



Louisiana Board of Pharmacy

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Performance Audit of Louisiana PMP by Legislative Auditor (18-07-575)

The Louisiana Legislative Auditor conducted a performance audit of the Louisiana Board of Pharmacy's oversight of the Louisiana Prescription Monitoring Program (PMP) for fiscal years 2013 through 2016. The report was published on April 11, 2018, and is available on the auditor's website at www.la.gov, as well as the PMP section of the Board's website at www.pharmacy.la.gov. Overall, the auditor found that the Board maintains and reviews the PMP database as required by state law and has implemented many recommended best practices. The audit identified some data deficiencies and offered several recommendations for the Board to reduce the number of missing prescription transactions.

During the audit, the auditor cross-referenced prescriptions for controlled substances (CS) submitted to Medicaid and Workers' Compensation with the PMP database to assess the completeness of the data in the PMP database. For calendar year 2016, the auditor determined that approximately 5% of the prescriptions for hydrocodone and oxycodone submitted to Workers' Compensation and 3% of the prescriptions for the same two drugs submitted to Medicaid, totaling approximately 14,500 prescriptions, were not found in the PMP database. The auditor also reviewed the pending prescription data file maintained by the program vendor, consisting of prescription transactions submitted by pharmacies with errors and not yet resolved by the pharmacies. For calendar year 2016, the audit found approximately 25,500 prescriptions that had not yet been corrected by the pharmacies and were not available in the PMP database.

The auditor made nine recommendations to improve the completeness of the PMP database and the Board's use of the database. Some of those recommendations have already been implemented and others are planned for the next year. The auditor recommended that the Board should:

1. Expand compliance testing to identify pharmacies that do not report all of the prescription transactions;
2. Develop a process to ensure that pharmacies report all of their eligible prescription transactions in a timely manner;
3. Request that the program vendor provide error reports to Board staff on a regular basis;

4. Regularly review error reports and penalize pharmacies that fail to correct errors in a timely manner;
5. Use error reports to educate pharmacies about avoiding common errors so that fewer prescriptions are delayed from appearing in the database;
6. Establish a formal timeline for pharmacies to correct data errors and sanction pharmacies that do not comply with such time frames;
7. Resume threshold testing to identify "doctor shoppers";
8. Work with the vendor to develop and implement automated data analytics to identify prescribers, pharmacists, and patients with questionable activity involving CS; and
9. Follow up on "red flags" identified in the audit report and alert other licensing boards or criminal authorities as appropriate.

This article is a brief synopsis of the full report; the Board encourages your review of the full report.

Rx Management – New Tool for Pharmacies Reporting to the PMP Database (18-07-576)

As recommended by the Louisiana Legislative Auditor in its recent report on the Board's oversight of the Louisiana PMP, the Board has implemented a new feature available from the program vendor known as Rx Management. The link to Rx Management can be found as a menu choice on the PMP AWAR_XE user's web page; it allows for the management of prescription transactions and is available to all pharmacists with PMP access privileges. The pharmacist can use this feature to correct reporting errors, modify inaccuracies on existing prescriptions (eg, incorrect prescriber information), add new prescriptions, and review the prescription history for the pharmacy. Within the Rx Management module is a function known as Pharmacy RX, which allows pharmacists to create a report of all the pharmacy's prescriptions contained within the PMP database for a specified date range. The Pharmacy RX report should be compared with the pharmacy's CS log report on a frequent basis to ensure that all the pharmacy's eligible transactions have been reported to the PMP database. The Board distributed a letter to all pharmacies on May 1, 2018, informing them of this new feature.

The Board will soon release an attestation form to be used by the pharmacist-in-charge (PIC) at the pharmacy. The signature of the PIC will certify that he or she, or his or her designee, has

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National Pharmacy Compliance News

July 2018



NABPF
National Association of Boards
of Pharmacy Foundation

The applicability of articles in the *National Pharmacy Compliance News* to a particular state or jurisdiction can only be ascertained by examining the law of such state or jurisdiction.

DEA Launches New Tool to Help Distributors Make Informed Decisions About Customers

In February 2018, Drug Enforcement Administration (DEA) launched a new tool to assist drug manufacturers and distributors with their regulatory obligations under the Controlled Substances Act. The agency added a new feature to its Automation of Reports and Consolidated Orders System (ARCOS) Online Reporting System, a comprehensive drug reporting system that monitors the flow of controlled substances (CS) from their point of manufacture through commercial distribution channels to the point of sale at the dispensing/retail level. This newly added function will allow the more than 1,500 DEA-registered manufacturers and distributors to view the number of registrants who have sold a particular CS to a prospective customer in the last six months.

