



Louisiana Board of Pharmacy

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Annual Report

July 1, 2007

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., Blake P. Pitre
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., Chris B. Melancon
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 for Pharmacists*

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 2006 are summarized below:

NAPLEX

	Jan – Apr		May – Aug		Sept – Dec	
	<u>ULM</u>	<u>XU</u>	<u>ULM</u>	<u>XU</u>	<u>ULM</u>	<u>XU</u>
Total No. of Candidates	2	20	60	94	10	48
School Average Score [scaled]	98	72	113	106	96	93
State Average Score	87	87	112	112	96	96
National Average Score	87	87	107	107	93	93
School Pass Rate [%]	100	50	93	83	80	77
State Pass Rate	78	78	89	89	79	79
National Pass Rate	69	69	91	91	77	77

MPJE

	Jan – June		July – Dec	
	<u>ULM</u>	<u>XU</u>	<u>ULM</u>	<u>XU</u>
Total No. of Candidates	68	139	111	181
School Average Score [scaled]	80	79	82	80
State Average Score	80	80	81	81
National Average Score	81	81	80	80
School Pass Rate [%]	88	88	93	87
State Pass Rate	91	91	92	92
National Pass Rate	87	87	88	88

B. Examinations for Technicians

The Pharmacy Technician Certification Board (PTCB) administers a national certification examination during four month-long testing windows per 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 2006 are summarized below:

No. of State Candidates	1, 079
State Pass Rate [%]	55
No. of National Candidates	49,689
National Pass Rate [%]	65

C. Census Data

At the close of the fiscal year on June 30, 2007, a review of the records yielded the following information:

- Pharmacy Program
 1. Pharmacists
 - a. Number of active licenses 6,497
 - b. Number of licensees in state 4,522
 - c. Practice settings identified:

Community	2,671
Hospital	998
Manufacturer/Distributor	44
Academia	20
Government	33
Other	756
 2. Pharmacist Interns

Number of active registrations	1,196
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 3. Pharmacy technicians

Number of active certificates	4,739
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 4. Pharmacy technician candidates

Number of active registrations	1,421
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 5. Pharmacies

Number of active permits	1,579
Independent retail	620
Retail chain	491
Hospital	164
Institutional	36
Nuclear	16
Charitable	12
Out-of-state	240
 6. Equipment Permits

Emergency drug kit (EDK)	412
Automated medication systems (AMS)	212

Subtotal of Credentials in Pharmacy Program 16,056

• CDS Program		
1. Manufacturers	36	
2. Distributors	285	
3. Drug Detection Canine (Police)	9	
4. Emergency Medical Service	57	
5. Hospital	369	
6. Physician	13,195	
7. Veterinarian	870	
8. Dentist	2,090	
9. Podiatrist	147	
10. Researcher	100	
11. Sales Representative	57	
12. Other	74	
13. Methadone Treatment Center	14	
14. Surgical Center	94	
15. Emergency Center	17	
16. Rural Health Clinic	19	
17. Medical Clinic	73	
18. Analytical Laboratory	13	
19. Drug Detection Canine (Private)	11	
20. Certified Animal Euthanasia Technician	31	
21. Dialysis Center	63	
22. Advanced Practice Registered Nurse	346	
23. Medical Psychologist	37	
24. Physician's Assistant	170	
25. Optometrist	230	
<u>Subtotal of Credentials in CDS Program</u>		18,407
Total Credentials Under Management		34,463

D. New Credentials

During the past fiscal year, the Board issued 249 new pharmacist licenses, 279 new pharmacy intern registrations, 403 new technician certificates, and 1,416 new technician candidate registrations.

E. Reciprocity

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 249 new pharmacist licenses issued this past fiscal year, 110 of them were issued subsequent to successful completion of the reciprocity process.

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 255 investigations during the last fiscal year: 10 of the original complaints were withdrawn, 30 were determined to be without violation, 40 resulted in field/administrative corrections, 34 resulted in administrative sanctions, 11 cases were referred to another agency, and 130 cases were referred to the Board's Violations Committee for formal action. The Violations Committee dismissed 20 of its cases and recommended 110 voluntary consent agreements. Of that number, 97 respondents accepted the proposed discipline. The remaining 13 respondents did not, and they were referred for 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. Adjudications

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

	<u>Pharmacist</u>	<u>Intern</u>	<u>Technician</u>	<u>Candidate</u>	<u>Permit</u>	<u>CDS License</u>
<i>Sanction</i>						
Assessment	1	0	0	0	4	0
Letter of Warning	3	0	2	0	13	0
Letter of Reprimand	12	0	1	0	6	0
Voluntary Surrender	12	1	3	2	1	3
Probation	23	1	1	0	3	0
Suspension	5	1	0	0	2	0
Revocation	0	0	16	2	10	0

C. Practitioner Recovery Program

The Board established its program in 1988 to assist practitioners obtain treatment for their impairment, maintain their recovery, and assist their re-entry into professional practice. As of July 1, 2007 there were 44 pharmacists, four interns, 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, 32 pharmacists, one intern, seven technicians, and two technician candidates were still on active suspension for impairment reasons.

Board Activity

A. Regulatory

During the past fiscal year, the Board completed two promulgation projects. The revision to §513 of the Board's rules repealed the Board's certified pharmacist preceptor program. Initiated in 2004, the program was designed to improve the ability of practicing pharmacists to precept pharmacy interns earning practice experience in their pharmacies. The program was progressing, albeit slowly, and the number of certified preceptors was determined to be insufficient to accommodate the number of interns requiring certified preceptors. Further, one of the impacts from the 2005 hurricanes found many of the interns completing their requirements in other states. So as to not adversely impact those interns in their attempt to return to the state for pharmacist licensure, the Board promulgated both an Emergency Rule and a Final Rule (December 2006) repealing the program.

The second regulatory project included revisions to several different chapters of rules, including some significant new provisions. Perhaps the most long-awaited provision was a joint effort with the Louisiana State Board of Medical Examiners – a rule permitting pharmacists to collaborate with physicians to manage patients' drug therapy. To enable the utilization of new technologies, the Board promulgated a rule permitting pharmacies to remotely process prescription drug orders at another pharmacy prior to their dispensing at the local pharmacy. These and other pharmacy practice initiatives were published as Final Rules in the June 2007 issue of the Louisiana Register.

B. Operations

Pursuant to Act 834 of the 2006 Legislature, the authority for the issuance of all Controlled Dangerous Substance (CDS) licenses was transferred from the Health Standards Section of the Dept. of Health and Hospitals to the Board.

The Board hired additional staff and acquired new equipment to accommodate the transfer process. As reflected in the census report above, the number of credentials in the CDS program exceeded the number of credentials already under management in the pharmacy program; thus, the transfer more than doubled the number of credentials under management. With assistance from the Health Standards Section, the transition progressed smoothly and without incident or loss of service to any client.

Outlook for Fiscal Year 2007-2008

Pursuant to Act 676 of the 2006 Legislature, the Board is in the process of developing and implementing a Prescription Monitoring Program within its office complex. The required rulemaking process is almost complete, and we hope to have the program fully operational before the end of the 2007-2008 fiscal year.

Board Office

The staff roster is provided here:

Credentials Division

CDS Program

Ms. Karla Branch
Ms. Felicia Bryant
Ms. Latrice Howard

Licensing Assistant
Licensing Assistant
Administrative Coordinator

Pharmacy Program

Ms. Randie DeJohn
Ms. Carlette Stevenson
Ms. Jeri Villeneuve

Licensing Assistant
Administrative Coordinator
Licensing Analyst

Compliance Division

Mr. Stephen Collins
Mr. Melvin Fontenot
Mr. Huey Savoie
Mr. Rayland Trisler
Ms. Kathleen Gaudet

Pharmacist Compliance Officer
Pharmacist Compliance Officer
Pharmacist Compliance Officer
Pharmacist Compliance Officer
Pharmacist Chief Compliance Officer

Administrative Division

Ms. Judy Dinecola
Ms. Kelley Villeneuve
Mr. Carlos Finalet
Mr. Malcolm Broussard

Secretary
Office Manager
General Counsel
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.