



Louisiana Board of Pharmacy
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Annual Report

Fiscal Year 2018-2019

July 1, 2019

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 prescription drugs or devices or provide pharmacy care services to consumers in this state.

Licensure

In order to facilitate the restriction of practice to qualified persons, the Board has established educational, experiential, and examination requirements for pharmacist licensure. As authorized by the legislature, the Board has contracted its high-stakes 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 maximum scaled score is 150 for the NAPLEX and 100 for the MPJE. NABP publishes summary data for the examinations on a trimester basis. The results for all Louisiana-based NAPLEX and MPJE candidates in Calendar Year 2018 are summarized here:

NAPLEX

	Jan – Apr	May – Aug	Sept – Dec
No. of Louisiana Candidates	17	215	50
State Mean Scaled Score	72.88	93.10	76.24
Louisiana Pass Rate	35.29%	86.98%	50%
No. of National Candidates	1,349	13,152	3,582
National Mean Scaled Score	77.61	96.25	82
National Pass Rate	56.56%	89.57%	69.24%

MPJE

	Jan – Apr	May – Aug	Sept – Dec
No. of Louisiana Candidates	111	370	211
State Mean Scaled Score	78	77.47	76.64
Louisiana Pass Rate	82.79%	78.82%	69.19%
No. of National Candidates	5,845	18,851	9,201
National Mean Scaled Score	77.49	78.21	76.94
National Pass Rate	76.46%	83.07%	72.86%

B. Examinations for Technicians

The Board has approved two pharmacy technician certification examinations – the Pharmacy Technician Certification Examination (PTCE) administered by the Pharmacy Technician Certification Board and the Examination for Certified Pharmacy Technicians (ExCPT) administered by National Healthcareer Association (NHA). Both examinations are computer adaptive tests which are administered in continuous window opportunities at multiple sites throughout the state. The results for all Louisiana-based PTCE and ExCPT candidates for Calendar Year 2018 are summarized here:

	PTCE		ExCPT	
	Jan. – June	July – Dec.	Jan. – June	July – Dec.
No. of Louisiana Candidates	657	572	57	66
Louisiana Pass Rate	40.9%	44.1%	46.2%	63.6%
No. of National Candidates	27,331	21,512		
National Pass Rate	57%	58%	64%	70%

C. Census Data

At the close of the fiscal year on June 30, 2019, a review of our records yielded the following census information:

	<u>2019</u>	<u>2018</u>	<u>2017</u>
• Pharmacy Program			
1. Pharmacists			
> Number of active licenses	9,255	9,009	8,577
> Number of licensees within the state	5,795	5,690	5,588
2. Pharmacy Interns			
> Number of active registrations	1,094	1,070	1,094
3. Pharmacy technicians			
> Number of active certificates	6,601	6,586	6,561
4. Pharmacy technician candidates			
> Number of active registrations	1,595	2,000	2,052
5. Pharmacies			
> Number of active permits	2,033	1,988	1,983
- Community – Independent	605	590	583
- Community – Chain	596	630	651
- Hospital	172	175	175
- Institutional	22	22	23
- Marijuana	8	0	0
- Nuclear	13	13	14
- Charitable	9	10	11
- Penal	4	3	2
- Remote processor	2	1	0
- Nonresident	572	544	524
6. Equipment Permits			
> Emergency drug kit (EDK)	380	446	411
> Automated medication systems (AMS)	461	870	439
> Durable medical equipment (DME)	640	642	637

7.	Special Activity Credentials			
>	CDTM Registration	78	69	66
>	Med. Administration Registration	3,161	3,073	2,820
>	Special Work Permits	41	45	48
>	Marijuana Pharmacy Designations	127	71	0
>	PMP Access Registrations	19,686	15,835 (<i>new</i>)	
	<u>Subtotal of Credentials in Pharmacy Program</u>	<u>45,174</u>	<u>41,770</u>	<u>24,688</u>
		<u>2018</u>	<u>2018</u>	<u>2017</u>
•	CDS Program			
1.	Automated Medication System (AMS)	42	37	28
2.	Advanced Practice RN (APRN)	3,435	2,980	2,343
3.	Dentist	2,224	2,174	1,929
4.	Drug Detection / Canine	6	8	8
5.	Distributor	285	290	284
6.	Podiatrist	163	158	136
7.	Veterinarian	1,216	1,188	1,007
8.	Animal Euthanasia Technician	28	29	25
9.	Hospital	302	306	283
10.	Laboratory	12	12	11
11.	Physicians & Interns/Residents	14,196	13,144	11,575
12.	Manufacturer	47	45	38
13.	Medical Psychologist	91	91	84
14.	Optometrist	360	349	297
15.	Pharmacies	1,303	1,335	1,359
16.	Physician Assistant	928	783	667
17.	Registered Outsourcing Facility	19	19	13
18.	Researcher	106	104	100
19.	Substance Abuse Clinic	6	6	6
	<u>Subtotal of Credentials in CDS Program</u>	<u>24,769</u>	<u>23,058</u>	<u>20,193</u>
	<u>Total Active Credentials under Management</u>	<u>69,943</u>	<u>64,828</u>	<u>44,881</u>

D. New Credentials

During the past fiscal year, the Board issued 5,864 new credentials in the Pharmacy Program and 2,929 new credentials in the CDS Program. Of note within the Pharmacy Program, we issued 523 new pharmacist licenses, 527 new pharmacy technician certificates, and 1,034 new pharmacy technician candidate registrations during the past fiscal year. Of note within the CDS Program, we issued new CDS licenses to 1,720 physicians, interns and residents, as well as 577 advanced practice registered nurses, and 163 dentists.

E. License Transfer (Reciprocity)

Persons already licensed as a pharmacist by any other state who wish to obtain a license in Louisiana must successfully complete the MPJE as well as the application and criminal background check. Of the 523 new pharmacist licenses issued this past fiscal year, 295 were issued subsequent to 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. In addition to pharmacies, the compliance officers also inspect healthcare facilities to monitor compliance with controlled substance requirements. The compliance officers visited 1,426 pharmacies and other facilities during the year to perform routine inspections, site visits for permit changes and other calls for assistance. The compliance and administrative officers began the fiscal year with 180 cases from the previous fiscal year, received 433 new cases, and closed 434 cases, leaving 179 cases for the next fiscal year. Of the 434 cases closed during the fiscal year: 5 of the original complaints were withdrawn, 11 resulted from termination of previously imposed probationary periods, 88 were determined to be without violation, 26 cases were referred to other agencies, 122 resulted in field/administrative corrections, 19 resulted in administrative sanctions, and 163 cases were referred to the Board's committees. The committees took no action in 12 of their cases, issued approvals for 30 non-disciplinary petitions, and recommended voluntary consent agreements for 121 cases. Of that number, all but five accepted the proposed discipline; those five respondents were referred for formal administrative hearings. The decisions from the formal hearings resulted in one denial of reinstatement, two suspensions, and two revocations.

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 two administrative hearings and levied formal disciplinary action against several credentials. A summary of that activity is presented here:

	<u>Pharmacist</u>	<u>Intern</u>	<u>Technician</u>	<u>Candidate</u>	<u>Permit</u>
<u>CDS</u>					
<i>Sanction</i>					
Denial / Refusal	1	0	1	1	0
Reinstatement	6	0	8	0	3
Change Previous Orders	6	0	0	0	0
Assessment	1	0	0	0	15
Letter of Warning	1	0	0	0	2
Letter of Reprimand	12	0	12	0	5
Voluntary Surrender	7	0	3	1	0
Probation	14	1	2	0	2
Suspension	4	0	1	1	0
Revocation	0	0	5	2	2
Other Decisions	20	0	2	1	7

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, 2019 there were 42 pharmacists, one pharmacy intern, and seven pharmacy technicians actively engaged in the recovery program. They surrendered their credentials while in treatment; following treatment and upon favorable recommendation by board-certified addiction medicine specialists, they applied for the reinstatement of their credentials. The Board reinstated their credentials on probation, and the licensees practice under various restrictions designed to monitor their re-entry to professional practice. In addition, the credentials for 39 pharmacists, two interns, 17 technicians, and four technician candidates were still on active suspension for impairment reasons.

