



Louisiana Board of Pharmacy

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Annual Report

July 1, 2005

Malcolm J. Broussard
Executive Director

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, Michele P. Alderman
District 2	Reuben R. Dixon, Jacqueline L. Hall
District 3	Fred H. Mills, Jr., Richard J. Oubre
District 4	Lois R. Anderson, J. Douglas Boudreaux
District 5	Carl W. Aron, T. Morris Rabb
District 6	Patsy L. Angelle, Joseph V. Greco
District 7	Allen W. Cassidy, Jr., Larry J. Lantier, Jr.
District 8	Brian A. Bond, Marty R. McKay
Public	Alvin A. Haynes, Jr.

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 2004 are summarized below:

	<u>NAPLEX</u>	<u>MPJE</u>
Total No. of Candidates	196	361
State Average Score	93.84	79.31
State Pass Rate	93.15%	89.73%
National Average Score	95.33	80.47
National Pass Rate	87.71%	85.19%

The board issued 275 new pharmacist licenses during 2004.

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 275 new pharmacist licenses issued this past year, 145 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	957
State Pass Rate	74%
No. of National Candidates	41,245
National Pass Rate	78%

The board issued 553 new pharmacy technician certificates during 2004.

B. Census Data

At the close of the fiscal year on June 30, 2005, a review of the records yielded the following information:

1. Pharmacists

a.	Number of active licenses	6,218
b.	Number of licensees in state	4,532
c.	Practice settings identified:	
	Community	3,340
	Hospital	1,345
	Manufacturer/Distributor	57
	Academia	27
	Government	86
	Other	1,363

2.	<u>Pharmacist Interns</u>		
	Number of active registrations		1,154
3.	<u>Pharmacy technicians</u>		
a.	Number of active certificates		4,455
b.	Number of trainee work permits		1,074
4.	<u>Pharmacies</u>		
	Number of active permits		1,644
	Independent retail	729	
	Retail chain	473	
	Hospital	181	
	Institutional	36	
	Nuclear	13	
	Charitable	12	
	Out-of-state	200	
5.	<u>Equipment Permits</u>		
	Emergency drug kit (EDK)	471	
	Automated medication systems (AMS)	174	

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, and other calls for assistance, the compliance officers completed 281 investigations during the last fiscal year: 7 of the original complaints were withdrawn, 31 were determined to be without violation, 47 resulted in field/administrative corrections, 73 resulted in administrative sanctions, three cases were referred to another agency, and 120 cases were referred to the Board for formal action. The committee dismissed 16 of its cases, recommended 91 voluntary consent agreements, and referred 13 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>Candidate</u>	<u>Permit</u>
Assessment	0	0	0	0	7
Letter of Warning	4	0	2	1	5
Letter of Reprimand	9	0	7	0	4
Voluntary Surrender	17	4	2	0	0
Probation	5	0	3	0	2
Suspension	4	0	2	0	0
Revocation	4	1	17	1	3

C. 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, 2005 there were 39 pharmacists, 4 interns, and 3 technicians 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, 27 pharmacists, 2 interns, and 8 technicians were still on active suspension for impairment reasons.

Board Activity

A. Regulatory

During the fall of 2004, the Board completed the 18-month process of revising its regulations governing pharmacy technicians and pharmacy technician candidates. The Final Rule was published in the November 2004 edition of the Louisiana Register. Since that time, in response to several interested parties, the Board initiated a subsequent revision of that chapter, specifically in reference to staffing ratios and scope of practice for certified technicians. At press time, the Board was analyzing comments presented at the public hearing.

B. Legislative

During the 2005 Regular Session, the Board sponsored legislation to revise the fee structure. The most significant adjustments were slight increases in the pharmacist license renewal and pharmacy permit renewal, as well as a new fee for pharmacy technician candidates. The legislature also adopted other legislation that allows the Board to establish staffing ratios for pharmacy technicians as well as limitations in their scope of practice by rule.

C. *Liaison*

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 both state and national levels.

Board Office

The Board authorized the installation of the online pharmacist license renewal module in the fall of 2004; approximately 25% of the pharmacists utilized the service in its first year. The Board intends to offer that service to pharmacies this fall, as well as to pharmacy technicians next summer.

The staff roster is provided here:

Licensure Division

Ms. Kelley Villeneuve

Licensing Assistant

Ms. Jeri Villeneuve

Licensing Analyst

Compliance Division

Mr. Stephen Collins

Compliance Officer

Mr. Melvin Fontenot

Compliance Officer

Mr. Huey Savoie

Compliance Officer

Mr. Rayland Trisler

Compliance Officer

Ms. Kathleen Gaudet

Chief Compliance Officer

Administrative Division

Ms. Judy Dinecola

Secretary

Ms. Gail Leggett

Administrative Assistant

Mr. Carlos Finalet

General Counsel

Mr. Malcolm Broussard

Executive Director

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.