



Louisiana Board of Pharmacy

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Minutes

Regular Meeting

&

Administrative Hearing

Wednesday, January 25, 2017 at 8:30 a.m.

Wednesday, January 25, 2017 at 2:00 p.m.

Thursday, January 26, 2017 at 8:30 a.m.

Location:

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 Wednesday, January 25, 2017 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 8:35 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 called upon the Secretary, Mr. Bond, to call the roll to establish a quorum.

Members Present:

Mr. Carl W. Aron
Mr. Brian A. Bond
Mr. Allen W. Cassidy, Jr.
Ms. Jacqueline L. Hall
Mr. Richard M. Indovina, Jr.
Mr. Richard Mannino
Mr. Marty R. McKay
Ms. Chris B. Melancon
Ms. Diane G. Milano
Mr. Ronald E. Moore
Mr. Blake P. Pitre
Mr. T. Morris Rabb
Mr. Don L. Resweber
Mr. Douglas E. Robichaux
Mr. Richard A. Soileau
Mr. Rhonny K. Valentine

Members Absent:

Dr. Raymond J. Strong

Staff Present:

Mr. Malcolm J. Broussard, Executive Director
Mr. Carlos M. Finalet, III, General Counsel
Mr. M. Joseph Fontenot, Assistant Executive Director
Mr. Benjamin S. Whaley, Chief Compliance Officer

Guests:

Mr. Daryl Purpera – Legislative Auditor
Ms. Nicole Edmonson – Assistant Legislative Auditor
Ms. Jennifer Schaye – General Counsel, Legislative Auditor
Ms. Pamela Reed – Board Alumnus

Dr. Deborah Simonson – Board Alumnus
Ms. Celia R. Cangelosi – Attorney
Ms. Christine Peck – Attorney, Senate Health & Welfare Committee
Ms. Amanda Trapp – Secretary, Senate Health & Welfare Committee
Ms. Brandi Cannon – Attorney, House Health & Welfare Committee
Ms. Jennifer Marusak – La. State Medical Society
Ms. Linda Spradley – Spradley & Spradley
Mr. Nick Caharin – National Association of Chain Drug Stores
Mr. Ben Sims – Brookshire Grocery Co. Pharmacies
Mr. Mohamad Saler – Wal-Mart Pharmacies
Ms. Kelley Henderson – La. Pharmacists Association
Mr. Michael Tinnerello – Bernard's Pharmacy
Mr. Andre Stoler – La. Independent Pharmacies Association
Mr. Randal Johnson – La. Independent Pharmacies Association
Mr. Brad Reed
Ms. Erika Wyn

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

4. Call for Additional Agenda Items & Adoption of Agenda

Mr. Aron asked if there were any additional agenda items but none were requested. With no further requests for amendment, and with no objection, the Board adopted the posted agenda dated January 18, 2017. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of accommodating certain guests and/or reports. 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 November 16, 2016 and the Administrative Hearing on November 16-17, 2016, both of which were held in Baton Rouge, Louisiana. With no objections, he waived the reading of the draft minutes. With 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. Aron called on Mr. Broussard for the report. Mr. Broussard directed the members to a copy of the report in their meeting binder. There were no questions from the members.

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. Rabb 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 November 17, 2016 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, but 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.

9. *Special Orders of the Day*

A. *Presentation of Distinguished Service Awards*

Mr. Aron reminded the members of the new appointments made by the Governor and that two of the pharmacists completing their term of service on the Board were present. He introduced Ms. Pamela Reed and Dr. Deborah Simonson, each of whom completed their single six year term in August 2016. Mr. Aron reviewed their committee service and other contributions to the Board and then presented their awards. Ms. Reed and Dr. Simonson expressed their appreciation for the opportunity of service as well as for the recognition that day. The members and guests present congratulated them with a generous round of applause.

B. *Office of the Legislative Auditor – Legislative Subpoena for Copy of Prescription Monitoring Program (PMP) Database Records*

Mr. Aron recognized the Legislative Auditor, Mr. Daryl Purpera, the Assistant Legislative Auditor, Ms. Nicole Edmonson, and General Counsel to the Legislative Auditor, Ms. Jennifer Schaye. As they were taking their seats at the witness table, Mr. Aron asked Mr. Broussard to brief the members on the original interaction between the auditor's office and the Board's office. Mr. Purpera spoke briefly then introduced Ms. Schaye who reviewed the request from the legislative auditor's office. She indicated the auditor's office initially requested access to Medicaid-related recipient information in connection with an audit of the Medicaid program, and that staff had agreed to grant that access. The auditor then determined it appropriate to open an audit of the entire pharmacy board operations including how it handles PMP data. Staff's initial determination was that the PMP law did not identify the auditor as an entity which could be granted access to the PMP data, and therefore the board's authority to grant access to the data was not obvious. The auditor issued a legislative subpoena for a copy of all the records from 2012 through 2016. Staff requested a short extension of the deadline for reply and invited the auditor to meet with the board itself.

