

## Title 46

## PROFESSIONAL AND OCCUPATIONAL STANDARDS

## Part LIII: Pharmacists

## Chapter 29. Prescription Monitoring Program

§2905. Advisory Council Open Meetings via Electronic MeansA. Council Eligibility

1. In accordance with R.S. 42:17.4 the council is eligible to conduct open public meetings via electronic means.

B. Postings Prior to Meeting via Electronic Means

1. At least 24 hours prior to the electronic meeting, the council shall provide the following, which shall be posted on the Board's website, emailed to any member of the public or the news media who requests notice of meetings of the public body, and widely distributed to every known news media outlet that broadcasts or publishes news within the geographic area within the jurisdiction of the Board:

a. The notice and agenda for the meeting.

b. Detailed information regarding how members of the public may participate in the meeting and submit comments regarding matters on the agenda.

C. Electronic Meeting Requirements and Limitations

1. For any meeting conducted via electronic means, the council shall ensure compliance with all requirements outlined in R.S. 42:17.4.

2. Given that the council is strictly advisory there is no limitation as to the number of successive meetings via electronic means that may be conducted.

3. To the extent practicable, a schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the Board's website annually.

4. All members of the council, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

5. The council shall provide a mechanism to receive public comment electronically both prior to and during the meeting.

6. The council shall properly identify and acknowledge all public comments during the meeting and shall maintain those comments in its record of the meeting.

7. The presiding officer shall ensure that each person participating in the meeting is properly identified.

8. The presiding officer shall ensure that all parts of the meeting are clear and audible to all participants in the meeting including the public.

9. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the Board's website.

D. Disability Accommodations

1. Although an open meeting may be scheduled as in-person, nonetheless the council is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

38        2. People with disabilities are defined as any of the following:

39            a. A member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

40            b. A designated caregiver of such a person; or

41            c. A participant member of the agency with an ADA-qualifying disability.

42        3. The Board shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes  
43 the name, telephone number and email address of the agency representative to whom a disability accommodation may  
44 be submitted.

45        4. Upon receipt of an accommodation request, the designated agency representative is only permitted to ask if  
46 the requestor has an ADA-qualifying disability or is a caregiver of such a person (yes or no). The requestor shall not  
47 be required to complete a medical inquiry form or disclose the actual impairment or medical condition to support a  
48 disability accommodation request.

49        5. The designated agency representative shall provide the requestor with the accommodation, including the  
50 teleconference and/or video conference link, for participation via electronic means as soon as possible following  
51 receipt of the request, but no later than the start of the scheduled meeting.

52        6. Participation via electronic means shall count for purposes of establishing quorum and voting.

53        AUTHORITY NOTE: Promulgated in accordance with R.S. 42:17.4.

54        HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR