



Louisiana Board of Pharmacy

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Minutes

Regular Meeting

Thursday, November 13, 2014 at 9:00 a.m.

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

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A regular meeting of the Louisiana Board of Pharmacy was held on Thursday, November 13, 2014 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 9:00 a.m.

2. Invocation & Pledge

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Mr. Richard Indovina 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. Carl W. Aron
Mr. Brian A. Bond
Mr. Clovis S. Burch
Mr. Ryan M. Dartez
Ms. Jacqueline L. Hall
Mr. Richard M. Indovina
Mr. Marty R. McKay
Ms. Chris B. Melancon
Ms. Diane G. Milano
Mr. Ronald E. Moore
Mr. Blake P. Pitre
Ms. Pamela G. Reed
Mr. Don L. Resweber
Dr. Deborah H. Simonson
Mr. Richard A. Soileau
Mr. Rhonny K. Valentine

Members Absent:

Mr. T. Morris Rabb

Staff Present:

Mr. Malcolm J. Broussard, Executive Director
Mr. Carlos M. Finalet, III, General Counsel
Mr. M. Joseph Fontenot, Assistant Executive Director

Guests:

Dr. John Foust – Oklahoma Board of Pharmacy
Dr. Cindy Hamilton – Oklahoma Board of Pharmacy
Mr. Nicholas R. LaBarbera – Albertsons Pharmacies
Mr. Edwin A. Britt – Britt's Pharmacy
Mr. Kofi Bissah – Xavier University of La.

Ms. Rosamaend Oglesbee – CVS Pharmacies
Ms. Tijonne Edmond – La. Pharmacists Association
Mr. David Ruckman – Target Pharmacies
Mr. Nick Cahanin – NACDS
Mr. Kevin LaGrange – Professional Arts Pharmacy
Mr. Jay Britt – Britt's Pharmacy
Mr. Jeff Britt – Britt's Pharmacy
Mr. Paul D'Aunoy – C.A.P.S. Pharmacy
Mr. Korey Patty – La. Independent Pharmacies Association
Dr. Camtu Ho – Cubist Pharmaceuticals
Ms. Linda Spradley – Spradley & Spradley

Mr. Bond certified 16 of the 17 members were present, constituting a quorum for the conduct of official business.

Mr. Aron noted the attendance of two guests from the Oklahoma Board of Pharmacy. In particular, he welcomed Dr. John Foust, Executive Director, and Dr. Cindy Hamilton, Chief Compliance Officer, to the meeting and encouraged their interaction

4. Call for Additional Agenda Items

Mr. Aron asked if there were any additional agenda items, but none were offered. With no requests for any additions, and without objection, the Board adopted the posted agenda for that meeting. 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 on August 6, 2014 and the Administrative Hearing on August 7, 2014, 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 reminded the members of their adoption of two guidance documents, relative to Medication Therapy Management and Pharmacy Immunization Recordkeeping, during the previous meeting; as they requested, both documents were posted on the Board's website. He also reminded the members of their regulatory activity at the previous meeting and reported on the further progress of those regulatory projects.

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. Moore 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 August 7, 2014 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 the Open Meetings Law 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.

Statement of Purpose

Mr. Aron reminded the members of the purpose and mission of the Board of Pharmacy by reciting the relevant portion of the Louisiana Pharmacy Practice Act. He urged the members to keep their mission in mind as they considered all the matters before them.

Special Order of the Day – Presentation of Pharmacist Gold Certificate

Mr. Aron recognized Mr. Edwin E. Britt, holder of Pharmacist License No. PST.008851, noting he had achieved 50 years of continuous pharmacist licensure this year. The members recognized him with a standing ovation.

9. *Election of Officers*

Mr. Aron reminded the members of their duty to elect officers for the Board during the final Board meeting of the calendar year. He then conducted the election, and the following members assumed their respective offices immediately:

- President – Carl W. Aron
- First Vice President – T. Morris Rabb
- Second Vice President – Marty R. McKay
- Third Vice President – Chris B. Melancon
- Secretary – Brian A. Bond

10. *Committee Reports*

A. *Finance Committee*

Mr. Aron called upon Mr. Pitre for the committee report. Mr. Pitre reported the committee had met the previous day to review two documents prepared by the staff. Mr. Pitre directed the members to the interim report for the current fiscal year, reviewed the highlights, and indicated the report was presented for information only and required no action by the Board. He then directed the members to the *Proposed Budget for Fiscal Year 2015-2016*. He indicated the committee members had reviewed the proposal and voted to recommend the adoption of the proposed budget as presented. He then moved,

Resolved, to approve and adopt the *Proposed Budget for Fiscal Year 2015-2016*.