Following the presentations, Mr. Aron opened the discussion to questions from the members. Following the interchange between the board members and the auditors, Mr. Aron solicited public comments. Ms. Jennifer Marusak, representing the state medical society, noted she represents the society on the PMP Advisory Council as well as the Louisiana Commission on Preventing Opioid Abuse. She took note of the broad

array of participants in the prescription monitoring program including prescribers and their delegates as well as dispensers and their delegate. She also took note of recent legislation mandating physician participation for certain prescribing activities and the recent decrease in opioid-relating morbidity and mortality in the state.

Given the potential for legal action, Mr. Aron suggested the propriety of an executive session, and he requested Ms. Cangelosi remain in the room with the members. Mr. McKay moved to enter into executive session for the purpose of discussing strategy relative to legal proceedings on the question of whether the board has the necessary legal authority to grant the auditor access to the PMP records. The motion was adopted after a unanimous vote in the affirmative.

It was noted the members entered into executive session at 9:45 a.m. and then returned to open session at 10:20 a.m. Mr. Aron invited the guests to return to the meeting room, and he then noted that no decisions had been made during the executive session.

Mr. Aron recognized Mr. McKay, who offered the following motion:

Resolved, in consideration of the legislative subpoena received from the legislative auditor for a copy of the prescription monitoring program records for the five-year period from 2012 to 2016, which subpoena requires a reply by February 1, 2017, and since the Board has determined its authority to release those records is not obvious to the Board, the Board requests its attorney to expeditiously file a petition for declaratory judgment with the appropriate court.

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

At this point, Mr. Aron declared a brief recess. It was noted the members recessed at 10:30 a.m. and then reconvened at 10:55 a.m. Mr. Aron resumed the sequence of the posted agenda.

10. *Committee Reports*

A. *Finance Committee*

Mr. Aron called upon Mr. Pitre for the committee report. 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.

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

B. *Application Review Committee*

Mr. Aron called upon Mr. Soileau for the committee report. Mr. Soileau reported the committee had not met since the previous board meeting in November 2016, and further, there were no cases pending on the committee's agenda.

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

C. Reciprocity Committee

Mr. Aron called upon Ms. Hall for the committee report. She reported the staff had evaluated 45 applications for pharmacist licensure by reciprocity since the last Board meeting and that none of them contained information that warranted a committee level review. In conformance with policies and procedures previously approved by the Board, the staff approved the applications and issued the credentials.

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

D. Violations Committee

Mr. Aron called upon Mr. Bond for the committee report. Mr. Bond reported the committee held preliminary hearings on December 14-15, 2016 to consider their posted agenda, which included 23 cases: 4 pharmacists, 13 pharmacy technicians, 2 pharmacy technician candidates, and 4 pharmacy permits. After interviews and deliberations at the meeting, the committee granted 5 continuances and issued non-disciplinary letters of non-compliance to 2 of the respondents. Six of the respondents failed to appear as noticed; the committee directed staff to offer those respondents an opportunity for permanent revocation in lieu of a formal administrative hearing. Of those 6 respondents who failed to appear, one of them accepted the offer for permanent revocation, but the other 5 did not – and those 5 cases were scheduled for administrative hearings later that day. The committee then offered proposed voluntary consent agreements to the remaining 10 respondents. Seven of those offers were accepted and presented for consideration this day. The final 3 respondents were scheduled for an administrative hearing during the May 2017 administrative hearing. Mr. Bond presented the following proposed agreements to the members for their consideration.

K&B Louisiana Corporation d/b/a Rite Aid Pharmacy No. 7335

[Shreveport, LA] (PHY.003040) 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.

LaTroya Karneni Nelson (PTC.022480) 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 Warning, and further, assessed administrative costs.

Gulf States Health Partners, LLC d/b/a RX 2 Geaux [Baton Rouge, LA]

(PHY.007095) 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 \$10,000 plus investigative and administrative costs.

