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 8 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Cassidy moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 11:58 a.m. and then returned to open session at 12:53 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Bond then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We reject the recommendation from the Application Review Committee and determine Delta Medmar, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 8 to Delta Medmar, LLC; and further,
3. We deny the application submitted by Prescription Shoppe, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative.

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

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

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. David Brown appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Brown presented two witnesses and no exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

b. **Purivera Pharmacy, LLC d/b/a Purivera Pharmacy (Case No. 18-0182)**

Mr. Rabb reconvened the hearing. Mr. Finalet appeared for the Application Review Committee. Mr. Kevin Schneider appeared for the applicant. Mr. Finalet presented one witness and one exhibit. Mr. Schneider presented four witnesses and two exhibits. The members then questioned the witnesses. When the testimony was completed, Mr. Rabb

concluded the hearing and tendered the exhibits and testimony to the members for their deliberations and decision.

Mr. Rabb noted the hearings for all the applicants in Region 9 were concluded and questioned the members if they were prepared to deliberate and render a decision. Mr. Moore moved to enter into executive session for the purpose of assessing the character and professional competency of the applicants to operate a marijuana pharmacy permit. There was no member discussion or public comment. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 2:14 p.m. and then returned to open session at 2:42 p.m.

Mr. Rabb returned the panel to open session and questioned the panel as to their decision. Mr. Valentine then moved,

Resolved, in consideration of the criteria specified in the Board's rule for marijuana pharmacies, and having considered the application materials and other exhibits, and having heard the testimony, observed the demeanor of the witnesses and weighed the credibility of each, that:

1. We accept the recommendation from the Application Review Committee and determine Willow Pharmacy, LLC is the most qualified applicant; and further,
2. We award the marijuana pharmacy permit for Region 9 to Willow Pharmacy, LLC; and further,
3. We deny the application submitted by Purivera Pharmacy, LLC.

Prior to the vote, Mr. Rabb solicited member discussion and public comments, but none were offered. The motion was adopted after a unanimous roll call vote in the affirmative.

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

G. Adjourn

Mr. Rabb indicated the permits had been awarded for Regions 6 through 9 and that the panel had addressed all items of business on the posted agenda. Without objection, Mr. Rabb adjourned the hearing at 2:44 p.m.

Respectfully submitted,

Brian A. Bond
Secretary