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

Finally, he expressed his appreciation to the other committee members for their efforts the previous day.

B. Application Review Committee

Mr. Aron called upon Mr. Soileau for the committee report. Mr. Soileau reported the committee had met on October 16 to consider three referrals from the staff. Following interviews and deliberations, the committee approved the issuance of one credential and deferred consideration of another application until their next meeting. He then offered the following file for their consideration of the committee's recommendation.

Medical Arts Pharmacy Services, Inc. d/b/a Medical Arts Pharmacy (Applicant for PHY-NR Permit) Mr. Soileau moved to deny the application and refuse to issue the permit. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the permit.

Finally, he expressed his appreciation to the other committee members for their ongoing efforts.

C. Reciprocity Committee

Mr. Aron called upon Ms. Hall for the committee report. She indicated 82 pharmacists had completed the reciprocity requirements since the last Board meeting, and that none of them had met the criteria warranting a mandatory personal interview. In conformance with the policies and procedures previously approved, the staff issued licenses to all of the applicants.

D. Violations Committee

Mr. Aron called upon Mr. Bond for the committee report. Mr. Bond reported the committee held an informal conference on September 10-11 to consider their posted agenda which included 31 cases: 9 pharmacists, 2 pharmacy technicians, 18 pharmacy permits, one pharmacy technician candidate, and one pharmacy permit applicant. Following their interviews and deliberations, the committee took no action on 8 of the 31 cases. They referred one case for a formal administrative hearing in February 2015. He then presented the following proposed voluntary consent agreements for their consideration of the committee's recommendations.

Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 5306 (PHY.005788 & CDS.039634-PHY) 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 permit and CDS license for two years and suspended the execution of the suspension, then placed the permit and CDS license on probation for two years, effective November 13, 2014, subject to certain terms enumerated in the consent agreement; and further, the Board assessed a fine of \$100,000 plus administrative and investigative costs.

Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No.5612 (PHY.005769) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$25,000 plus administrative and investigative costs.

Norman August Higginbotham (PST.015468) 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; and further, assessed a fine of \$2,500 plus administrative costs.

Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 1939 (PHY.006316) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$15,000 plus administrative and investigative costs.

Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 8999 (PHY.006285) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was approved after a unanimous vote in the affirmative. The Board assessed a fine of \$15,000 plus administrative and investigative costs.

Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 1017 (PHY.006018) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$15,000 plus administrative and investigative costs.

Vital Care of Miss-Lou, Inc. d/b/a Vital Care of Miss-Lou (PHY.006301) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$5,000 plus administrative and investigative costs.

Charles Edward Maier (PST.015447) 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 and assessed administrative costs.

Tanya Lynnette Black (CPT.006606) Mr. Bond moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the certificate for an indefinite period of time, effective September 10, 2014.

Institutional Pharmacy Solutions of Cameron (PHY.006424) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed

a fine of \$25,000 plus administrative and investigative costs.

OK Compounding, LLC (Applicant for PHY-NR Permit) 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 permanent prohibition on the acceptance of any future application for a pharmacy permit from the applicant; and further, assessed a fine of \$5,000 plus administrative costs.

Crystal Tavaralynne Hobdy (CPT.008861) 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 three years and suspended the execution of the suspension, then placed the certificate on probation for three years, effective November 13, 2014, subject to certain terms enumerated in the consent agreement; and further, assessed administrative costs.

Randal Riverside Corporation d/b/a Matlock Pharmacy (PHY.006883) 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 permit for five years and suspended the execution of the suspension, then placed the permit on probation for five years, effective November 13, 2014, subject to certain terms enumerated in the consent agreement; and further, assessed a fine of \$50,000 plus administrative and investigative costs.

Medco Health Solutions of Willingboro, LLC d/b/a Medco Health Solutions of Willingboro (PHY.004730) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative and investigative costs.

Medco Health Solutions of Las Vegas, LLC d/b/a Medco Health Solutions of Las Vegas (PHY.003521) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Fairfield, LLC d/b/a Medco Health Solutions of Fairfield (PHY.004237) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Columbus West, Ltd. d/b/a Medco Health Solutions of Columbus West (PHY.003595) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a

unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Hidden River, LLC d/b/a Medco Health Solutions of Hidden River (PHY.004927) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Texas, LLC d/b/a Medco Health Solutions of Fort Worth (PHY.003606) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Columbus North, Ltd. d/b/a Medco Health Solutions of Columbus North (PHY.004530) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Medco Health Solutions of Netpark, LLC d/b/a Medco Health Solutions of Netpark (PHY.004853) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative and investigative costs.