Brandon Troy Marcantel (CPT.011869) 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 \$250 plus administrative costs.

Waynenika Latoya Thibodaux (CPT.009914) 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 \$250 plus administrative costs.

Destiny Ariane Woolfolk (CPT.010453) 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 \$250 plus administrative costs.

Shaknocka Lewis (CPT.013059) Mr. Bond 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 reinstatement of the certificate, or any application for any other credential issued by the Board.

Mr. Bond reported the committee will meet on March 8-9, 2017 to consider that docket, which was still under development.

Finally, Mr. Bond concluded 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 two referrals from the staff. Following their interviews of the applicants and subsequent deliberations, the committee took no formal action for one of the respondents. Mr. Rabb then presented the following file to the members for their consideration.

Scotty Paul Broussard (PST.015681) 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, contingent upon the satisfaction of certain requirements identified in the Board Order, converted the duration of the suspensive period from an indefinite term to a term of fifteen years and stayed the execution of the suspension, then placed the special work permit and subsequently reinstate license on probation for fifteen years, effective on the date of issuance of the special work permit, subject to certain terms enumerated in the consent agreement.

Finally, Mr. Rabb closed his report with appreciation to his fellow

committee members for their work the previous day and for the ongoing staff support.

F. Reinstatement Committee

Mr. Aron called upon Ms. Melancon for the committee report. Ms. Melancon reported the committee met the previous day to consider three referrals from staff. Following their interviews of the applicants and subsequent deliberations, the committee authorized the reinstatement of the pharmacy permit without restriction; that decision required no further action by the full Board. She then presented the following files to the members for their consideration.

Cheenwah Davenport Honora (CPT.007660) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted respondent's request for reinstatement of the previously lapsed certificate, contingent upon the successful completion of certain requirements identified in the consent agreement.

Jeremy Jay Scott (CPT.006953) Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted respondent's request for reinstatement of the previously lapsed certificate, contingent upon the successful completion of certain requirements identified in the consent agreement.

Ms. Melancon closed her report with appreciation to the other committee members for their work the previous day.

G. Tripartite Committee

Mr. Aron called upon Mr. Moore for the committee report. Mr. Moore noted the committee had not met since March 2016 and therefore no report was available.

At this point, Mr. Aron declared a luncheon recess. It was noted the members recessed at 11:25 a.m. and reconvened at 12:05 p.m. Mr. Aron resumed the sequence of the posted agenda.

H. Regulation Revision Committee

Mr. Aron called on Mr. McKay for the committee report. Mr. McKay reported the committee had met twice since the previous Board meeting. During their December 6, 2016 meeting, the committee focused on the single topic of specialty drugs. Following consideration of comments and materials submitted by stakeholders, the committee developed consensus on a proposed definition for the term 'specialty drugs', then requested staff to prepare a proposed response to SCR 87 of the 2016 Legislature.

During their January 12, 2017 meeting, the committee focused on agenda

topics requiring legislative resolution. The committee completed their work on four legislative proposals, taking note one of them is attached to the specialty drugs report. The single remaining proposal relative to pharmacy benefit managers has been continued for further dialogue, and the committee plans to submit that proposal to the Board at its next meeting on March 14, 2017.

Proposed Board Response to SCR 87 of 2016 Legislature

The committee agreed to define the term ‘specialty drug’ but not the term ‘specialty pharmacy’. In addition, the committee determined it appropriate to amend existing law to specify that no organization except governmental or regulatory agencies establish any requirement for voluntary accreditation of pharmacies as qualification for reimbursement. During the Board’s consideration of this topic, Mr. Broussard called the members’ attention to a letter from the Pharmaceutical Care Management Association (PCMA) which had been received the previous afternoon. Mr. McKay then moved,

Resolved, to approve *Proposed Board Response to SCR 87 of 2016 Legislature* and the accompanying *Legislative Proposal 2017-E ~ Specialty Drugs (Draft #1)*, and further, to authorize the submission of the report and the filing of the legislative proposal in the Regular Session of the 2017 Legislature upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the legislative process.

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

Legislative Proposal 2017-A ~ CDS Schedule Update

Mr. McKay noted this proposal is the Board’s annual bill to update the state’s list of controlled substances to harmonize it with the federal list. Mr. McKay then moved,

Resolved, to approve *Legislative Proposal 2017-A ~ CDS Schedule Update (Draft #2)*, and further, to authorize the filing of same in the Regular Session of the 2017 Legislature upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the legislative process.

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

Legislative Proposal 2017-B ~ CDS License for Third Party Logistics (3PL) Companies

Mr. McKay introduced this topic by reminding the members of the Drug Supply Chain Security Act passed by the U.S. Congress in 2013. Among other provisions, this law identified third party logistics (3PL) companies, entities contracted to distribute drugs and devices but never take title to the commodities during transit. That law requires 3PL companies to be licensed and regulated by the federal government, unless a state agency elects to license and regulate those entities; however, the 3PL entities may not be simply included with other distributors but must be licensed separately.

During the 2016 Legislature, the La. Board of Drug & Device Distributors amended their licensing law to identify 3PL companies and require a permit from that board in order to conduct business in Louisiana. That board has completed the required rulemaking for 3PLs. Staff prepared a proposal to amend the state controlled substance licensing law to specifically identify 3PL companies and set their licensing fee the same as other distributors (\$50). Mr. McKay then moved,

Resolved, to approve Legislative Proposal 2017-B ~ CDS License for Third Party (3PL) Companies (Draft #1), and further, to authorize the filing of same in the Regular Session of the 2017 Legislature upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the legislative process.

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

Legislative Proposal 2017-D ~ PMP Law Update

Mr. McKay reported staff's development of a legislative proposal to update the PMP law originally adopted in 2006, using the recently-released national model PMP law, as well as recommendations from the Louisiana Commission on Preventing Opioid Abuse, relative to an expansion of the list of persons authorized to have access to PMP data. Mr. McKay then moved,

Resolved, to approve Legislative Proposal 2017-D ~ PMP Law Update (Draft #3), and further, to authorize the filing of same in the Regular Session of the 2017 Legislature upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the legislative process.

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

Finally, Mr. McKay concluded his report with a listing of the topics still pending on the committee's standing agenda.

Mr. McKay closed his report with appreciation to the other members of the committee for their ongoing efforts.

I. Executive Committee

Mr. Aron reported the committee had met the previous day to consider the items on their posted agenda. In particular, the committee reviewed the resolutions for professional legal services, contracts and agreements, as well as administrative operations. The committee developed several recommendations for the Board's consideration. Mr. Aron requested Mr. Rabb to offer those motions. Mr. Rabb moved,

Resolved, to approve the Resolution for Professional Legal Services for Ms. Celia R. Cangelos for Fiscal Year 2017-2018.

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

Resolved, to approve the Resolution for Professional Legal Services for Shows, Cali & Walsh, LLC for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed legal services contract with Celia R. Cangelosi, at the stipulated rate, in an amount not to exceed \$100,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed legal services contract with Shows, Cali & Walsh, LLC, at the stipulated rate, in an amount not to exceed \$50,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed accounting services contract with Kolder, Champagne, Slaven & Company, at the stipulated rates, in an amount not to exceed \$30,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed maintenance agreement from MicroPact, Inc. for the continued operation and support of *eLicense*, a browser-based integrated software product for automation of the Board's credentialing and compliance activities, at the stipulated rates, in an amount not to exceed \$100,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed information system network support service agreement with Essential Solutions, LLC, at the stipulated rates, in an amount not to exceed \$50,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the proposed agreement with Appriss, Inc. to operate the state prescription monitoring program, at the stipulated rate, in an amount not to exceed \$100,000 for Fiscal Year 2017-2018.

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

Resolved, to approve NABP Foundation as the publisher of the Board's newsletter, at the stipulated rate, in an amount not to exceed \$2,000 for Fiscal Year 2017-2018.

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

Resolved, to approve the National Association of Boards of Pharmacy (NABP) as the administrator for the pharmacist licensure and remediation examinations (NAPLEX, MPJE, FPGEE, and PARE) for Fiscal Year 2017-2018

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

Resolved, to approve the Pharmacy Technician Certification Board (PTCB) as the administrator for the pharmacy technician certification examination for Fiscal Year 2017-2018.

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

With the approval of the required resolutions and contracts, Mr. Aron directed staff to execute those contracts on behalf of the Board and submit them to the appropriate administrative and legislative agencies exercising oversight of Board contracts and agreements.

Finally, Mr. Aron closed his report with appreciation for the other committee members and their work the previous day.

11. Staff Reports

J. Report of Assistant Executive Director

Mr. Aron called upon Mr. Fontenot for his report. Mr. Fontenot then directed the members to the quarterly report for the Prescription Monitoring Program, reviewing transaction data, registration counts, and search data. In addition, he reviewed data for specific drugs – hydrocodone, tramadol, and oxycodone, showing numbers of prescriptions and units dispensed for Calendar Year 2016.

Mr. Fontenot then directed the members to the requests for exemption from the PMP reporting requirements. Mr. Rabb moved,

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

- > PHY.007104-NR – CPP Pet Care (CA);
- > PHY.004670-NR – CVS Pharmacy No. 6570 (IN);
- > PHY.007335-NR – Factor One Source Pharmacy (MD);
- > PHY.007398-NR – Rapid Equine Solutions (PA);
- > PHY.007336-NR – Senderra RX Pharmacy (Dallas, TX); and
- > PHY.006482-NR – Senderra RX Pharmacy (Richardson, TX);

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 completion of his report.

K. Report of General Counsel

Mr. Aron called upon Mr. Finalet for his report. Mr. Finalet then presented the following files to the members for their consideration.

Roy Allen Martin (PST.021385) 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 4 years plus 4 months plus 20 days and stayed the execution thereof, then placed the license on probation for 4 years plus 4 months plus 20 days, concluding on June 15, 2021 (to run concurrently with the probationary period ordered by the Oklahoma Board of Pharmacy on his Oklahoma pharmacist license),

subject to certain terms enumerated in the voluntary consent agreement, and further, assessed administrative costs.

Hillary Renee LeGros (CPT.011819) 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 reinstatement of the certificate, or any application for any other credential issued by the Board.

Kalsey Rae-Jean Miller (CPT.012510) 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 reinstatement of the certificate, or any application for any other credential issued by the Board.

LeighAnn Nicole Hebert (CPT.008150) 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, resulting in the active suspension of the certificate for an indefinite period of time, effective December 14, 2016.

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
 - PARE
 - PTCB
- Operations
 - Credentials Division
 - Compliance Division
 - Administrative Division
- State Activities
 - La. Dept. of Health – Bureau of Health Services Finances
 - La. Board of Drug & Device Distributors

La. State Board of Medical Examiners
La. State Radiologic Technology Board of Examiners
La. Board of Pharmacy

- Regional & National Activities
National Association of Boards of Pharmacy (NABP)
NABP-AACP District 6
MALTAGON
- International Activities
International Pharmaceutical Federation (FIP)
.Pharmacy gTLD

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

12. Special Presentation – Ms. Milano

Mr. Aron called upon Ms. Milano, who presented information from other states on the issue of recording practice site information for pharmacy technicians and pharmacy technician candidates, as well as the issue of how and when pharmacy employers can determine when a particular licensee might have been disciplined by the Board.

Ms. Milano suggested the propriety of a rule requiring the pharmacist-in-charge to report all changes in professional staffing in their pharmacy. In the absence of any significant objection from the members, Mr. Aron referred the topic to the Board's Regulation Revision Committee for their consideration and development of a regulatory proposal for the Board's consideration.

13. Announcements

Mr. Aron directed the members to the announcements in their meeting binder.

14. Recess

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron recessed the meeting at 1:55 p.m.

* * * * *

An Administrative Hearing was convened on Wednesday, January 25, 2017 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice (unless specifically stated otherwise in the official transcript), and notice was properly posted.

A. Call to Order

Mr. Aron called the hearing to order at 2:20 p.m.

B. Quorum Call

Mr. Aron called upon Secretary Bond and he called the roll. After doing so, he certified Dr. Strong was absent; however, the remaining 16 members were present, constituting a quorum for the conduct of official business.

C. Call for Additional Agenda Items & Adoption of Agenda

Mr. Aron asked if there were any additional agenda items, and none were requested. With no objection, the Board adopted the posted agenda, dated January 21, 2017. He then requested authority to re-order the agenda as may become necessary, and there was no objection to that request.

D. 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 prior to the vote on each agenda item. He solicited comments from the guests, but none were offered.