DEA regulations require distributors to both “know their customer” and to develop a system to identify and report suspicious orders. Manufacturers and distributors have asked DEA for assistance in fulfilling these obligations and have requested ARCOS information to help them determine if new customers are purchasing excessive quantities of CS. This new tool will provide valuable information for distributors to consider as part of their assessment. More details are available in a news release at www.dea.gov/divisions/hq/2018/hq021418.shtml.

PTCB Launches Certified Compounded Sterile Preparation Technician Program

In January 2018, the Pharmacy Technician Certification Board (PTCB) launched the PTCB Certified Compounded Sterile Preparation Technician (CSPT) Program. To be eligible to apply, a technician must:

- ◆ Be a PTCB certified pharmacy technician (CPhT) in good standing; and
- ◆ Have completed either a PTCB-recognized sterile compounding education/training program and one year of continuous full-time compounded sterile preparation work experience, or three years of continuous full-time compounded sterile preparation work experience.

To earn CSPT Certification, eligible CPhTs are required to pass the CSPT Exam and submit competency attestation documentation from a qualified supervisor. The two-hour, 75-question CSPT Exam covers hazardous and nonhazardous compounded sterile products in the four domains of:

- ◆ Medications and components (17%);
- ◆ Facilities and equipment (22%);
- ◆ Sterile compounding procedures (53%); and
- ◆ Handling, packaging, storage, and disposal (8%).

The purpose of the Attestation Form is to document the candidate’s completion of required training and certain skill and competency assessments in such areas as aseptic technique, equipment cleaning, and use of personal protective equipment. More details about the CSPT Program are available on PTCB’s website at www.ptcb.org.

DEA Enables Mid-level Practitioners to Prescribe and Dispense Buprenorphine

In January 2018, DEA announced a deregulatory measure that will make it easier for residents of underserved areas to receive treatment for opioid addiction. Nurse practitioners and physician assistants can now become Drug Addiction Treatment Act-Waived qualifying practitioners, which gives them authority to prescribe and dispense the opioid maintenance drug buprenorphine from their offices. This final rule took effect January 22, 2018. More details about DEA’s amendments are available in a Federal Register notice titled “Implementation of the Provision of the Comprehensive Addiction and Recovery Act of 2016 Relating to the Dispensing of Narcotic Drugs for Opioid Use Disorder” (Document Number: 2018-01173).

New CDC Training Offers CPE on Antibiotic Stewardship

The Centers for Disease Control and Prevention’s (CDC’s) Office of Antibiotic Stewardship is offering free continuing education opportunities for health care professionals. Focused on judicious antibiotic prescribing and antibiotic resistance, the online training is offered in four sections, each with multiple modules. Section 1 of the “CDC Training on Antibiotic Stewardship” is open now and can be accessed at www.train.org/cdctrain/course/1075730/compilation. Additional sections will be released throughout 2018. More information and resources about CDC’s national effort to help fight antibiotic resistance and improve antibiotic prescribing and use are available on CDC’s website at www.cdc.gov/antibiotic-use/index.html. CDC is accredited by the Accreditation Council for Pharmacy Education (ACPE) as a provider of continuing pharmacy education (CPE). This program meets the criteria for 0.258 CEUs of CPE credit. The ACPE Universal Activity Number is 0387-0000-18-031-H05-P.

Walmart to Provide Free Solution to Dispose of Medications With Schedule II Prescriptions

In partnership with Walmart, DisposeRx will provide a safe and easy way to neutralize unused, unwanted, or expired prescription opioids. DisposeRx developed a powdered product, also called DisposeRx, that permanently dissolves when mixed with water and sequesters excess opioids and other

drugs in a stiff, biodegradable gel that can be safely thrown in the trash. Walmart will provide a free packet of DisposeRx with every new Schedule II prescription filled at its 4,700 pharmacies nationwide. “This partnership with DisposeRx is an exciting opportunity for Walmart to protect the safety of its customers and public health. Unwanted or expired prescription medications left inside consumers’ medicine cabinets can be an easy source for those seeking to misuse or abuse a prescription drug,” said Pharmacy Clinical Services Manager for WalMart Health and Wellness and NABP Past President Jeanne D. Waggener, RPh, DPh. “We’re not just making it easy for patients to safely dispose of their medications, but we’re also helping prevent abuse before it starts.” Additional information is provided in a January 17, 2018 news release titled “Walmart Launches Groundbreaking Disposal Solution to Aid in Fight Against Opioid Abuse and Misuse.”