Medco Health Solutions of North Versailles, LLC d/b/a Medco Health Solutions of North Versailles (PHY.003580) Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative costs.

Mr. Bond reported the committee will meet on December 10-11 to consider that docket, which included 7 pharmacists, 5 pharmacy technicians, 5 pharmacy technician candidates, and 10 pharmacy permits.

Finally, Mr. Bond concluded his report with appreciation to the other committee members for their ongoing efforts.

E. Impairment Committee

In the absence of the committee chair, Mr. Aron called upon Mr. Soileau for the committee report. Mr. Soileau reported the committee had met the previous day to consider four referrals from the staff. He then presented the following files to the members for their consideration of the committee's recommendations.

Tiffany Cathleen Luse Upshaw (PST.018936) Mr. Soileau moved to

approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted her request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of five years and suspended the execution of the suspension, then placed the license on probation for five years, effective November 13, 2014, subject to certain terms enumerated in the consent agreement.

Casey Ann Kendall (PST.017305) Mr. Soileau moved to approve her request for termination of previously imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed all previously imposed probationary terms and restored the license to active and unrestricted status.

Edward John Rabalais (PST.009897) Mr. Soileau moved to approve his request for termination of previously imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed all previously imposed probationary terms and restored the license to active and unrestricted status.

Bobby Trondell Thompson (PST.020854) Mr. Soileau 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 license, suspended that license for five years and suspended the execution of the suspension, then placed the license on probation for five years, effective November 13, 2014, subject to certain terms enumerated in the consent agreement.

Finally, he closed his report with appreciation to the other members of the committee for their ongoing efforts.

F. Reinstatement Committee

Mr. Aron called upon Ms. Melancon for the committee report. She reported the committee had met the previous day to consider seven referrals from the staff. Following interviews and deliberations, two of the requests for reinstatement were withdrawn in lieu of denial. Further, one of the requests was referred for a formal administrative hearing. She then presented the following files to the members for their consideration of the committee's recommendations.

Charles Jude Mitchell, Jr. (PST.016284) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board deferred further consideration of his request for reinstatement of the previously suspended license pending completion of certain requirements identified in the consent agreement.

Motilall Soodeen (PST.010721) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board deferred further consideration of his request for reinstatement of the previously revoked license pending completion of certain requirements identified in the consent agreement.

Christian Allen Reuter, Jr. (PST.014543) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board deferred further consideration of his request for reinstatement of the previously suspended license pending completion of certain requirements identified in the consent agreement.

Lequita LeJean Jackson (CPT.001366) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board approved the request for reinstatement of the previously lapsed certificate, conditioned upon the satisfaction of certain requirements identified in the consent agreement.

Finally, she closed her report with appreciation to the other committee members for their ongoing efforts.

G. Tripartite Committee

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

At this point, Mr. Aron declared a recess. It was noted the members recessed at 10:30 a.m. and reconvened in open session at 10:50 a.m. He then continued with the sequence of the posted agenda.

H. Regulation Revision Committee

Mr. Aron called upon Mr. McKay for the committee report. He reported the committee met on October 16 to consider their posted agenda. During that meeting, the members voted to recommend two new regulatory proposals for the Board's consideration, and further, to return three assignments back to the Board with no action. Before addressing those proposals, Mr. McKay reminded the members the Board had conducted a public hearing on October 30 to receive comments and testimony on three current regulatory projects. Without objection, he proposed to review the comments and testimony for those three items and then review the two new proposals.

Mr. McKay directed the members to the meeting binder containing a summary of the comments and testimony offered during the October 30 public hearing concerning Regulatory Project 2014-4 ~ Pharmacy Compounding. He noted the receipt of one question for clarification, but no comments or testimony on the proposed rule. The members approved the interim guidance provided by staff. Mr. McKay then moved,

Resolved, on consideration of the public comments and testimony,

and in the absence of any need for revision of the proposal as originally published, we authorize the Executive Director to prepare and submit the required report for the legislative oversight committee upon the instruction of the President, and in the absence of any further intervention, to publish the original proposal as a Final Rule.

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

Mr. McKay then directed the members to the summary of the comments and testimony offered during the October 30 public hearing concerning Regulatory Project 2014-5 ~ Prescriptions. He noted that no further comments had been received on this proposal; he then moved,

Resolved, on consideration of the absence of any public comments or testimony, and in the absence of any need for further revision of the proposal as originally published, we authorize the Executive Director to prepare and submit the required report for the legislative oversight committee upon the instruction of the President, and in the absence of any further intervention, to publish the previously revised proposal as a Final Rule.

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

Mr. McKay then directed the members to the summary of the comments and testimony offered during the October 30 public hearing concerning Regulatory Project 2014-6 ~ Special Event Pharmacy Permit. He noted no comments or testimony had been offered for the proposed rule; he then moved,

Resolved, on consideration of the absence of any public comments or testimony, and in the absence of any need for revision of the original proposal as published, we authorize the Executive Director to prepare and submit the required report for the legislative oversight committee upon the instruction of the President, and in the absence of any further intervention, to publish the original proposal as a Final Rule.

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

Mr. McKay then directed the members to a copy of Regulatory Proposal 2015-B ~ Dispenser Reporting to Prescription Monitoring Program (PMP) & Drugs of Concern (Draft #1). He reminded the members of Act 472 of the 2014 Legislature, which amended the deadline by which dispensers of controlled substance prescriptions are required to submit those prescription transactions to the PMP database. He also reminded the members the drug product tramadol had been classified as a 'drug of concern' in this state and was recently placed in Schedule IV of the federal list of controlled substances. He then indicated the regulatory proposal amended the Board's PMP rule to comply with the recent legislative act as well as the federal scheduling action. On behalf of the committee, he then moved,

Resolved, to approve Regulatory Proposal 2015-B ~ Dispenser Reporting to PMP & Drugs of Concern (Draft #1), and further, to authorize the Executive Director to promulgate the proposed rule 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 directed the members to a copy of Regulatory Proposal 2015-C ~ Expiration Date of Schedule II Prescriptions (Draft #2). He reminded the members of Act 865 of the 2014 Legislature, which reduced the expiration date of Schedule II prescriptions from six months to ninety days. He then indicated the regulatory proposal amended the Board's controlled substances rule to match the new law. On behalf of the committee, he then moved,

Resolved, to approve Regulatory Proposal 2015-C ~ Expiration Date of Schedule II Prescriptions (Draft #2), and further, to authorize the Executive Director to promulgate the proposed rule amendments upon the instruction of the President, and further, to authorize the President to approve any acceptable amendments as may become necessary during the promulgation process.

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

In addition to approving the two regulatory proposals during their last meeting, the committee members also voted to return three previously assigned topics back to the Board with no action. In particular, with respect to

- *Foreign pharmacy interns*, the committee discussed the concept at several meetings and determined that a policy enabling some type of temporary credentialing for foreign pharmacy interns would be a better approach than a formal rule. The President directed staff to prepare a policy for the Board's consideration.
- *Prohibition of physician ownership of pharmacies*, the committee believed that the absence of any statutory language addressing the ownership of pharmacies would defeat any proposed rule. The members requested staff to refer the underlying concern to the La. Board of Medical Examiners.
- *Disposition of dispensed prescription medications from central fill pharmacy*, the members believed that Wal-Mart Pharmacies had changed their policies and procedures to address the Board's current rules, and therefore no amendments to the rules were necessary. The members requested the Board's compliance officers to monitor the relevant pharmacies for compliance with the current rules.

Finally, Mr. McKay concluded his report with appreciation to the other committee members for their ongoing efforts as well as for the staff support.

I. Executive Committee

Mr. Aron informed the members the committee had met the previous day to consider the matters on their posted agenda. He noted the committee reviewed several resolutions and proposed policies prepared by the staff and had voted to recommend the approval of all of them. He indicated Mr. McKay was prepared to offer the recommendations on behalf of the committee. Mr. McKay then moved,

Resolved, to approve the Bank Box Access Resolution for Whitney

National Bank.

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

Resolved, to approve the Resolution for Professional Legal Services for Ms. Celia R. Cangelosi for Fiscal Year 2014-2015.

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

Resolved, to approve the Resolution for Professional Legal Services for Mr. E. Wade Shows for Fiscal Year 2014-2015.

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

Resolved, to approve the proposed revision to Board Policy No. I.A.2 – Declaratory Statements and Advisory Opinions.

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

Resolved, to approve the proposed new policy, Board Policy No. II.I.4 – Ebola Virus Disease.

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

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

At this point, Mr. Aron declared a luncheon recess. It was noted the members recessed at 11:50 am and then reconvened in open session at 12:40 pm. He then continued with the sequence of the posted agenda.