Board Activity

A. Regulatory

The Board's Regulation Revision Committee is tasked with the continuous review of the Board's rules and their recommendation for revision as appropriate. The Board initiated and completed two regulatory projects during the fiscal year.

- Louisiana Prescription Drug Uniform Prior Authorization Form, amending LAC 46:LIII.1129 and 1130, in collaboration with the La. State Board of Medical Examiners, as directed by Act 423 of the 2018 Legislature; and
- Naloxone as Drug of Concern, amending LAC 46:LIII.2901, as directed by Act 146 of the 2018 Legislature.

As directed by other legislative acts and by the Board's own initiative, the Board initiated 17 additional regulatory projects; these are pending review by the Occupational Licensing Review Commission for approval to initiate the formal promulgation process.

B. Legislative

During the 2019 regular session, the Board sponsored three bills, all of which were successful.

- Act 80 amended the prescription monitoring program law to enable the sharing of prescription monitoring information with federal agencies and jurisdictions.
- Act 219 amended the licensing section of the controlled dangerous substance law to authorize the Board to require criminal history record checks for certain applicants for the state controlled dangerous substance license.
- Act 354 amended the state's list of controlled dangerous substances to harmonize the state list with recent federal scheduling actions.

C. Prescription Monitoring Program

Finally, the Board continued its operation of Louisiana's Prescription Monitoring Program (PMP). The vendor contract to operate the program is held by Appriss, Inc., based in Louisville, KY. As reported previously, Appriss acquired the previous vendor (Optimum Technology) in 2016 and transitioned the program to its operating platform, Aware Rx. The number of prescribers and dispensers authorized to access the program's database continues to increase, as has the average number of queries per

day. Since the program is required to file an annual report to the legislature, we have appended that report to this one to facilitate its separation.

Board Office

The Board currently employs 22 people on a full-time basis in a variety of professional, technical, and clerical roles; the Board also supports the local Cooperative Office Education (COE) program in Baton Rouge area high schools by hiring high school senior students on a temporary basis. The physical and mailing address of the board office is:

Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, LA 70809-1700
Telephone (225) 925-6496

The board's website address is www.pharmacy.la.gov and general email is received at info@pharmacy.la.gov.

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's health, safety and welfare 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.

Respectfully submitted,
Malcolm J Broussard
Executive Director



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Prescription Monitoring Program Annual Report

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Introduction

The Louisiana Prescription Monitoring Program (PMP) is an electronic database used to collect and monitor prescription data for all Schedule II, III, IV, and V controlled substances, as well as certain drugs of concern, dispensed by a pharmacy in Louisiana or to a Louisiana resident from a pharmacy located in another state. The PMP also provides a venue for monitoring patient prescription history for practitioners.

Act 676 of the 2006 Louisiana Legislature authorized the development, implementation, operation, and evaluation of an electronic system for the monitoring of controlled substances and other drugs of concern that are dispensed within the state or to state residents by pharmacies located in other states. The goal of the program is to improve the state's ability to identify and inhibit the diversion of controlled substances and drugs of concern in an efficient and cost-effective manner and in a manner that shall not impede the appropriate utilization of these drugs for legitimate medical purposes.

The PMP was implemented in August 2008. Pharmacies and dispensing prescribers were instructed how and when to transmit their dispensing transactions to the program vendor for assimilation into the PMP database. Prescribers, dispensers, and other persons authorized to access PMP information were instructed how to secure their access privileges. The web portal to the PMP database was opened to queries on January 1, 2009, and the program remains fully operational.

Advisory Council

The enabling legislation created the PMP Advisory Council to assist the Board in the development and operation of the program. The council consists of the following members, each of whom may appoint a designee:

1. The president of the Louisiana State Board of Medical Examiners;
2. The president of the Louisiana State Board of Dentistry;
3. The president of the Louisiana State Board of Nursing;
4. The president of the Louisiana State Board of Optometry Examiners;
5. The president of the Louisiana Academy of Physician Assistants;
6. The president of the Louisiana Board of Pharmacy;
7. The superintendent of the Louisiana State Police;
8. The administrator of the United States Drug Enforcement Administration;
9. The speaker of the Louisiana House of Representatives;
10. The president of the Louisiana Senate;
11. The chairman of the House Committee on Health and Welfare;
12. The chairman of the Senate Committee on Health and Welfare;
13. The secretary of the Department of Health;
14. The president of the Louisiana State Medical Society;
15. The president of the Louisiana Dental Association;
16. The president of the Louisiana Association of Nurse Practitioners;
17. The president of the Optometry Association of Louisiana;
18. The president of the Louisiana Pharmacists Association;
19. The president of the Louisiana Independent Pharmacies Association;
20. The president of the National Association of Chain Drug Stores;
21. The president of the Louisiana Sheriffs' Association;
22. The president of the Louisiana District Attorneys Association;
23. The president of the Pharmaceutical Research and Manufacturers of America; and
24. The president of the Louisiana Academy of Medical Psychologists.

During Fiscal Year 2018-2019, the council convened all four of their regularly-scheduled quarterly meetings. Representatives from six of the 24 organizations attended 100% of the meetings; ten entities attended 75%; two attended 50%; two attended 25%, and four entities had no representation at any of the meetings. During each of the meetings, program staff presented data concerning the number of prescription transactions reported to the program database as well as the number of queries to the database by prescribers, dispensers, law enforcement, and regulatory agencies. The staff also reported on the addition of new states available through the PMP InterConnect interstate network, as well as the increased utilization by the private sector of the PMP Gateway service, which integrates the PMP access portal into existing practice information systems in a variety of settings, including hospitals, clinics, practitioner offices, and pharmacies. The council reviewed new legislation adopted during the 2018 legislative session, and staff provided updates on the operational implementation of the legislative mandates.

Vendor Contract

With the 2013 contract expiring at the end of 2018, the Board solicited public bids for an expanded list of improvements and technical specifications. The La. Office of State Procurement awarded the new contract in January 2019 to Appriss, which was the sole bidder.

Program Highlights

- *August 1, 2018* – established access for an epidemiologist with the La. Dept. of Health for public health surveillance purposes, as authorized by 232 of the 2018 Legislature.
- *December 21, 2018* – Louisiana Office of State Procurement awarded the PMP vendor contract to Appriss, Inc. with an effective date of January 1, 2019.
- *April 3, 2019* – through participation with the PMP InterConnect™ sponsored by the National Association of Boards of Pharmacy, achieved connection with the United States Military Health System and 26 states, including Alabama, Alaska, Arizona, Arkansas, Connecticut, Delaware, Florida, Georgia, Idaho, Kansas, Massachusetts, Minnesota, Mississippi, Montana, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and West Virginia.
- *May 6, 2019* – first distribution of Prescriber Report Cards. The Prescriber Report Card is intended to give prescribers insight into their opioid prescribing patterns. Reports are provided quarterly to all registered PMP prescriber users with an active account and a defined role and specialty who have written at least one opioid prescription during the prior six-month period.

Louisiana PMP Statewide Integration Project

On January 1, 2019, the Board partnered with the Louisiana Dept. of Health's Office of Public Health, Bureau of Community Preparedness (LDH-OPH-BCP) and Appriss Health to provide a statewide PMP integration option to all healthcare providers in Louisiana utilizing a service called PMP Gateway®. Gateway offers healthcare providers an option to integrate PMP data within the provider's electronic health record (EHR) or pharmacy information system to provide a streamlined clinical workflow for providers. The integration eliminates the need for providers to log in separately to the PMP web portal; instead, the EHR automatically initiates a patient query and returns the patient's PMP information directly within the provider's EHR or pharmacy information system.

Included as part of the integration, users now have access to an advanced analytics and patient

support tool called NarxCare®. In addition to the existing Louisiana PMP functionality, NarxCare aggregates and analyzes prescription information from pharmacies and presents visual interactive information, as well as advanced analytic insights, machine learning risk scores and more to help prescribers and pharmacists provide better patient safety and outcomes for every patient. NarxCare also provides tools and resources that support patients' needs and assists a healthcare provider to connect their patient to treatment when appropriate. This statewide initiative is funded by a Centers for Disease Control and Prevention (CDC) grant awarded to LDH-OPH-BCP and covers the costs of the licensing fees associated with the integration and NarxCare service.

