



Louisiana Board of Pharmacy

3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700
Telephone 225.925.6496 ~ E-mail: info@pharmacy.la.gov



Minutes

The Executive Committee of the Louisiana Board of Pharmacy convened a regular meeting on Tuesday, August 15, 2023 at the Louisiana Board of Pharmacy located at 3388 Brentwood Drive in Baton Rouge, Louisiana 70809. The meeting was held pursuant to public notice, each member received notice, and public notice was properly posted.

1. Call to Order

Mr. Marty McKay, President, called the meeting to order at 3:40 p.m.

2. Quorum Call

Members Present: Ms. Jacqueline L. Hall, Mr. Marty R. McKay, Mr. Don L. Resweber, and Mr. Rhonny K. Valentine

Members Absent: Mr. Richard M. Indovina, Jr.

Guests: Mr. Malcolm Broussard (Hygeia Solutions), Ms. Shelly Dupre (La. Alliance of Retail Pharmacies), and Mr. Peter Prevot (LATA)

3. Call for Additional Agenda Items & Adoption of Agenda

Mr. McKay asked if there were any additional agenda items to be added; none were requested. Without objection, the members adopted the posted agenda dated August 8, 2023.

4. Consideration of Draft Minutes from Previous meeting: May 23, 2023

Mr. McKay reminded the members they had received the draft minutes from the previous committee meeting held on May 23, 2023. With no objections, he waived the reading of the draft minutes. With no requests for amendments or corrections, and with no objection, Mr. McKay declared the minutes were approved as presented.

5. Opportunity for Public Comment

None offered

6. Request for Interpretation – Good Day Farm Louisiana – Marijuana Pharmacy Delivery

This request originated from John Davis, President of Good Day Farm Louisiana. The request from Mr. Davis sought to clarify whether each marijuana pharmacy owned by the same entity in a region must provide delivery to patients in each zip code within its region at least once per month or can the pharmacy permit holder have one delivery system working for all locations in the region. The committee reviewed the law, the legislative intent, and the rule and suggest it would be appropriate to allow the permit holder to have one delivery system working for all locations owned by the same entity in the region. The committee decided unanimously to offer the following

recommendation, in the form of a motion, to the Board:

Resolved, to interpret LAC 46:LIII.2541(Q) to allow the marijuana pharmacy permit holder to have one delivery system for the primary marijuana pharmacy permit and its satellite locations in the region.

7. *Request for Consideration from Ochsner Health - Frequency of USP <797> Competency Assessment*

This request originated from Dr. Deborah Simonson and Dr. Paul Menasco with Ochsner Health. In the letter, they explain USP Chapter 797 distinguishes three categories of compounded sterile preparations (CSP) and establishes frequencies for training and competency assessment based on category and personnel function. The frequencies for training and/or competency assessment are initial followed by reassessment at least every 3 months, 6 months, or 12 months.

An accreditation body provided Ochsner with parameters for establishing compliance to standards where the element of performance specifies a frequency for completing certain tasks or functions. Acceptable time frames for competing tasks or functions are as follows:

- Every 12 months = 12 months from the last event, +/- 30 days
- Every 6 months = 6 months from the last event, +/- 20 days
- Every 3 months = 3 months from the last event, +/- 10 days

They explain Ochsner's goal is to assure that compounding staff complete training and competency assessment timely. But completing these tasks every 3, 6, or 12 months to the day is a challenge due to their complexity, time requirements, and their number of staff. Ochsner is asking the Board to consider the parameters provided as acceptable time frames for completion of CSP training and competency assessment.

After reviewing the request from Ochsner and discussing with staff, the committee decided unanimously to offer the following recommendation, in the form of a motion, to the Board:

Resolved, the Board considers the following as acceptable time frames for timely completion of training and competency as described in USP Chapter <797>

Pharmaceutical Compounding – Sterile Preparations:

- Every 12 months - 12 months from the last event, +/- 30 days
- Every 6 months - 6 months from the last event, +/- 20 days
- Every 3 months - 3 months from the last event, +/- 10 days

8. *Review of Letter from APC – USP <797> Regulatory Implementation*

The committee reviewed the letter and it will be presented to the Board.

9. *Review & Consideration of DEA Final Rule – Transfer of Electronic CDS Prescriptions Between Pharmacies for Initial Filling*

The committee decided to refer this matter to the Regulation Revision Committee to

begin the rulemaking process and will report this referral to the Board.

10. Review of 2023 Regular Session of the Louisiana Legislature

The committee reviewed the bulletin and it will be presented to the Board.

11. Review & Consideration of Compliance Questionnaire for Annual Legislative Audit

The committee reviewed the Compliance Questionnaire for the 2023 Legislative Audit prepared by the staff and voted unanimously to offer a recommendation, in the form of a motion, for approval by the Board.

12. Review & Consideration of Annual Report

The committee reviewed the *Annual Report* and voted unanimously to offer a recommendation, in the form of a motion, for approval by the Board and authorize its submission and filing.

13. Review & Consideration of Exceptions Report

Board Policy permits the President to review and respond to requests for exceptions to laws, rules, and policies in the interim between meetings of the board. Board Policy also permits the Executive Director, with concurrence of the Board President, to issue Special Work Permits and approve dual PIC privileges with notice to the Board at its next meeting. The committee reviewed the current "Exceptions Report", had no questions or comments, and the report will be presented to the full Board as required in policy.

14. Review of Administrative Operations

- A. Office Procedures – Mr. Fontenot provided the members with an update on office operations.
- B. Towne Center Property Discussion – The committee discussed the Board's Towne Center Property, located at 6959 Commerce Circle in Baton Rouge, LA 70809, and will offer a recommendation, in the form of a motion, for the Board to sale the property.
- C. Staff Review – Specific staff members were noticed that the committee would like to meet in executive session for a discussion which would involve the professional competence of said staff members. Mr. Resweber made a motion to enter into executive session and Mr. Valentine seconded the motion. No member discussion and no public comments offered. An affirmative vote was unanimous with the following members voting in favor of entering into executive session: Ms. Hall, Mr. Resweber, Mr. Valentine, and Mr. McKay. The members then entered executive session. After exiting executive session, the members thanked staff and the open meeting resumed. The committee then discussed and came to a consensus with respect to annual salary adjustments for unclassified employees.

15. New Agenda Items Added During Meeting – No new agenda items added

16. Adjourn - Having completed the tasks itemized on the posted agenda, with no further business pending before the Board and without objection, Mr. McKay adjourned the meeting at 6:50 p.m.

Minutes prepared by Joe Fontenot and then approved as presented during the subsequent meeting on November 14, 2023.