



Louisiana Board of Pharmacy

3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700
www.pharmacy.la.gov



Minutes

Regular Meeting

Wednesday, May 29, 2013 at 10:00 a.m.

Louisiana Board of Pharmacy
3388 Brentwood Drive
Baton Rouge, Louisiana 70809-1700

Note: Following the initial approval of these minutes on August 14, 2013, the Board adopted a motion to amend these minutes, by the insertion of Item 13 on Page 17, on May 7, 2014.

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, May 29, 2013 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The meeting was held pursuant to public notice, each member received notice, and notice was properly posted.

1. Call to Order

Mr. Carl Aron, President, called the meeting to order at 10:30 a.m.

2. Invocation & Pledge

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Mr. Don Resweber then led the group in the recitation of the Pledge of Allegiance.

3. Quorum Call

Mr. Aron then called upon the Secretary, Mr. Bond, to call the roll.

Members Present:

Mr. Joseph L. Adams
Mr. Carl W. Aron
Mr. Brian A. Bond
Mr. Clovis S. Burch
Ms. Jacqueline L. Hall
Mr. Richard M. Indovina
Mr. Marty R. McKay
Mr. Blake P. Pitre
Mr. T. Morris Rabb
Ms. Pamela G. Reed
Mr. Don L. Resweber
Dr. Deborah H. Simonson
Mr. Richard A. Soileau
Mr. Rhonny K. Valentine

Members Absent:

Mr. Ryan M. Dartez
Ms. Chris B. Melancon
Mr. Ronald E. Moore

Staff Present:

Mr. Malcolm J. Broussard, Executive Director
Mr. Carlos M. Finalet, III, General Counsel
Mr. M. Joseph Fontenot, Assistant Executive Director
Mr. Cary D. Aaron, Pharmacist Compliance Officer
Mr. Rayland M. Trisler, Pharmacist Compliance Officer

Guests:

Dr. Lois Anderson – LSU Medical Center, Shreveport
Mr. Larry Anderson
Mr. Kenneth Doucet – Brookshire Bros. Pharmacies

Ms. Rosamaend Oglesbee – CVS Pharmacies
Ms. Kris Hutchinson – LIPA
Mr. John O. LeTard
Mr. Daniel Duggan – The Zachary Post
Mr. Jerry P. Dugas
Ms. Gail Leleux
Mr. Leroy Leleux
Mr. Danny Jackson – LSU Health Care Services Division
Ms. Mary Staples – NACDS
Mr. Mitch Ward – Target Pharmacies
Mr. Korey Patty – LIPA
Ms. Ava B. Williams
Mr. Steven Williams
Mr. Carl Gulino –Walmart Pharmacies
Ms. Crystal Carter – LPA
Ms. Leah Michael – La. Office of Public Health Pharmacy
Mr. Randal Johnson – LIPA

Mr. Bond certified that 14 of the 17 members were present, constituting a quorum for the conduct of official business.

4. Call for Additional Agenda Items

Mr. Aron asked if there were any additional agenda items, but none were offered. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of adjusting the sequence of various reports or guests. There were no objections to that request.

5. Consideration of Minutes

Mr. Aron reminded the members they had received the draft minutes from the Regular Board Meeting and Administrative Hearing on March 6-7, 2013, both of which were held in Baton Rouge, Louisiana. With no objections, he waived the reading thereof. Hearing no requests for amendment or any objection to their approval, Mr. Aron declared the minutes were approved as presented. Mr. Bond reminded the members to sign the Minute Book.

6. Report on Action Items

Mr. Broussard provided an update on all the legislative proposals then in process, as well as the execution of the contracts and agreements approved at the prior meeting.

7. Confirmation of Acts

Pursuant to Mr. Aron's declaration that the officers, committees, and executive director had attended to the business of the Board since the last meeting in accordance with policies and procedures previously approved by the Board, Mr. McKay moved,

Resolved, that the actions taken and decisions made by the Board officers, Board committees, and Executive Director in the general conduct and transactions of Board business since March 7, 2013

are approved, adopted, and ratified by the entire Board.
The motion was adopted after a unanimous vote in the affirmative.

8. Opportunity for Public Comment

Mr. Aron reminded the members and guests that Act 850 of the 2010 Legislature requires all public bodies to provide an opportunity for public comment at all meetings and for each agenda item upon which a vote is to be taken. He solicited general comments on non-agenda items from the guests present, and no comments were offered.

9. Special Orders of the Day

Mr. Aron informed the members that new licenses were issued to 122 pharmacists in 1963 and that 35 of those pharmacists had qualified for their Gold Certificate this year, celebrating 50 years of licensure. Of that number, five pharmacists requested the presentation of their certificate at the May meeting of the Board. Mr. Aron then presented Gold Certificates to the following pharmacists:

- PST.008722 – Thomas Rundell Bryan
- PST.008738 – Jerry Paul Dugas
- PST.008755 – Julia LeBlanc Bryan
- PST.008756 – Gail Clarkston Leleux
- PST.008757 – John Odom LeTard

Mr. Aron expressed the Board's appreciation for their collective service to the citizens of Louisiana. The members and guests congratulated each recipient with a standing ovation

10. Committee Reports

A. Finance Committee

Mr. Aron called upon Mr. Pitre for the committee report. Mr. Pitre directed the members to the interim financial report for the current fiscal year. He reviewed the different statements, responded to questions from the members, and then tendered the report for information only since it required no action by the Board.

Finally, Mr. Pitre expressed his appreciation to the other members of the committee for their ongoing efforts.

B. Application Review Committee

In the absence of the committee chair, Mr. Aron called upon Mr. Richard Soileau for the committee report. He reported the committee met on May 9 to consider three referrals from the staff. After interviews and deliberation, the committee approved the issuance of credentials to one of the applicants and deferred consideration of another applicant until a pending criminal matter was concluded. He then referred the following matter to the Board.

Peggy Ann Robins – Applicant for PTC Registration Mr. Soileau moved to deny the application for the registration and refuse to issue the credential. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the credential.

Mr. Soileau closed his report with appreciation for the other committee members participating in the meeting earlier that month.

Mr. Aron noted the report from the Reciprocity Committee was still under development so he temporarily passed over that agenda item.

D. Violations Committee

Mr. Aron called upon Mr. Bond for the committee report. Mr. Bond reported the committee held an informal conference on March 13 to consider their posted agenda which included two pharmacists, six pharmacy technicians, and one pharmacy permit. From the committee deliberations at that conference, Mr. Bond presented the following proposed consent agreements for the Board's consideration.

David Wayne Spears (PST.010314) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for two years and stayed the execution of the suspension, and then placed the license on probation for two years, effective June 1, 2013, subject to certain terms enumerated in the consent agreement; and further, assessed administrative and investigative costs.

Healthcare Services (PHY.002235 & CDS.038972) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the permit owner, and further, assessed a fine of \$5,000 plus administrative and investigative costs.

Medical Pharmacy (PHY.000763 & CDS.038669) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the permit owner, and further, assessed administrative costs.

Cortina LaShone Richardson (CPT.005255) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the certificate for five years and stayed the execution of the suspension, and then placed the certificate on probation for five years, effective June 1, 2013, subject to certain terms enumerated in the consent agreement; and further, assessed administrative costs.

Kori Kiffe Wright (CPT.009060) Mr. Bond moved to approve the proposed voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in active suspension of the certificate for an indefinite period of time, effective March 25, 2013.

Kristi Ann Phillips (CPT.008552) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the certificate for an indefinite period of time, effective March 13, 2013; and further, conditioned the acceptance of any future application for reinstatement of the certificate upon the satisfaction of certain requirements identified in the consent agreement.

Mr. Bond then reported the committee was scheduled to meet on June 19-20 to consider that proposed agenda, which included 6 pharmacists, two pharmacy technician candidates, and 12 pharmacy permits.

He then closed his report with appreciation to the other committee members for their ongoing efforts.

E. Impairment Committee

Mr. Aron called upon Mr. Rabb for the committee report. Mr. Rabb reported the committee met the previous day to consider 9 referrals from staff. Mr. Rabb then presented the following files for Board action.

Kimiko Tiesha Austin (CPT.005676) Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended certificate, converted the duration of the suspensive period from an indefinite term to a term of five years and stayed the execution of the suspension, then placed the certificate on probation for five years, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

Roy Kirk Fisher (PST.018600) Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of ten years and stayed the execution of the suspension, then placed the license on probation for ten years, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

David Collins Evans (PST.014181) Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of ten years and stayed the execution of the suspension, then placed the license on probation for ten years, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

Michael Thomas Savario (PST.016568) Mr. Rabb moved to approve the

proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of 15 years and stayed the execution of the suspension, then placed the license on probation for 15 years, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

Leslie Eileen Rodgers (PST.016948) Mr. Rabb moved to grant the respondent's request for termination of all probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board terminated all probationary terms and restored the license to active and unrestricted status.