11. Staff Reports

J. Assistant Executive Director

Mr. Aron called upon Mr. Fontenot for the report. He presented the quarterly report for the Prescription Monitoring Program, noting several metrics cumulative through September 2014. The program database now holds just over 78 million prescription transactions dating back to 2009, averaging approximately 1.1 million new transactions per month. The number of prescribers and dispensers authorized to access the database continues to increase, fueled by the recent approval of delegates for those prescribers and dispensers. The number of queries by the prescribers and dispensers continues to rise, totaling just under 4.5 million since the program's inception, the daily average for the third quarter of this year was 4,435 queries per day.

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 12 pharmacies requesting such a waiver. Mr. Pitre moved,

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

- > PHY.002217-IR – Teche Action Clinic Pharmacy;
- > PHY.005322-NR – Walgreen Mail Service (FL);
- > PHY.006068-NR – FarmVet.com (TN);
- > PHY.006930-NR – Walgreens Call Center (FL);
- > PHY.006944-NU – Cardinal Health – West Monroe (LA);

- > PHY.006950-NR – Leedstone (MN);
 - > PHY.006952-NR – Praxis Rx (FL);
 - > PHY.006959-NR – Pharmaceutical Specialties Express (GA);
 - > PHY.006962-NR – Pet’s Choice Pharmacy (KS);
 - > PHY.006963-NR – Panther Specialty Pharmacy (PA);
 - > PHY.006981-HOS – Promise Hospital of Baton Rouge (LA); and
 - > PHY.006984-HOS – Promise Hospital of Ascension (LA)
- 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 then presented the following files to the members for their consideration of the staff’s recommendations.

Lakyn Hope Manuel (CPT.009959) Mr. Pitre moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$250 plus administrative costs.

Colin Michael Browder (CPT.010907) Mr. Moore 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, issued a permanent prohibition on the acceptance of any future application for the reinstatement of the certificate or for any other credential issued by the Board.

Bonnie Irene Sherman (CPT.011152) Mr. Burch moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$250 plus administrative costs.

Cassandra Leticia Rochelle Thomas (CPT.006932) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$250 plus administrative costs.

Nicole Graham Russo (CPT.009361) Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$250 plus administrative costs.

Jennifer Violet Gibson (CPT.010456) Ms. Milano 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 certificate, resulting in the active suspension of the certificate for an indefinite period of time, effective November 5, 2014.

Myrna Lynn Williams (PST.013793) 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 license, resulting in the active suspension of the license for an indefinite period of time, effective September 2, 2014.

Jerry Samuel Adkins (PST.014585) 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 license, resulting in the active suspension of the license for an indefinite period of time, effective October 24, 2014.

Sara Lynn Henning (CPT.009568) 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 certificate, resulting in the active suspension of the certificate for an indefinite period of time, effective October 30, 2014.

Gregg Spaulding Hunter (CDS.029158-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the summary suspension of his medical license by the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective May 30, 2014.

Joseph John Mogan (CDS.024766-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of his medical license to the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective August 1, 2014.

James Buell Denney (CDS.007103-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the summary suspension of his medical license by the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective July 29, 2014.

Milton Randolph Eichmann (CDS.013713-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of his medical license to the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective November 13, 2014.

Fiaz Afzal (CDS.025015-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the suspension of his medical license by the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective November 1, 2014.

Zahid Imran (CDS.024368-MD) Mr. McKay moved to suspend the medical license for an indefinite period of time, based on the voluntary surrender of his medical license to the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective September 30, 2014.

Gregory Alphonse Redmann (CDS.026642-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the summary suspension of his medical license by the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective August 20, 2014.

Cecil William Lovell, Jr. (CDS.003648-MD) Mr. McKay moved to suspend the license for an indefinite period of time, based on the voluntary surrender of his medical license to the La. State Board of Medical Examiners. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time effective September 15, 2014.

Finally, Mr. Finalet indicated the conclusion 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
 - PARE
 - PTCB
- Operations
 - Credentials Division

Compliance Division
Administrative Division

- State Activities
 - Dept. of Health & Hospitals
 - La. State Board of Medical Examiners
- National Activities
 - National Association of Boards of Pharmacy (NABP)
 - NABP-ACCP District 6 Annual Meeting
 - MALTAGON
 - U.S. Drug Enforcement Administration (DEA)
 - U.S. National Transportation Safety Board (NTSB)
- International Activities
 - International Pharmaceutical Federation (FIP)

12. Announcements

Mr. Aron directed the members to the announcements in their meeting binder, noting especially the tentative meeting dates for the Board in Calendar Year 2015.

13. 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 1:30 p.m.

Respectfully submitted,

Brian A. Bond
Secretary