As of June 30, 2019, the Louisiana PMP was interoperable with 80 licensees (EHR and pharmacy information systems) across the state. There were an additional 179 licensee applicants (EHRs and pharmacy information systems) which had applied for integration and were in process to complete the necessary requirements to obtain access. It is important to note that several licensees have numerous facilities across the state. Ochsner Health System, for example, is one licensee with multiple facilities across the state from New Orleans to Shreveport. Other such licensees include Franciscan Missionaries of Our Lady Health System, Lafayette General Health System, Wal-Mart Pharmacies, and Kroger Pharmacies.

Program Metrics

The data on the following pages provide summary data for the operational aspects of the program for Calendar Year 2018. The first graphic presents information about the use of the information by the authorized users as identified in the governing legislation. Data for the different categories of prescribers are presented, including the number of prescribers authorized to obtain PMP access privileges, the number with active access privileges and the number of queries to the PMP database by those prescribers. Other authorized users include law enforcement and regulatory agencies; information concerning the number of queries originating from those entities is also presented.

The second graphic presents information concerning the numbers of controlled substance prescriptions dispense in the state, including summary data for different types of drugs like opioids and benzodiazepines. Just over 11 million prescriptions were dispensed in the state during Calendar Year 2018, with an average of 2.424 prescriptions per Louisiana resident.

Outlook for Next Fiscal Year

The program is implementing several new features this year, including monitoring for mandatory use compliance as well as the initiation of clinical alerts.

- The controlled substance law contains some mandatory use provisions for certain prescribers in certain situations, and there are some exceptions to those requirements. The monitor can alert staff when prescribers appear to deviate from the mandatory use requirements. Staff will relay the information to the prescriber's licensing authority which can then determine whether an exception applies or compliance was not achieved.
- The program will offer prescribers multiple types of clinical alerts. These electronic alerts are delivered directly to a prescriber's dashboard and his email if desired to alert the prescriber that patient has
 - Exceeded a set prescriber/dispenser threshold;
 - Exceeded a daily active MME threshold;
 - Exceeded a daily active MME threshold for methadone;
 - Exceeded a days count threshold for opioid prescriptions; or
 - Been prescribed opioids and benzodiazepines concurrently.

Louisiana Board of Pharmacy
Prescription Monitoring Program

Authorized User Statistics for Calendar Year 2018

	Number of Providers Eligible for PMP Access (as of 12/31/2018)	Number of Providers with Active PMP Access Privileges (as of 12/31/2018)	Number of PMP Requests through AWARxE™	Number of PMP Requests through GATEWAY™
Healthcare Provider Roles				
Physician (MD, DO)	13,000	8,605	1,393,029	3,543,306
Nurse Practitioner (APRN)	3,226	2,473	300,383	109,849
Dentist (DDS)	2,225	1,509	21,658	0
Physician Assistant (PA)	880	624	65,442	10,435
Optometrist (OD)	360	148	35	0
Podiatrist (DPM)	161	109	879	0
Medical Psychologist (MP)	89	83	19,786	0
Medical Intern/Resident	1,076	937	3,354	0
Prescriber's Delegate	NA	2,127	793,101	NA
Pharmacist (PST)	9,069	4,156	1,289,904	720,124
Pharmacist's Delegate	NA	812	140,533	NA
Totals	30,086	21,583	4,028,104	4,383,714

Law Enforcement, Prosecutorial Officials, & Specialty Courts

DEA (patient requests)	521
Specialty Courts	102
FBI	335
Homeland Security	3
Local Law Enforcement	366
HHS - OIG	12
State Attorney General	1
State Police	40
Total	1380

Regulatory Agencies

LA State Board of Medical Examiners	1,149
LA State Board of Dentistry	38
LA State Board of Nursing	918
LA State Board of Pharmacy	1,744
DEA (licensee requests)	808
Total	4,657

Other Roles

Medical Examiner / Coroner	262
Louisiana Medicaid	726
Total	988

Quick Slicers:



2015	2016	2017	2018	2019
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State Rx per Capita
2.424



