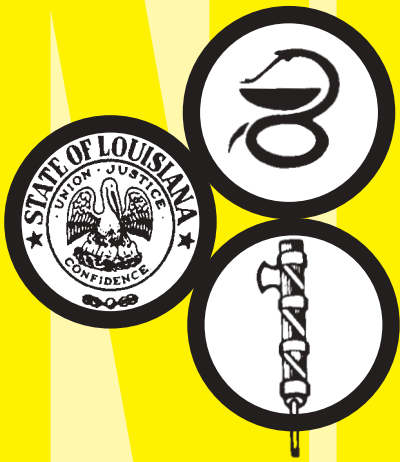


January 2003



Louisiana Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

New Board Members (03-01-145)

Governor Mike Foster announced five appointments to the Louisiana Board of Pharmacy.

District 2: Jacqueline L. Hall, who practices at Walgreens Pharmacy No. 2833 in New Orleans, replaced Ruth C. Jean, who completed six years of service.

District 3: Fred H. Mills, Jr, who practices at Mills Cashway Pharmacy in Parks, replaced Philip C. Aucoin, who completed 13 years of service.

District 5: Carl W. Aron, who practices at Aron's Pharmacy in Monroe, was reappointed.

District 6: Joseph V. A. Greco, who practices at Associated Veterinary Services Pharmacy in Baton Rouge, replaced B. Belaire Bourg, Jr, who completed 18 years of service.

District 8: Marty R. McKay, who practices at Pearson Drugs in LeCompte, was reappointed.

All of the new appointments are for a six-year term ending on July 28, 2008. The Board welcomes the three new members and salutes their predecessors for over three decades of combined service to the Board.

Election of Officers (03-01-146)

The Board conducted its annual election of officers during the November 20, 2002 meeting and the following members were elected:

- Carl W. Aron, Monroe.....President
- Clovis S. Burch, Shreveport.....First Vice President
- T. Morris Rabb, Monroe.....Second Vice President
- Theodore S. Carmichael, Jennings.....Third Vice President
- Reuben R. Dixon, New Orleans.....Secretary

Compliance Officer News (03-01-147)

After 10 years of service as a staff compliance officer, Kathleen V. Gaudet was promoted to chief compliance officer on December 1, 2002. The Board is also pleased to announce the selection of Melvin "Joe" Fontenot from Ville Platte as the newest staff compliance officer. Mr Fontenot began his service to the Board on December 2, 2002.

Board Meeting Dates for 2003 (03-01-148)

- The Board has set the following tentative meeting dates for 2003:
- February 19-20 August 13-14
- May 14-15 November 19-20

The Board plans to hold the February meeting on the campus of the University of Louisiana at Monroe; all other meetings are planned for the Board office in Baton Rouge. All dates and locations are subject to change as circumstances warrant.

Online Licensure Verification (03-01-149)

If you have not been there lately, we invite you to check our Web site at www.labp.com. You can now verify the status of most licenses or permits issued by our office. By entering the name or credential number, you can now check the status of a pharmacist license, intern registration, technician certificate, technician trainee work permit, or pharmacy permit.

Are You Ready for HIPAA? (03-01-150)

The federal government released the final health privacy regulation in August 2002. The latest revision includes information concerning consent and notice, marketing, file purchases, and the minimum necessary rule. The privacy regulations take effect April 14, 2003. If you want more information, please check the federal government Web site at www.hhs.gov/ocr/hipaa.

Reporting Forged Prescriptions (03-01-151)

The New Orleans Division Office of Drug Enforcement Administration (DEA) has implemented a Forged Prescription Reporting Program. Whenever a physician or pharmacy calls DEA to report information concerning a forged prescription, DEA will e-mail the information to participating pharmacies. DEA encourages your participation in the program, but it is voluntary. DEA believes this program will assist in the reduction of forged prescriptions being inadvertently filled by unsuspecting pharmacists. To enroll your pharmacy in this DEA program, please contact the DEA office at 504/840-1065 or 504/840-1066.

