



# Louisiana Board of Pharmacy

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## Minutes

The **Executive Committee** of the Louisiana Board of Pharmacy convened a regular meeting on **Tuesday, November 19, 2024** 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 2:30 p.m.

### **2. Quorum Call**

Members Present: Jacqueline L. Hall, Richard M. Indovina, Jr., Marty R. McKay, and Don L. Resweber.

Members Absent: None

Staff Present: Ben Whaley, Carlos Finalet, Kelley Villeneuve, Sarah Stevens, and Joe Fontenot

Guests: Malcolm Broussard (Hygeia Solutions), Dr. David Collins, Richard "Andy" Soileau, and Robert "Butch" Ray.

### **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 November 12, 2024.

### **4. Consideration of Draft Minutes from Previous Meeting – August 13, 2024**

Mr. McKay reminded the members they had received the draft minutes from the previous committee meeting held on August 13, 2024. 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. Consideration of Fee Exempt Credentials**

Mr. Fontenot explained, more than 25 years ago a decision was made not to charge state-owned Louisiana Department of Health (LDH) facilities for their original and renewal credentials from the Board. This was primarily for state-owned "pharmacy permits" in LDH facilities and they were coded in our licensing information system as fee exempt. When the Board obtained the Louisiana Controlled Dangerous Substances (CDS) Licensing program from LDH in 2006, the tradition of not charging state-owned LDH facilities continued. At some point over the past several years, an error occurred in which this "fee exemption" was given

to "hospital service districts" which are owned by parish governments and other local government entities. The number of service districts are growing and the financial impact to the Board can be measured. With respect to this fee exemption, there is nothing in law, rule, or policy that provides for a fee exemption, with the exception of a pharmacist gold certificate.

Mr. Fontenot provided an overview of the financial impact upon the Board, which included loss of revenue and the cost involved for inspections and credential processing.

After a lengthy discussion, the committee decided unanimously to continue the practice of considering state of Louisiana owned facilities as fee exempt. With respect to parish and local government owned entities, the committee decided to rescind the fee exempt status for the credentials issued in error, beginning with the next renewal cycle.

**7. Consideration of Previous Interpretation to LAC 46:LIII.705.B.2**

*LAC 46:LIII.705.B.2. A pharmacy intern shall not practice in a permitted pharmacy site that is on probation with the board. A pharmacy intern shall not practice under the supervision of a pharmacist or other licensed practitioner whose license is on probation with their primary professional licensing agency.*

A previous interpretation of the regulation would have permitted the supervision of a pharmacy intern by a pharmacist on probation with the Board, but the hours worked could not be used towards internship requirements.

After reviewing the regulation, the committee decided unanimously that the regulation should be interpreted literally in such a manner that a pharmacy intern shall not practice under the supervision of pharmacist whose license is on probation under any circumstances.

**8. Request from New Orleans Career Center**

New Orleans Career Center Pharmacy Technician Training Program submitted a request to be added to the list of *Board-Approved Pharmacy Technician Training Programs*. The program is in candidate status with ASHP/ACPE.

After reviewing the request, the committee decided unanimously to offer the following recommendation to the Board in the form of a motion:

***Resolved,** to approve New Orleans Career Center pharmacy technician training program as a Board-Approved Pharmacy Technician Training Program contingent upon maintaining an acceptable ASHP/ACPE status.*

**9. Review 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.

**10. Executive Director's Report**

Mr. Fontenot provided the members with a favorable report in regard to office operations.

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

**12. Adjourn** - Having completed the tasks itemized on the posted agenda, with no further business pending before the committee and without objection, Mr. McKay adjourned the meeting at 3:16 p.m.

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*Minutes prepared by Joe Fontenot, Executive Director, and then approved as presented during the subsequent meeting of the committee on February 18, 2025.*