Appearances

Mr. Aron indicated he would serve as the Hearing Officer, Mr. Carlos Finalet as the Prosecuting Attorney, Ms. Susan Erckle as the Official Recorder, and Mr. Malcolm Broussard as the Hearing Clerk. Without objection, Mr. Aron waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

A G E N D A

NOTE: This agenda is tentative until 24 hours in advance of the meeting, at which time the most recent revision becomes official.
Revised 01-21-2017

- A. Call to Order
- B. Quorum Call
- C. Call for Additional Agenda Items & Adoption of Agenda
- * Statement of Purpose
- D. Opportunity for Public Comment
- E. Formal Hearings
 - 01. CPT.011343 – Bria Alessia Jenkins Case No. 16-0271
 - 02. CPT.009756 – Krystal Renee Nawadny Case No. 16-0244
 - 03. CPT.008112 – Jessica Gayle Donaldson Case No. 16-0264
 - 04. CPT.009074 – Dana Rochelle Ingram Case No. 16-0269
 - 05. CPT.008637 – Holly Renee Griffith Case No. 16-0247

At the conclusion of the cases docketed above, the Board will recess; they will reconvene the following day at 8:30 a.m., in the Board office, to consider the following cases:

- A. Call to Order
- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Opportunity for Public Comment
- E. Formal Hearings (continued)

06. PHY.007083 – The Medicine Store Pharmacy, Inc. *d/b/a* Case No. 16-0223
RXpress Pharmacy [Fort Worth, TX]

07. PST.016558 – Larry Hoyt Hamilton, Jr. Case No. 15-0147

Immediately following the conclusion of this case, the Board shall consider the following proposed voluntary consent agreement:

08. PHY.004944 – Sterling Associates, Inc. *d/b/a* Case No. 16-0030
Sterling Pharmacy [Ruston, LA]

- F. Adjourn

E. Formal Hearings

Bria Alessia Jenkins (CPT.011343) Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and four exhibits. He then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. Soileau moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 2:30 p.m. and then reconvened in open session at 2:50 p.m. Mr. Aron reported no decision was made during the executive session.

Ms. Hall moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by amending Item 4 to correct the statutory citation, adopt the amended

conclusions as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 11343, held by Bria Alessia Jenkins, shall be and is hereby revoked, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$500;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein; and
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Krystal Renee Nawadny (CPT.009756) Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and four exhibits. He then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. Cassidy moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 2:58 p.m. and then reconvened in open session at 3:05 p.m. Mr. Aron reported no decision was made during the executive session.

Mr. Robichaux moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 9756, held by Krystal Renee Nawadny, shall be and is hereby revoked, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$500;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein;
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Jessica Gayle Donaldson (CPT.008112) Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and four exhibits. He then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then

tendered the matter to the hearing panel for its consideration. Mr. Soileau moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 3:15 p.m. and then reconvened in open session at 3:25 p.m. Mr. Aron reported no decision was made during the executive session.

Mr. Cassidy moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by amending Item 4 to correct the statutory citation, adopt the amended conclusions as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 8112, held by Jessica Gayle Donaldson, shall be and is hereby revoked, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$500;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this registration, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein;
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's

health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Dana Rochelle Ingram (CPT.009074) Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and six exhibits. He then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 3:45 p.m. and then reconvened in open session at 3:57 p.m. Mr. Aron reported no decision was made during the executive session.

Mr. McKay moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 9074, held by Dana Rochelle Ingram, shall be and is hereby suspended for an indefinite period of time, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$500;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for

any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein;
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Holly Renee Griffith (CPT.008637) Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and four exhibits. He then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. McKay moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 4:05 p.m. and then reconvened in open session at 4:15 p.m. Mr. Aron reported no decision was made during the executive session.

Ms. Milano moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by amending Item 4 to correct the statutory citation, adopt the amended conclusions as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana

Pharmacy Technician Certificate No. 8637, held by Holly Renee Griffith, shall be and is hereby revoked, effective on the entry of this order, and further, the respondent shall pay the following assessment:

- (1) The administrative hearing fee of \$250;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein;
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall have received a favorable recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Mr. Finalet indicated completion of the cases scheduled for that day. Mr. Aron expressed his appreciation to Ms. Erckle for her recording services that day.

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron recessed the hearing at 4:20 p.m.

* * * * *

The Administrative Hearing was re-convened on Thursday, January 26, 2017 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice (unless specifically stated otherwise in the official transcript), and notice was properly posted.

A. Call to Order

Mr. Aron called the hearing to order at 8:30 a.m.

B. Invocation & Pledge of Allegiance

Mr. Aron called upon Mr. Bond, and he delivered the invocation. Mr. Soileau then led the members in reciting the Pledge of Allegiance.

