

# Louisiana Board of Pharmacy

5615 Corporate Blvd, Suite 8E, Baton Rouge, LA 70808-2537  
www.labp.com

Published to promote voluntary compliance of pharmacy and drug law.

## Election of Officers (04-01-172)

The annual election of officers was conducted during the regular Louisiana Board of Pharmacy meeting held in Baton Rouge on Wednesday, November 19, 2003, and the following members were elected:

Carl W. Aron, Monroe ..... President  
 Clovis S. Burch, Shreveport ..... 1<sup>st</sup> Vice President  
 T. Morris Rabb, Monroe ..... 2<sup>nd</sup> Vice President  
 Theodore S. Carmichael, Crowley ..... 3<sup>rd</sup> Vice President  
 Reuben R. Dixon, New Orleans ..... Secretary

## Board Meeting Dates for 2004 (04-01-173)

The Board has set the following **tentative** meeting dates for 2004:

February 11-12	May 19-20
August 18-19	November 17-18

The Board plans to hold the February meeting on the campus of the Xavier College of Pharmacy in New Orleans; all other meetings are planned for the Board office in Baton Rouge.

## Board Member Appointments (04-01-174)

Board member appointments are made in accordance with LRS 37:1175, which provides that whenever a vacancy occurs among the members representing one of the eight districts, the registered pharmacists who are bona fide residents of the district in which the vacancy occurs shall nominate, from among their number, a representative to the Board. Whenever the vacancy will occur by reason of an expiring term, the nominations shall be made by mail at least 60 days in advance of the expiration date of the term.

The Board secretary is responsible for mailing a ballot, by United States mail, to each pharmacist holding an active license and residing in the district in which the vacancy will occur, at the last known address as indicated in the Board's records. The ballot, or another enclosed communication, will state the date, time, and place for counting ballots. At a gathering open to the public, the secretary and/or more persons designated by him or her will open and count the ballots. The secretary will then certify to the governor the names of the three nominees in each district receiving the highest number of votes.

The terms of five current Board members will expire on July 28, 2004. The ballots with necessary information will be mailed to pharmacists in the respective districts during the week of April 5, 2004. The ballots will be opened and counted during the week of May 10, 2004; information about the exact time and place will be included with the ballot.

Board member terms that will expire July 28, 2004, and their districts, are:

1. **Salvatore J. D'Angelo, Metairie** (District 1 – composed of the parishes of Jefferson and St Tammany).

2. **Reuben R. Dixon, New Orleans** (District 2 – composed of the parishes of Orleans, Plaquemines, and St Bernard).
3. **Clovis S. Burch, Shreveport** (District 4 – composed of the parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Red River, Sabine, and Webster).
4. **Wayne A. Camp, Baton Rouge** (District 6 – composed of the parishes of East Baton Rouge, East Feliciana, Livingston, St Helena, Tangipahoa, Washington, and West Feliciana).
5. **Theodore S. Carmichael, Crowley** (District 7 – Acadia, Calcasieu, Cameron, Jefferson Davis, Lafayette, and Vermilion).

Should any pharmacist need a list of pharmacists in his or her own district for purposes related to this nomination election, the Board office will supply one complimentary list upon written request by the pharmacist.

## New Regulations with Delayed Implementation (04-01-175)

We indicated in our last *Newsletter* that new regulations would be effective January 1, 2004. By the time you read this *Newsletter*, most pharmacies should have already received a copy of the reprinted *Louisiana Pharmacy Law Book*. You may also access the new laws and regulations on our Web site. During its November 2003 meeting, the Board voted to delay implementation of three new regulations:

1. Section 513 established the Certified Pharmacist Preceptor Program. Pharmacy interns and pharmacy technician candidates must earn hours under the supervision of certified pharmacist preceptors. Beginning January 1, 2005, affidavits for practical experience for both interns and technician candidates must be signed by certified pharmacist preceptors. Both the University of Louisiana at Monroe and Xavier College of Pharmacy will be sponsoring several pharmacist preceptor training programs during 2004. You should contact the schools to determine the dates of their training programs. When you complete their program, you may then apply to the Board and receive your pharmacist preceptor certificate; that certificate will expire five years after the date of issue, and it is renewable.
2. Section 705 changes the requirements for pharmacy interns as to how they must earn their hours of practical experience. This new change will apply to interns who entered their first professional year in the fall of 2003; however, all applications for pharmacist licensure received on or after January 1, 2007, shall comply with Section 705.
3. Section 2307 changes the requirements for the pharmacist-in-charge (PIC) of an out-of-state pharmacy permit. Beginning January 1, 2005, the PIC of an out-of-state pharmacy permit must hold an active Louisiana pharmacist license.

## Disciplinary Actions (04-01-176)

Although every effort is made to ensure the 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 August 21, 2003 administrative hearing, the Board took final action in the following matter:

**PrescriptionOnline.com (Pharmacy Permit No. 4363)**, Hearing: Permit revoked. *Charge*: probation violation.

During its November 20, 2003 administrative hearing, the Board took final action in the following matters:

**Kenneth Ralph Foster (Pharmacist License No. 9938)**, Voluntary Consent Agreement: License suspended for six years; reinstatement prohibited until after September 30, 2006; also fined \$5,000 plus administrative and investigative costs. *Charges*: (1) unlawful possession with intent to distribute Schedule III controlled substance, (2) unlawful possession with intent to distribute Schedule IV controlled substance, (3) unlawful acquisition or possession of controlled substances by fraud, misrepresentation, or forgery, (4) unlawful distribution of controlled substances to student, (5) assisted another person in evading any local, state, or federal laws pertaining to the practice of pharmacy, (6) unlawful dispensation of prescription drugs, (7) accountable for discrepancies in audits of controlled substances, and (8) failed to conform to minimal standards of acceptable and prevailing pharmacy practice.

**Pegasus Pharmacy (Pharmacy Permit No. 4917)**, Voluntary Consent Agreement: Permit assessed \$5,000 plus administrative and investigative costs. *Charges*: (1) failed to ensure public access to pharmacy, (2) improper labeling of prescription drugs, and (3) failed to conform to minimal standards of acceptable and prevailing pharmacy practice.

**Betsy Briones Delaune (Pharmacist License No. 16820)**, Voluntary Consent Agreement: License assessed \$2,000 plus administrative costs. *Charges*: (1) has evaded any local, state, or federal laws or regulations pertaining to the practice of pharmacy, (2) improper labeling of prescription drugs, and (3) failed to conform to minimal standards of acceptable and prevailing pharmacy practice.

**Rite Aid Pharmacy No. 7238 (Pharmacy Permit No. 56)**, Voluntary Consent Agreement: Permit issued Letter of Warning, and assessed administrative and investigative costs. *Charges*: (1) divulged confidential information other than as authorized by state law and (2) disclosure of patient information in response to subpoena after notification of motion to quash subpoena. (**Note**: This event occurred prior to the enactment of the Health Insurance Portability and Accountability Act.)

**Donald James Soileau (Technician Certificate No. 3774)**, Voluntary Consent Agreement: Certificate revoked, with prohibition on application for reinstatement. *Charges*: (1) unlawful possession of Schedule III controlled substance, (2) unlawful possession of Schedule IV controlled substance, and (3) unlawful acquisition or possession of controlled substances by fraud, misrepresentation, or forgery.

The Board also issued other Letters of Warning to two pharmacy permits and one technician, as well as a Letter of Reprimand to one pharmacy permit. With respect to the reinstatement of lapsed licenses, the Board granted requests from three pharmacists. With respect to impaired practitioners, the Board accepted the voluntary surrender of license from two pharmacists and also granted one request for reinstatement of license from one pharmacist.

## Calendar Notes (04-01-177)

The next Board meeting will be held February 11-12, 2004, on the campus of Xavier College of Pharmacy in New Orleans. The office will be closed January 19 in observance of Martin Luther King, Jr Day and February 24 in observance of Mardi Gras Day.

## Special Note (04-01-178)

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

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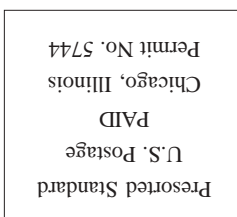
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Malcolm J. Broussard, RPh - State News Editor

Carmen A. Catizone, MS, RPh, DPh - National News Editor  
& Executive Editor

Reneeta C. "Rene" Renganathan - Editorial Manager



National Association of Boards of Pharmacy Foundation, Inc  
700 Busse Highway  
Park Ridge, Illinois 60068  
LOUISIANA BOARD OF PHARMACY