DEA Numbers for Advance Practice Registered Nurses (03-01-152)

As reported in our October 2000 *Newsletter*, Advance Practice Registered Nurses (APRNs) have limited prescriptive and distributive authority within the parameters established by their individual collaborative practice agreement with their collaborating physician. We have received information from the Board of Nursing that some APRNs have been authorized to receive Drug Enforcement Administration (DEA) numbers and prescribe certain controlled substances, provided their practice agreement permits that activity. Their practice agreement may authorize the prescribing of any controlled substances in Schedules III, IV, and V. In addition, those controlled substances in Schedule II used to treat Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder may also be prescribed. An APRN granted authority to prescribe or distribute controlled substances shall not utilize such substances in connection with the treatment of chronic or intractable pain, obesity, or oneself, a spouse, child, or any other family member.

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The format of the DEA number assigned to an APRN differs from those assigned to physicians and pharmacies by the use of the letter "M" (denoting mid-level practitioner) in the first character. The remainder of the format remains the same. If you have questions concerning APRN prescribing activity, please contact the Board of Nursing at www.lsbns.state.la.us or by phone at 504/838-5337.

Disciplinary Actions (03-01-153)

Although every effort is made to ensure that this information is correct, you should call the Board office at 225/925-6496 to verify the accuracy of any listing before making any decision based on this information.

During its November 21, 2002 administrative hearing, the Board took final action in the following matters:

Laningham's Thrifty Way Pharmacy (Pharmacy Permit No. 1841), Voluntary Consent Agreement: Permit placed on probation for two years, subject to certain terms, beginning November 21, 2002; also assessed a \$1,500 fine and administrative costs. *Charge*: failure to secure controlled substance inventory in such a manner as to deter theft or diversion.

Adam Dale Hounshell (Technician Certificate No. 4162), Voluntary Consent Agreement: Certificate revoked, with prohibition on any future application for reinstatement. *Charges*: (1) convicted of felony in state district court, (2) unlawful possession with intent to distribute Schedule III controlled substance, (3) unlawful possession with intent to distribute Schedule IV controlled substance, (4) unlawful acquisition of controlled substance by prescription fraud.

Pegasus Pharmacy (Pharmacy Permit No. 4901), Voluntary Consent Agreement: Permit placed on probation for five years, subject to certain terms, beginning on November 21, 2002; also assessed a \$5,000 fine plus administrative and investigative costs. *Charges*: (1) failure to conform to minimal standards of acceptable and prevailing pharmacy practice, (2) unlawful dispensation of Schedule II controlled substances, (3) unlawful arrangement with physician to restrict patient freedom of choice.

Express Scripts Pharmacy (Pharmacy Permit No. 4693), Voluntary Consent Agreement: Permit assessed a fine of \$2,500 plus administrative and investigative costs. *Charge*: unlawful operation of pharmacy with expired permit.

Chanel Riley Pounds (Technician Certificate No. 4056), Voluntary Consent Agreement: Certificate placed on probation for one year, subject to certain terms, beginning October 31, 2002; also assessed administrative costs. *Charge*: obtained certificate, by fraud, through submission of fraudulent payment.

Donna Fay Decou (Technician Certificate No. 2240), Voluntary Consent Agreement: Certificate suspended indefinitely. *Charges*: (1) obtained certificate by fraud and (2) failure to comply with continuing education requirements.

Julie Ann Johnson (Technician Certificate No. 4841), Voluntary Consent Agreement: Certificate revoked, with prohibition on any future application for reinstatement. *Charges*: (1) convicted of felony in state district court, (2) unlawful possession with intent to distribute Schedule III controlled substance, (3) unlawful possession with intent to distribute Schedule IV controlled substance, (4) unlawful acquisition of controlled substance by prescription fraud.

In addition, the Board issued Letters of Reprimand to two pharmacists. The Board also granted a request for modification of probation from one pharmacy permit owner.

With regard to impaired practitioners, the Board accepted the voluntary surrender of license from five pharmacists, modified the terms of probation for one pharmacist, and denied a request for probation modification from another pharmacist.

Calendar Notes (03-01-154)

The next Board meeting will be held February 19, 2003, on the campus of the University of Louisiana at Monroe. The office will be closed January 1-2 in observance of New Year's Day, January 20 in observance of Martin Luther King, Jr Day, and March 4 in observance of Mardi Gras.

Special Note (03-01-155)

The *Louisiana Board of Pharmacy Newsletter* is considered an official method of notification to pharmacists, pharmacies, interns, and technicians. **These Newsletters will be used in administrative hearings as proof of notification.** Please read them carefully and keep them in the back of the *Louisiana Pharmacy Law Book* for future reference.

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