C. Quorum Call

Mr. Aron called upon the Secretary, Mr. Bond, to call the roll to establish a quorum. Mr. Bond certified that Mr. Mannino and Dr. Strong were absent, but that the other 15 members were present, constituting a quorum for the conduct of Board business.

D. 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 prior to the vote on each agenda item. He solicited comments from the guests, but none were offered.

** Appearances*

Mr. Aron indicated he would serve as the Hearing Officer, Ms. Celia R. Cangelosi as the Prosecuting Attorney, Ms. Susan Erckle as the Official Recorder, and Mr. Malcolm Broussard as the Hearing Clerk.

E. Formal Hearings (continued)

Mr. Aron, without objection, re-ordered the sequence of the posted agenda and requested Ms. Cangelosi to proceed when she was ready.

Larry Hoyt Hamilton, Jr. (PST.016558) Ms. Cangelosi appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, two witnesses, and seven exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. Resweber moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 9:05 a.m. and then reconvened in open session at 10:15 a.m. Mr. Aron reported no decision was made during the executive session.

Ms. Hall moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 10 to record the attorney fees as identified in Board Exhibit 5, Item 13 to reflect the absence of the respondent from these proceedings, and Item 30(14) to reflect the absence of the respondent's counsel from these proceedings, adopt the amended findings as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by adding Item 5 to include LAC 46:LIII.1105(C) and Item 6 to add LAC 46:LIII.2747(F), adopt the amended conclusions as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacist License No. 16558, held by Larry Hoyt Hamilton, Jr., shall be and is hereby suspended for an indefinite period of time, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$5,000;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this license, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall not submit such application until after six months of active suspension;
- (2) Respondent shall have paid all assessments levied herein;
- (3) Respondent shall have no pending legal or disciplinary actions against him in any jurisdiction; and
- (4) Respondent shall have received a favorable recommendation for his return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addition medicine specialist approved by the Board.

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

Ms. Cangelosi indicated the completion of the case and asked whether the Board was ready to consider the acceptance of a proposed voluntary consent agreement for a separate but related case. Mr. Aron requested the presentation of the proposed voluntary consent agreement for the Board's consideration.

Sterling Associates, Inc. d/b/a Sterling Pharmacy [Ruston, LA](PHY.004944)
Mr. Bond moved to approve the proposed voluntary consent agreement. Prior to

the vote on the motion, Ms. Milano moved to enter into executive session for the purpose of deliberating on the disciplinary matter and discussing the respondent's competency. In the absence of the required affirmative vote of at least two-thirds of the members present and voting, the motion for executive session failed to pass. The motion to accept the consent agreement was then adopted after a unanimous vote in the affirmative. The Board suspended the permit for one year, stayed the execution of the suspension, then placed the permit on probation for one year, effective January 25, 2017, subject to certain terms enumerated in the consent agreement, and further, assessed the owner of the permit a fine of \$10,000 plus administrative and investigative costs.

Mr. Aron then called for the final case noticed on the posted agenda.

The Medicine Store Pharmacy, Inc. d/b/a RXpress Pharmacy [Fort Worth, TX] (PHY.007083) Ms. Cangelosi appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, one witness, and eleven exhibits. She then offered a closing statement, proffered proposed findings of fact, conclusions of law, and board order, and then tendered the matter to the hearing panel for its consideration. Mr. Soileau moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 11:00 a.m. and then reconvened in open session at 11:15 a.m. Mr. Aron reported no decision was made during the executive session.

Ms. Milano moved,

Resolved, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 7 to record the attorney fees from Board Exhibit 4, adopt the amended findings as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by adding Item 1 to read La. R.S. 37:1222(A), adopt the amended conclusions as our own, and then enter them into the hearing record.

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

Resolved, that the hearing panel enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Permit No. 7083, held by The Medicine Store

Pharmacy, Inc. *d/b/a* RXpress Pharmacy, shall be and is hereby revoked, effective on the entry of this order, and further, the respondent shall pay the following assessment:

- (1) A fine of \$5,000;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this permit, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein; and
- (2) Respondent shall have no pending legal or disciplinary actions against them in any jurisdiction.

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

Ms. Cangelosi indicated completion of the cases scheduled for that day. Mr. Aron expressed his appreciation to Ms. Cangelosi for her prosecutorial services and to Ms. Erckle for her recording services that day.

F. 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 hearing at 11:20 a.m.

Respectfully submitted,

Brian A. Bond
Secretary