Prescriptions
11,307,069

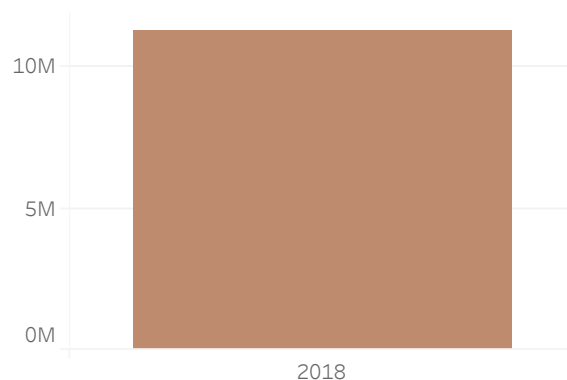
Quantity
Dispensed

EACH (TABLETS, KITS, ETC..) 513,932K
GRAMS (SOLIDS) 3,256K
MILLILITERS (LIQUIDS) 81,609K
UNSPECIFIED 118K



Days Supply
265,983,525

YoY Prescriptions (#)



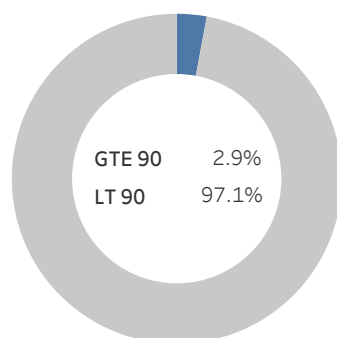
YoY Prescriptions (#) by Drug Schedule

Schedule 2	2018	5,139,558
Schedule 3	2018	725,533
Schedule 4	2018	4,579,843
Schedule 5	2018	539,681
Unscheduled	2018	321,288
Unspecified	2018	1,166

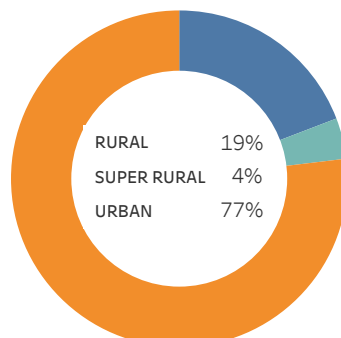
YoY Prescriptions (#) by Drug Classes

Opioid	2018	4,786,754
Benzo	2018	2,498,343
Anxiolytic, Hypnotics, Se..	2018	998,486
Other	2018	3,023,486

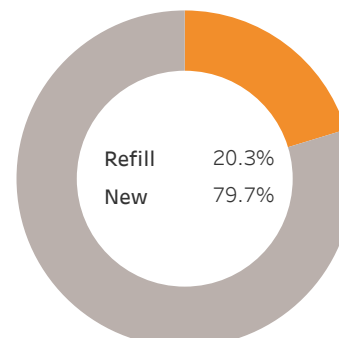
Prescriptions >= 90 MME vs. All



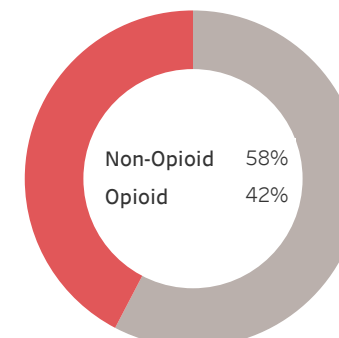
Rx by Patient Demographic Environment



New vs. Refill Prescriptions



Opioids vs. Non Opioids (%)



Conclusion

The program has completed approximately ten years of operation. Based on feedback from authorized users, it appears to represent an efficient and cost-effective use of resources. Data from the program suggests we have made some progress in the reduction of diversion of controlled substances. Our interstate collaborations have yielded high marks for our program design and operation. We look forward to fully developing the potential of our program to identify and inhibit the diversion of controlled substances in Louisiana.

We appreciate the contributions from and collaboration with our partners on the Prescription Monitoring Program Advisory Council. We also acknowledge the contributions from our administrative coordinators, Ms. Danielle Hartzog and Ms. Nerissa Montgomery, and the program manager, Mr. Joseph Fontenot, for their assistance with the development of this report and administrative oversight of the program.

Respectfully submitted,
Malcolm J. Broussard
Executive Director