



Louisiana Board of Pharmacy
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REGULATION REVISION COMMITTEE MEETING
April 25, 2024

MINUTES

The Regulation Revision Committee of the Louisiana Board of Pharmacy met at 9:30am on April 25, 2024, at the Board office, 3388 Brentwood Drive, Baton Rouge, LA 70809. The following agenda was considered and discussed:

1. Call to Order
2. Invocation & Pledge of Allegiance
3. Quorum Call
4. Call for Additional Agenda Items & Adoption of Agenda
5. Consideration of Draft Minutes from Previous Meeting - January 24, 2024
6. Opportunity for Public Comment
7. Regulatory Proposal 2023-C ~ Automated Medication Systems (AMS) -Draft #5
8. Regulatory Proposal 2024-A ~ Pharmacy Technicians – Draft #2
9. Regulatory Proposal 2024-C ~ Durable Medical Equipment (DME) Permit Change of Ownership – Draft #1
10. Regulatory Proposal 2024-F ~ Prescription Transfers – Draft #1
11. Discussion - Shared Pharmacy Services
12. Discussion – “See and Smell” Education Stations at Therapeutic Marijuana Pharmacies
13. New Agenda Items Added During Meeting
14. Adjourn

Committee members participating were: David Darce, Jennifer Dupree, Jacqueline Hall, Troy Menard and Committee Chair Richard Indovina.

Also participating were: Marty McKay (Board President), Joe Fontenot (Executive Director), Carlos Finalet (General Counsel), Sarah Stevens (Licensing Analyst Director), Becky Parker (Compliance Officer) and Cary Aaron (Compliance Officer).

Public attendees were:

Malcolm Broussard (Hygeia Solutions), Jeff Mesaros (Mesaros Group), Lauren Paul (CVS Health), Mary Katherine Loos (Breazeale, Sachse & Wilson), Paul Menasco (Ochsner), Myra Thomas (Ochsner), Peter Prevot (LATA), Shelly Dupre (LA Alliance for Retail Pharmacies), and Jacob Irving (Ilera).

Call for Additional Agenda Items & Adoption of Agenda

There were no calls for additional agenda items, and the agenda was adopted.

Consideration of Draft Minutes from Previous Meeting – January 24, 2024

The Committee approved the minutes by consensus.

Opportunity for Public Comment

None were made.

Regulatory Proposal 2023-C ~ Automated Medication Systems (AMS) – Draft #5

Mr. Fontenot explained that several drafts over past years have led to confusion, and that the drafts have not carried over the rule's original intent.

After reviewing the proposal as Draft #5, the Committee agreed to the following:

Line 12: Add “pharmacist,” between the words “a” and “pharmacy”.

The committee instructed staff to prepare Draft #6 with this change and approved Draft #6 for submission to the Board for its consideration.

Regulatory Proposal 2024-A ~ Pharmacy Technicians – Draft #2

Mr. Fontenot explained that the current accredited programs will not change, but other training options would be added. It was noted that it is no longer possible to sit for a Board-approved technician certification examination without first earning hours of experience.

After reviewing Draft #2, the Committee agreed to the following:

Line 41: Strike “The applicant shall satisfy one of the following eligibility criteria.”

Change to read “One of the three following eligibility criteria shall be satisfied by the applicant:”

Line 93: Add “of” between the words “duties” and “a”

Line 94: Replace the word “must” with the word “shall”

Line 94: Add the word “pharmacy” between the words “board-approved” and “technician”

Line 94: Add the word “certification” between the words “technician” and “examination”

Line 116: Strike “which may include hours earned in a consultant pharmacy practice which does not hold a pharmacy permit.”

Line 116: Add “.” after the word “program”

Line 120: Remove “with the exception of hours earned by candidates under 18 years of age which must be earned within the terms outlined by the Employment Certificate as required by the Louisiana Department of Labor.”

Line 120: Add “unless further limited by an employment certificate as required by the Louisiana Department of Labor.” after the word “week,”

Line 126: Add the word “pharmacy” between the words “board-approved” and “technician”

Line 126: Add the word “certification” between the words “technician” and “examination”.

Line 161: Strike the word “and” and replace with the word “an”

The Committee instructed staff to prepare Draft # 3 with these changes and approved Draft #3 for submission to the Board for its consideration.

Regulatory Proposal 2024-C ~ Durable Medical Equipment (DME) Permit Change of Ownership – Draft #1

Mr. Fontenot explained that the Board has not received acknowledgement of a response sent to Cardinal Health in response to their public comment.

The Committee approved Draft #1 for submission to the Board for its consideration.

Regulatory Proposal 2024-F ~ Prescription Transfers – Draft #1

Mr. Fontenot explained that this proposal was written in a manner such that any future federal changes regarding transfers of CDS prescriptions will be automatically reflected at the state level, and will allow the transfer of previously unfilled non-CDS prescriptions.

After reviewing Draft #1, the Committee agreed to the following:

Line 43: Strike "The transfer of original prescription information for the purpose of refill dispensing or initial filling"

Add "The transfer of a prescription or prescription information for the purpose of initial filling or refill dispensing" before the word "is"

Line 67: Remove "LAC 46:LIII.1123.K."

Line 67: Add "Chapter 11 of this part." after the word "with"

The Committee instructed staff to prepare Draft # 2 with these changes and approved Draft #2 for submission to the Board for its consideration.

Discussion-Shared Services

Mr. Fontenot noted that there is much discussion regarding shared services on a national level. Committee members discussed whether there is a need to modify, expand or modernize our current rules.

Public attendees Jeff Mesaros and Lauren Paul both expressed their willingness to look at the current rule and submit suggestions in areas on which to focus.

Discussion – "See and Smell" Education Stations at Therapeutic Marijuana Pharmacies

Public attendee Jacob Irving noted that previous security concerns and recordkeeping was addressed in policy. The Committee determined the stations would fall within current security rules; therefore, there is no need for action by the Board.

New Agenda Items Added During Meeting

There were none.

Having completed its consideration of the posted agenda, the Committee adjourned at 12:31 pm.

I certify that the foregoing are true and accurate minutes of a meeting of the Regulations Revision Committee of the Louisiana Board of Pharmacy, held on the above noted date.

Minutes approved by the Committee at subsequent meeting on October 17, 2024