



Louisiana Board of Pharmacy

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Annual Report

July 1, 2003

Carl W. Aron
President

Mission

Created by the Louisiana Legislature in 1888, the mission of the Louisiana Board of Pharmacy remains unchanged over a century later: to regulate the practice of pharmacy in such a manner as to protect the public health, safety, and welfare of the citizens of Louisiana. Toward that goal, the Louisiana Pharmacy Practice Act specifically authorizes the board to restrict the practice of pharmacy to qualified persons, as well as to control and regulate all persons and sites that sell drugs or devices or provide pharmacy care services to consumers in this state.

Membership

The board is composed of seventeen members: two pharmacists from each of eight districts and one public member at large. The district representatives are nominated by pharmacists, appointed by the governor, and serve six year terms. The public member is selected by, and serves at the pleasure of, the governor. The current members of the board are:

| | |
|------------|---|
| District 1 | Joseph L. Adams, Salvatore J. D'Angelo |
| District 2 | Reuben R. Dixon, Jacqueline L. Hall |
| District 3 | Fred H. Mills, Jr., Richard J. Oubre |
| District 4 | Lois R. Anderson, Clovis S. Burch |
| District 5 | Carl W. Aron, T. Morris Rabb |
| District 6 | Wayne A. Camp, Joseph V. Greco |
| District 7 | Theodore S. Carmichael, Larry J. Lantier, Jr. |
| District 8 | Brian A. Bond, Marty R. McKay |
| Public | Jeffrey M. Landry |

Licensure

In order to facilitate the restriction of practice to qualified persons, the board has established educational, experiential, and examination requirements for licensure. As authorized by the legislature, the board has contracted its examination procedures with professional testing services.

A. *Examinations*

The North American Pharmacist Licensure Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Examination (MPJE) are administered by the National Association of Boards of Pharmacy (NABP). These computer adaptive tests are administered in continuous window opportunities at multiple sites throughout the state. A minimum scaled score of 75 is required on each test to qualify for pharmacist licensure. The results for all Louisiana-based NAPLEX and MPJE candidates in calendar year 2002 are summarized below:

| | <u>NAPLEX</u> | <u>MPJE</u> |
|-------------------------|---------------|-------------|
| Total No. of Candidates | 241 | 347 |
| State Average Score | 93.33 | 79.68 |
| State Pass Rate | 75.85% | 87.75% |
| National Average Score | 94.01 | 80.40 |
| National Pass Rate | 85.67% | 86.64% |

The board issued 130 new pharmacist licenses during 2002.

Persons already licensed as a pharmacist by any other state (except California and Florida) who wish to obtain a license in Louisiana must successfully complete the MPJE as well as a personal interview with the board's reciprocity committee. Of the 130 new pharmacist licenses issued this past year, 32 of them were issued subsequent to successful completion of the reciprocity process.

The Pharmacy Technician Certification Board (PTCB) administers a national certification examination three times a year throughout the nation. A minimum scaled score of 75 is required to successfully complete the examination. The Louisiana Board of Pharmacy accepts the PTCB examination score result as part of the licensure requirements for pharmacy technicians. The results for all Louisiana-based PTCB candidates for calendar year 2002 are summarized below:

| | |
|----------------------------|--------|
| No. of State Candidates | 960 |
| State Pass Rate | 69% |
| No. of National Candidates | 33,794 |
| National Pass Rate | 80% |

The board issued 570 new pharmacy technician certificates during 2002.

B. Census Data

At the close of the fiscal year on June 30, 2003, a review of the records yielded the following information:

1. Pharmacists

| | | |
|----|-------------------------------|-------|
| a. | Number of active licenses | 5,890 |
| b. | Number of licensees in state | 4,435 |
| c. | Practice settings identified: | |
| | Community | 3,155 |
| | Hospital | 1,363 |
| | Manufacturer/Distributor | 70 |
| | Academia | 31 |
| | Government | 92 |
| | Other | 1,179 |

| | | | |
|----|------------------------------------|-----|-------|
| 2. | <u>Pharmacist Interns</u> | | |
| | Number of active registrations | | 929 |
| 3. | <u>Pharmacy technicians</u> | | |
| a. | Number of active certificates | | 3,505 |
| b. | Number of trainee work permits | | 1,336 |
| 4. | <u>Pharmacies</u> | | |
| | Number of active permits | | 1,818 |
| | Independent retail | 573 | |
| | Retail chain | 541 | |
| | Hospital | 179 | |
| | Parenteral/enteral | 94 | |
| | Institutional | 19 | |
| | Nuclear | 13 | |
| | Clinic | 19 | |
| | Correctional | 13 | |
| | Provisional/charitable | 11 | |
| | Industrial clinic | 1 | |
| | Other | 2 | |
| | Out-of-state | 313 | |
| 5. | <u>Equipment Permits</u> | | |
| | Emergency drug kit (EDK) | | 474 |
| | Automated medication systems (AMS) | | 136 |