ASHP Research and Education Foundation Predicts Trends to Affect Pharmacy in 2018

In the 2018 Pharmacy Forecast: Strategic Planning Advice for Pharmacy Departments in Hospitals and Health Systems, the American Society of Health-System Pharmacists (ASHP) Research and Education Foundation provides guidance on eight topics that will challenge pharmacy practice leaders in hospitals and health systems. Published in the January 15, 2018 issue of American Journal of Health-System Pharmacy, the new report focuses on the following areas:

- ◆ Therapeutic innovation;
- ◆ Data, analytics, and technology;
- ◆ Business of pharmacy;
- ◆ Pharmacy and health-system leadership;
- ◆ Advanced pharmacy technician roles;
- ◆ Population health management;
- ◆ Public health imperatives; and
- ◆ Coping with uncertainty and chaos.

The 2018 report is available at www.ajhp.org/content/75/2/23.

USP Encourages Pharmacists to Help Patients Find Quality Dietary Supplements

Recall announcements, enforcement actions, and reports challenging the quality of dietary supplements are problematic issues facing pharmacists who want to ensure that the over-the-counter (OTC) products they are recommending to patients are of good quality. Many consumers purchase OTC dietary supplements and herbal products, often assuming they are regulated like prescription medications. While the law requires pharmaceuticals to meet specific quality standards set by the United States Pharmacopeial Convention (USP), the same requirements do not apply to supplements. For this reason, USP has created quality standards and a verification process specifically for these health products. Brands displaying the USP Verified Mark signal to the public that “what’s on their label is what’s in the bottle.” Health care

practitioners can learn more about USP’s efforts at www.usp.org/dietary-supplements-herbal-medicines.

Further, USP Dietary Supplement Verification Services are available to manufacturers and brands worldwide. They include Good Manufacturing Practice facility auditing, product quality control and manufacturing product documentation review, and product testing. Manufacturers that are participating in USP’s verification program for dietary supplements can be found at www.usp.org/verification-services/program-participants.

New CPE Monitor Subscription Plan Helps Pharmacists Track Compliance Via Mobile App

To help pharmacists easily monitor their CPE compliance, NABP partnered with the Accreditation Council for Pharmacy Education (ACPE) to develop CPE Monitor Plus, a subscription service for CPE Monitor[®]. Launched in April 2018, the new subscription service enables pharmacists to perform a variety of advanced functions beyond the basic CPE Monitor service, including:

- ◆ viewing CPE credit status by state to verify at a glance how much CPE credit must be earned to satisfy license renewal requirements;
- ◆ uploading certificates from non-ACPE CPE courses and applying them to relevant state licenses;
- ◆ receiving email alerts when CPE cycle deadlines are approaching;
- ◆ viewing all transcripts and individual courses and generating simplified, automated reports;
- ◆ searching for additional ACPE activities via ACPE P.L.A.N. (Pharmacists’ Learning Assistance Network); and
- ◆ accessing ACPE CPD (Continuous Professional Development) via single sign on.

CPE Monitor Plus is available for an annual, renewable subscription fee of \$29.95, regardless of how many licenses a pharmacist has or adds at a later date. CPE Monitor Plus is only available via NABP’s new mobile app. Search for NABP e-Profile in Google Play Store (Android) or the App Store (iPhone).

The standard CPE Monitor service is still available for free and can also be accessed via the app or a desktop by signing in with NABP e-Profile login credentials.

For more information, visit www.nabp.pharmacy/CPE.



CPE Monitor is a national collaborative service from NABP, ACPE, and ACPE providers that will allow licensees to track their CPE credit electronically

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compared the prescriptions recorded in the pharmacy's CS log report with the Pharmacy RX report and will certify that the pharmacy has reported all of its eligible prescription transactions.

New Laws From the Regular Session of the 2018 Louisiana Legislature (18-07-577)

The Louisiana Legislature adjourned its regular session on May 18, 2018, ahead of the planned June 4 date, in order to convene a second special session to address the state's budget issues. During the regular session, just over 2,200 bills and resolutions were considered. At press time, the governor had signed approximately 650 bills adopted by the legislature; more signings are anticipated. Several of these new laws will affect the practice of pharmacy. The Board issued *Bulletin 18-01 ~ New Laws* from the 2018 Legislature on July 1 and distributed that bulletin via the Pharmacy Alert system; a copy resides in the Public Library section of the Board's website.

Office Building Repair and Renovation (18-07-578)

The Board's office building was constructed almost 20 years ago; the interior and exterior are in need of repair and renovation. The Board has recently begun the project and the anticipated completion date is November 17, 2018. The contractor has sequestered approximately half of the Board's parking lot for their use, including the spaces in front of the building. Therefore, parking spaces will be limited for the next several months. The project includes the replacement of the floor in the lobby and other hallways in the building, which means access to the front office area may be restricted or compromised from time to time. As you might imagine, the use of jackhammers and other tools throughout the property may make telephone and other conversations difficult from time to time.

During the interim of the project, the Board encourages your use of email and facsimile to communicate with the Board office. If a personal visit is required, the Board encourages you to contact the office in advance for assistance with parking and directions to the front office personnel. Thank you for your patience as the Board makes the needed repairs to the office building.

Disciplinary Actions (18-07-579)

During its May 23, 2018 meeting and administrative hearing, the Board took action in the following matters:

Racquel Monique Williams (PTC.026922): In consideration of the disciplinary action taken by the Texas State Board of Pharmacy on her Texas pharmacy technician registration, the Louisiana Board authorized the issuance of her Louisiana pharmacy technician registration, then placed it on probation for two years, effective May 23, 2018, subject to certain terms enumerated in the consent agreement.

Walgreen Louisiana Co, Inc, dba Walgreens Pharmacy No. 5992 (Shreveport, LA) (PHY.004502): For its failure to notify the Board office in a timely manner of a change in the PIC position, the Board assessed a fine of \$5,000 plus administrative and investigative costs.

Catherine Rose Freeman (PST.020613): The Board suspended the license for four years plus nine months plus 25 days and stayed the execution of the suspension, then placed the license on probation for four years plus nine months plus 25 days,

effective May 23, 2018, subject to certain terms enumerated in the consent agreement.

David Raines Community Health Centers, Inc, dba David Raines Community Health Centers Pharmacy (Bossier City, LA) (PHY.006318): For its significant audit shortages of alprazolam, oxycodone, and promethazine with codeine during the 19-month period ending in January 2017, the Board assessed a fine of \$10,000 plus administrative and investigative costs; and further, ordered the pharmacy to maintain a perpetual inventory of all CS stocked by the pharmacy.

Laura Elizabeth Lyons (CPT.007340): The Board granted her request for reinstatement of the previously lapsed certificate, suspended it for five years and stayed the execution of the suspension, then placed the certificate on probation for five years, effective May 23, 2018, subject to certain terms enumerated in the consent agreement.

Gerald Edward Sargent (PST.015503): The Board granted his request for reinstatement of the previously suspended license, contingent upon the satisfaction of certain requirements identified in the consent agreement; and further, suspended the special work permit and subsequently reinstated license for five years and stayed the execution of the suspension, then placed the special work permit and subsequently reinstated license on probation for five years, effective on the date of issuance of the special work permit, subject to certain terms enumerated in the consent agreement.

Ricky Thomas Guidry (PST.013683): The Board granted his request for modification of previous orders, then removed Article 2-e from his Probation Board Order, which had prevented him from accepting an appointment as the PIC of a pharmacy.

Alex Anthony Capace (PST.013422): The Board granted his request for modification of previous orders, then removed all probationary terms and restored the license to active and unrestricted status.

Kevin Trenouth Kellow (PST.019095): The Board granted his request for modification of previous orders, then removed Article 2-e from his Probation Board Order, which had prevented him from accepting an appointment as the PIC of a pharmacy.

Rasia Keishawn Ford (CPT.011733): The Board suspended the certificate for five years and stayed the execution of the suspension, then placed the certificate on probation for five years, effective May 23, 2018, subject to certain terms enumerated in the consent agreement.

Heather Hoyle Honeycutt (PST.018141): The Board suspended the license for five years and stayed the execution of the suspension, then placed the license on probation for five years, effective May 23, 2018, subject to certain terms enumerated in the consent agreement.