Catherine Powell Kain (PST.020150) Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the application for pharmacist licensure by reciprocity, authorized the issuance of the pharmacist license immediately, suspended the license for a period of time ending May 17, 2016 and stayed the execution of the suspension, then placed the license on probation for a period of time ending May 17, 2016, subject to certain terms enumerated in the consent agreement.

Michael Glenn Harlton (PTC.020106) Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the application for a pharmacy technician candidate registration, authorized the issuance of the registration immediately, suspended the registration for five years and stayed the execution of the suspension, then placed the registration on probation for five years, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

Mr. Rabb closed his report with appreciation to his fellow committee members for their work the previous day.

F. Reinstatement Committee

Mr. Aron called upon Mr. Adams for the committee report. Mr. Adams reported the committee had met the previous day to consider eight referrals from the staff. Following interviews and deliberations, the committee approved the issuance of two credentials with no further requirements. Mr. Adams then presented the following files for Board action.

Bryant Paul Pierce, Jr. (CPT.001594) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the previously lapsed certificate, contingent upon the satisfaction of certain conditions identified in the consent agreement; and

further, placed the Special Work Permit and certificate on probation for one year, effective May 29, 2013, subject to certain terms enumerated in the consent agreement.

Marco Bisa Moran (PST.016442) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board conditioned its further consideration of his request for reinstatement of the previously suspended license upon successful completion of the MPJE and PARE tests prior to May 29, 2014.

Adriel Peter Joseph (PST.017298) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the previously lapsed license, contingent upon the satisfaction of certain conditions identified in the consent agreement; and further, placed the Special Work Permit and license on probation for three years, effective on the date of issuance, subject to certain terms enumerated in the consent agreement.

Gradney Donald Couvillion (PST.010009) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the previously lapsed license, contingent upon the satisfaction of certain conditions identified in the consent agreement.

Latasha Michelle Carradine (CPT.004121) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the previously lapsed certificate, contingent upon the satisfaction of certain conditions identified in the consent agreement.

Colleen Joiner Hayes (PST.014983) Mr. Adams moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for the conversion of her license from inactive to active status, contingent upon the satisfaction of certain conditions identified in the consent agreement.

Mr. Adams closed his report with his appreciation to his fellow committee members for their work the previous day.

G. Tripartite Committee

Mr. Aron noted the committee had not met since the last Board meeting.

At this point, Mr. Aron declared a luncheon recess. It was noted the Board recessed at 11:55 a.m. and reconvened in open session at 12:40 p.m. He returned to the Reciprocity Committee report agenda item before resuming the posted agenda.

C. Reciprocity Committee

Mr. Aron called upon Ms. Hall for the committee report. She reported the committee interviewed 15 applicants in the interim since the previous board meeting, and in conformance with the policies and procedures previously approved by the board, had authorized the issuance of pharmacist licenses for those applicants. She noted their names were recorded on the posted committee meeting agenda for that day. She then reported the committee interviewed an additional 35 applicants earlier that day, and their names were also listed on the posted committee agenda, a copy of which was in the meeting binder. She then moved for the Board to approve all 35 applicants for pharmacist licensure by reciprocity. The motion was adopted after a unanimous vote in the affirmative.

Ms. Hall closed her report with appreciation to her fellow committee members for their work earlier that day.

H. Regulation Revision Committee

Mr. Aron called upon Mr. McKay for the committee report. Mr. McKay reported the committee met on April 9, May 9, and May 28, focusing on the four proposals scheduled for consideration at this meeting. The committee solicited and received stakeholder input for the proposals. Mr. McKay noted that copies of the proposals had been posted in the Board's public library and were also present in the electronic meeting binder. Mr. McKay then moved,

Resolved, to approve Regulatory Proposal 2013-A ~ Pharmacy Recordkeeping (Draft #6), and further, to authorize the Executive Director to promulgate the proposed amendments upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

Prior to the vote, Mr. McKay moved to amend the document by changing the last word on Line 391 from 'hospital' to 'facility.' There was no objection to that amendment. The motion for approval of the amended proposal was adopted after a unanimous vote in the affirmative. Mr. McKay then moved.

Resolved, to approve Regulatory Proposal 2013-G ~ Preferential Licensing for Military Personnel (Draft #2), and further, to authorize the Executive Director to promulgate the proposed amendments upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve Regulatory Proposal 2013-H ~ Collaborative Drug Therapy Management (Draft #2), and further, to authorize the Executive Director to promulgate the proposed amendments upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve Regulatory Proposal 2013-J ~ Penal Pharmacy Revision (Draft #2), and further, to authorize the Executive Director to promulgate the proposed amendments upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then reminded the members of their replacement Emergency Rule relative to compounding for prescriber use they issued on January 31. He reported the promulgation process was underway and that the emergency rule was scheduled to expire the following day. He suggested the propriety and necessity of re-issuing and re-publishing the replacement Emergency Rule for the duration of the promulgation process. He then moved,

Resolved, to approve the re-issuance of the Declaration of Emergency – Compounding for Prescriber Use (LAC 46:LIII.2535) effective May 29, 2013; and

Be it further resolved, to continue the approval of Regulatory Proposal 2013-E-C ~ Compounding for Prescriber Use (Draft #1), and further, to authorize the Executive Director to promulgate the proposed amendments upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process, and further, to authorize the Executive Director to re-issue and re-publish the Emergency Rule as may become necessary during the promulgation process.

The motion was adopted after a unanimous vote in the affirmative.

Finally, Mr. McKay closed his report with appreciation to his fellow committee members and the administrative officers for their ongoing efforts.

I. Executive Committee

Mr. Aron informed the members the executive office had completed its annual review of the Board's Loss Prevention Manual and Policy & Procedure Manual. He reported the committee met the previous day to review the staff recommendations for additions and revisions as well as their recommendations for ongoing approval of the updated manuals. He called upon Mr. Rabb to present the committee's recommendations. Mr. Rabb moved,

Resolved, to approve the proposed new policy entitled *Policy I.M.1 ~ Bomb Threat Checklist* for the Board's Loss Prevention Manual.

The motion was approved after a unanimous vote in the affirmative. Mr. Rabb then moved,

Resolved, to approve the proposed amendments to *Policy II ~ Driver Safety* in the Board's Loss Prevention Manual.

The motion was approved after a unanimous vote in the affirmative. With those two changes, Mr. Rabb reported the committee concurred with the

staff's recommendation for continuing approval of the updated manual, and he then moved,

Resolved, to renew the Board's approval of its Loss Prevention Manual.

The motion was adopted after a unanimous vote in the affirmative. With respect to the Board's Policy & Procedure Manual, Mr. Rabb reminded the members they had issued three opinion statements since their last review of the manual in May 2012. Staff had added those opinion statements to the manual and recommended the continuing approval of the manual. He then moved,

Resolved, to renew the Board's approval of its Policy & Procedure Manual.

The motion was adopted after a unanimous vote in the affirmative. Mr. Rabb reported the committee had also reviewed staff's recommendations relative to the vendor for the drug screening program as well as the roster of approved addiction medicine specialists used by the Impairment Committee. He then moved,

Resolved, to approve FirstLab as the vendor for the drug screening program for Fiscal Year 2013-2014.

The motion was adopted after a unanimous vote in the affirmative. He then moved,

Resolved, to approve the current updated version of the Impairment Committee's Roster of Approved Addictionists for Fiscal Year 2013-2014.

The motion was approved after a unanimous vote in the affirmative.

In addition to the annual review of its reference manuals, Mr. Aron reported the committee also reviewed the administrative operations and found everything to be satisfactory. In particular, Mr. Aron announced the hiring of a new licensing assistant in the Credentials Division. At Mr. Aron's request, Mr. Fontenot identified the assistant as Ms. Hannah Able and indicated her affiliation with the Board staff would begin on June 17.

On a point of personal privilege, Mr. Aron congratulated Mr. Adams on his election to the office of President-Elect of the National Association of Boards of Pharmacy at the NABP Annual Meeting in St. Louis, MO earlier that month. He noted that Mr. Adams would serve three successive one year terms as President-Elect, then President, and then Chairman. Mr. Aron also congratulated Mr. Broussard on the completion of his term as Chairman of the NABP Executive Committee at that same meeting. Mr. McKay then took a point of personal privilege to inform the members and guests present that Mr. Aron had been selected as Honorary President of NABP at that same meeting.

Finally, Mr. Aron completed his report with appreciation to his fellow officers for their ongoing efforts.

11. Staff Reports

J. Prescription Monitoring Program

Mr. Aron called upon Mr. Fontenot for the report. He directed the

members to the quarterly statistical report in their meeting binder. He reported on the number of prescription transactions reported to the database, and the number of prescribers and dispensers who had acquired access privileges. He also reported on the number of queries made by those prescribers and dispensers, as well as law enforcement and regulatory agencies.

He reminded the members about the 2009 change in the PMP law that authorized the Board to issue waivers to the duty to report data to the program. He then directed the members to a list of five pharmacies requesting such a waiver. Mr. McKay moved,

Resolved, to authorize the issuance of PMP reporting waivers to:

> PHY.006129, held by Lake Charles Memorial Hospital for Women,

> PHY.006324, held by Hemophilia of Georgia,

> PHY.006602, held by Fairway Medical Surgical Hospital,

> PHY.006658, held by Rx Remote Solutions, and

> PHY.006664, held by Bella Brands,

once they have executed the standard consent agreement for that purpose.

The motion was adopted after a unanimous vote in the affirmative.

Finally, Mr. Fontenot indicated the completion of his report.

K. Report of General Counsel

Mr. Aron called upon Mr. Finalet for the report. Mr. Finalet presented the following files to the Board for its consideration.

Medisca, Inc. (CDS.025126-DIS) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for three years and stayed the execution of the suspension, then placed the license on probation for three years, beginning retroactively on January 10, 2013, to run concurrently with the probationary period imposed on the firm's South Carolina permit by that state board of pharmacy, subject to certain terms enumerated in the consent agreement.

Mitchell Chad Barrett (PST.016125) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

Institutional Pharmacy Solutions (PHY.006673) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning to the owner of the permit, and further, assessed a fine of \$5,000 plus administrative costs.

Samantha Sellers Michelli (CPT.004416) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited the acceptance of any future application for the reinstatement of certificate, or for any other credential issued by the Board.

Advantage Pharmacy (PHY.006676) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit from June 1, 2013 through May 17, 2014 and stayed the execution of the suspension, then placed the license on probation from June 1, 2013 through May 17, 2014, to run concurrently with the probationary period imposed on the firm's Mississippi permit by that state board of pharmacy, subject to certain terms enumerated in the consent agreement.

Mehrdad Hariri (PST.019770) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license from June 1, 2013 through February 25, 2018 and stayed the execution of the suspension, then placed the license on probation from June 1, 2013 through February 25, 2018 to run concurrently with the probationary period imposed on his Florida license by that state board of pharmacy, subject to certain terms enumerated in the consent agreement.

Travellis Eugene Harrison, Sr. (CPT.010618) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited the acceptance of any future application for the reinstatement of the certificate, or for any other credential issued by the Board.

Christy Ruth Newbaker (PST.019685) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

Chantelle Denise Williams (CPT.004794) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, permanently prohibited the acceptance of any future application for the reinstatement of the certificate, or for any other credential issued by the Board.

John Edward Bull (PST.010451) Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in active suspension of the license for an indefinite period of time, effective May 7, 2013.

Barry Joseph Robichaux (PST.010309) Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in active suspension of the license for an indefinite period of time, effective May 10, 2013.

Cherilynne Toni Cottles (CDS.012854-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of her medical license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective May 29, 2013.

Jack Albert Voight (CDS.033821-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of his medical license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective May 29, 2013.

Anthony Stephen Jase (CDS.029511-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the revocation of his medical license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective May 29, 2013.

Jerry Richard Haskin (CDS.007896-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of his medical license. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective May 29, 2013.

Michael Selwyn Hunter (CDS.015927-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the suspension of his medical license for an indefinite period of time. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the CDS license for an indefinite period of time, effective May 29, 2013.

Mr. Finalet reported a recent inquiry into the Board's property, which the realtor agent deemed a serious inquiry. Mr. Finalet will keep the officers posted on any further developments on that project.

Finally, Mr. Finalet indicated the completion of his report.

L. Report of Executive Director

Mr. Aron called upon Mr. Broussard for the report. Mr. Broussard directed the members to his report which was posted in the Boardroom Library prior to the meeting; it was also included in the meeting binder. He reviewed the following topics:

- Meeting Activity
- Reports
 - Census Reports – Credentials & Compliance Divisions
 - Production Reports – Credentials Division
 - Exceptions Report
- Examinations
 - MPJE
 - NAPLEX
 - PTCB
- Operations
 - Credentials Division
 - Compliance Division
- State Activities
 - 2013 Legislature
 - Board of Nursing
 - Board of Medical Examiners
- National Activities
 - National Association of Boards of Pharmacy (NABP)
 - MALTAGON
 - NABP-AACP Districts 6-7-8 Annual Meeting
- International Activities
 - International Pharmaceutical Federation

12. Request for Opinion – Remote Medication Dispensing Device (West Jefferson Medical Center)

Mr. Aron recognized Ms. Angela Greener, Chief Administrative Officer, and Mr. Michael Adcock, Chief Nursing Officer, from West Jefferson Medical Center in Marrero, La. The representatives described their plan to open a medical clinic in Grand Isle, La. which would be staffed by nurse practitioners and physicians. They indicated their need to provide to provide medications needed for urgent care, as well as an interest in serving as a source for continuous dispensing to the residents of the area. They described an interest in using a remote medication dispensing device such as one provided by InstyMeds®. The representatives and the members discussed several aspects of the services described, including the dispensing authorities of the different types and locations of licensed health care practitioners. The discussion evolved to the potential use of telepharmacy and the need for the Board to develop rules to permit that

type of practice.

In conclusion, Mr. Aron referred the topic of telepharmacy to the Regulation Revision Committee. Further, he advised the representatives that in the event they chose to move forward with a remote medication dispensing device, that they should do so cautiously, and consider the myriad regulatory issues discussed that day. The representatives expressed their appreciation to the Board for consideration of their request and for the ongoing dialogue on how to best serve the patients in that area of the state.

[Note: Item 13 below was added to the minutes after they were initially approved. The original minutes were approved on August 14, 2013. The motion to amend these minutes by the insertion of Item 13 was adopted on May 7, 2014.]

13. Request for Opinion – Central Distribution Services (La. AIDS Drug Assistance Program, Dept. of Health & Hospitals)

Mr. Aron recognized Ms. Leah Michaels, Director of Pharmacy for the Office of Public Health (OPH) at the Dept. of Health & Hospitals. Ms. Michaels explained the Louisiana AIDS Drug Assistance Program (ADAP) to the members and reported changes forthcoming as well as the necessity for some interim procedural changes.

Ms. Michaels indicated for the recent past, ADAP has contracted with the LSU system outpatient pharmacies to dispense 340-B program drugs to its clients. The ADAP leadership had been negotiating with a pharmacy benefit manager (PBM) to improve prescription services; however, it will be several months before the new PBM contract can be implemented. With the recent news relative to the privatization of some of the LSU facilities and their pharmacies, those previous arrangements for 340-B clients were no longer possible.

For a temporary and limited period of time, namely until the PBM contract is implemented, ADAP has established a central distribution plan using the OPH Pharmacy in New Orleans as the sole dispensing pharmacy. All prescriptions for ADAP clients will be sent to the OPH Pharmacy in New Orleans and the medications will be shipped to the patient's agent – preferably the same outpatient pharmacy previously known as LSU, or perhaps another pharmacy, or to the prescribing provider's clinic.

Some of the pharmacists in the LSU system have questioned whether they would be considered 'dispensing' a prescription if they talked with the patient about medications they were delivering to them. LSU and OPH representatives asked the Board for guidance concerning their temporary plan as well as an opinion as to whether pharmacists delivering medications dispensed by the OPH Pharmacy would be 'dispensing' those prescriptions and assuming any liability for that activity.

Following discussion, Dr. Simonson moved

Resolved, for the Louisiana AIDS Drug Assistance Program, the temporary central distribution plan using the Office of Public Health (OPH) Pharmacy shall be construed as in compliance with the Board's rules, provided the OPH Pharmacy establish and maintain a recordkeeping system documenting the delivery of the medications to the ADAP clients, and further, the Board encourages the ADAP and OPH leadership to prioritize the delivery destinations to pharmacies, whether in the LSU system or not, or to any other destination where a pharmacist is able to

counsel the patient about those medications or perform other professional drug utilization review services. Moreover, LSU or other pharmacists participating in this temporary model shall not be construed as 'dispensing' prescriptions which they are delivering to patients.

The motion was adopted after a unanimous vote in the affirmative. Ms. Michaels expressed her appreciation to the Board for its guidance.

14. Announcements

Mr. Aron reminded the members and staff of the calendar notes and then directed them to that information in their meeting binders.

15. Adjourn

Mr. Pitre moved to adjourn. Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron adjourned the meeting at 2:20 p.m.

Respectfully submitted,

Brian A. Bond
Secretary