Compliance

A. *Enforcement*

In order to control and regulate the practice of pharmacy in Louisiana, the board employs five pharmacist compliance officers to perform routine inspections and special investigations throughout the year in all places under the board's jurisdiction. Besides the routine inspections, site visits for permit changes, drug destruction requests, and other calls for assistance, the compliance officers completed 305 investigations during the last fiscal year: 20 of the original complaints were withdrawn, 36 were determined to be without violation, 25 resulted in field corrections, 89 resulted in administrative sanctions, one case was referred to another agency, and 134 cases were referred to the Board's violations committee. The committee dismissed 43 of its cases, recommended 79 voluntary consent agreements, and referred 12 cases to formal administrative hearings.

Compliance officers coordinate other investigative activities with a wide range of agencies, including local police departments, parish sheriff departments, other state regulatory and law enforcement agencies, and federal agencies such as the Drug

Enforcement Administration, the Food and Drug Administration, and the Consumer Product Safety Commission. Though the compliance officers utilize the educational approach as the fundamental mechanism to achieve compliance, certain circumstances warrant formal board action.

B. Adjudication

During the past fiscal year, the Board conducted four administrative hearings and took formal disciplinary action on several credentials. A summary of their activity is presented here:

| <i>Sanction</i> | <u>Pharmacist</u> | <u>Intern</u> | <u>Technician</u> | <u>Trainee</u> | <u>Permit</u> |
|---------------------|-------------------|---------------|-------------------|----------------|---------------|
| Assessment | 3 | 0 | 0 | 0 | 8 |
| Letter of Warning | 6 | 0 | 6 | 0 | 8 |
| Letter of Reprimand | 7 | 0 | 1 | 0 | 5 |
| Voluntary Surrender | 8 | 0 | 0 | 0 | 1 |
| Probation | 6 | 0 | 1 | 0 | 2 |
| Suspension | 7 | 0 | 3 | 0 | 0 |
| Revocation | 4 | 2 | 10 | 2 | 1 |

C. Impaired Practitioner Recovery Program

The board established their program in 1988 to assist practitioners obtain treatment for their impairment, maintain their recovery, and assist in their re-entry to professional practice. As of July 1, 2003 there were 40 pharmacists and one technician enrolled in the program. They surrendered their credentials while in treatment, and then were reinstated on probation; they practice under various restrictions designed to monitor their re-entry to professional practice. In addition, 16 pharmacists and two technicians were still on active suspension for impairment reasons.

Board Activity

As reflected in the data presented elsewhere in this report, the examination, reciprocity, reinstatement, violations, and impairment committees have been consistently active throughout the year. The regulation revision committee completed its multi-year project to completely revise the board regulations, subsequent to the statutory revision completed in 1999. The Board published a Notice of Intent in the July 2003 edition of the *Louisiana Register*, and hopes to complete the promulgation process by the end of 2003.

The board continues to maintain its liaison relationships with a variety of local, state, and national pharmacist practitioner organizations, as well as other state and national regulatory agencies, the schools of pharmacy, and our elected officials on the state and national levels.

Board Office

The Board authorized a series of technology upgrades in 2001, all designed to provide a foundation for enhanced communication and operational service levels. The

first of three phases (installation of new network infrastructure) was completed in June 2002, and the second phase (online verification of credentials) was completed in November 2002. The final phase (online renewal of credentials) should be completed by the end of 2003.

The Board lost two of its four compliance staff during the first half of 2002. Three new compliance officers were hired by the end of 2002, and the senior officer was promoted to a management position.

The staff roster is provided here:

| | |
|--------------------------|-----------------------|
| Licensure Division | |
| Licensing Assistant | Ms. Kelley Villeneuve |
| Licensing Analyst | Ms. Jeri Villeneuve |
| Compliance Division | |
| Compliance Officer | Mr. Stephen Collins |
| Compliance Officer | Mr. Melvin Fontenot |
| Compliance Officer | Mr. Huey Savoie |
| Compliance Officer | Mr. Rayland Trisler |
| Chief Compliance Officer | Ms. Kathleen Gaudet |
| Administrative Division | |
| Secretary | Ms. Judy Dinecola |
| Administrative Assistant | Ms. Gail Leggett |
| General Counsel | Mr. Carlos Finalet |
| Executive Director | Mr. Malcolm Broussard |

The physical and mailing address of the board office is:

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The board's website address is www.labp.com and email is received at labp@labp.com.

Conclusion

The board has had an active year on several fronts, and all of these activities have contributed to the overall mission of the board. The officers and members of the board, as well as the entire office staff, are committed to achieving our goal of protecting the public through appropriate regulation of the practice of pharmacy in this state. We understand that public service is a privilege, and we endeavor to render that service honorably.