Algunas, Inc, dba Woodland Hills Pharmacy (Woodland Hills, CA) (PHY.007093): In consideration of the disciplinary action taken by the California State Board of Pharmacy on its resident state permit for violations of the sterile compounding standards, which violations provide a basis for action in Louisiana, the Louisiana Board suspended the Louisiana pharmacy permit for four years plus nine months plus 17 days and stayed the execution of the suspension, then placed the permit on probation for four years plus nine months plus

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17 days, effective May 23, 2018, subject to certain terms enumerated in the consent agreement, with said probationary period to run concurrently with the probationary period imposed by the California Board on its resident state permit.

Steven Arthur Levin (owner and PIC of Woodland Hills Pharmacy) (PST.020926): In consideration of the disciplinary action taken by the California State Board of Pharmacy on his California pharmacist license for violations of the sterile compounding standards, which violations provide a basis for action in Louisiana, the Louisiana Board suspended the Louisiana pharmacist license for four years plus nine months plus 17 days and stayed the execution of the suspension, then placed the license on probation for four years plus nine months plus 17 days, effective May 23, 2018, subject to certain terms enumerated in the consent agreement, with said probationary period to run concurrently with the probationary period imposed by the California Board on his California pharmacist license.

Medical Center Pharmacy of Many, Louisiana, Inc, dba Medical Center Pharmacy of Many (Many, LA) (CDS.038838-PHY): The Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective March 21, 2018.

Lauren Ruffino Etienne (PST.019969): In lieu of immediate administrative action, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective March 29, 2018.

Terry James Veillon, Jr (PST.018988): In lieu of immediate administrative action, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective April 5, 2018.

Walgreens.com, Inc, dba Walgreens Pharmacy No. 2445 (Orlando, FL) (PHY.007457): For its failure to disclose the February 2017 disciplinary action taken by the Colorado State Board of Pharmacy against its Colorado pharmacy permit on its December 2017 application for the renewal of its Louisiana pharmacy permit, the Board assessed a fine of \$5,000 plus administrative costs.

Jeremy Rashad Branch (PST.019656): In consideration of the disciplinary action taken by the Texas State Board of Pharmacy on his Texas pharmacist license for violations of the CS dispensing standards, which violations provide a basis for action in Louisiana, the Louisiana Board suspended his Louisiana pharmacist license for two years plus eight months plus 28 days and stayed the execution of the suspension, then placed the license on probation for two years plus eight months plus 28 days, effective May 23, 2018, subject to certain terms enumerated in the consent agreement, with said probationary period to run concurrently with the probationary period imposed by the Texas Board on his Texas pharmacist license.

US Healthlink, LLC, dba US Healthlink Pharmacy (Orlando) (PHY.007405): For its dispensing of approximately 24 prescriptions into the state of Louisiana without the permit required to do so, and for its failure to disclose that dispensing

despite specific questioning on the application for its permit, the Board assessed a fine of \$15,000 plus administrative costs.

Chau Thai Nguyen (PST.022285): In lieu of immediate administrative action, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective May 18, 2018.

Tiffany Richelle Straughter (CPT.008697) – Formal Hearing: For her admission to the diversion of alprazolam from her employer pharmacy, the Board suspended the certificate for an indefinite period of time, effective May 23, 2018; and further, assessed a fine of \$500 plus administrative, investigative, and hearing costs; and further, conditioned the acceptance of any future reinstatement application upon the satisfaction of certain requirements identified in the hearing order.

Ashley Marie Estes (CPT.006762) – Formal Hearing: For her failure to provide information legally requested by the Board, the Board suspended the certificate for an indefinite period of time, effective May 23, 2018; and further, assessed a fine of \$500 plus administrative, investigative, and hearing costs; and further, conditioned the acceptance of any future reinstatement application upon the satisfaction of certain requirements identified in the hearing order.

During the same meeting, the Board issued letters of warning to three durable medical equipment permits and letters of reprimand to 10 pharmacists. In addition, the Board granted one request for reinstatement of a lapsed technician certificate, contingent upon the satisfaction of certain requirements identified in the consent agreement.

Calendar Notes (18-07-580)

The Board office will be closed on September 3 in observance of Labor Day.

Special Note (18-07-581)

The *Louisiana Board of Pharmacy Newsletter* 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. The Board encourages you to keep them in the back of the *Louisiana Pharmacy Law Book* for future reference. Electronic copies dating back to 2000 are posted on the Board's website.

Louisiana Lagniappe (18-07-582)

“Choose your rut carefully; you’ll be in it for the next ten miles.” – Road sign in upstate New York

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