

# Prescription Monitoring Program Advisory Council State of Louisiana

January 20, 2016

## MINUTES

A meeting of the Louisiana Prescription Monitoring Program (PMP) Advisory Council scheduled to meet on Wednesday, January 20, 2016 at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive in Baton Rouge, Louisiana 70809, convened at 1:05 p.m. to consider the following:

### **A G E N D A**

1. **Call to Order**
2. **Quorum Call**
3. **Call for Additional Agenda Items & Adoption of Agenda**
4. **Consideration of Minutes from Prior Meeting – October 14, 2015**
5. **Opportunity for Public Comment**
6. **Review of Program Operation**
7. **Review of Legislative Proposal**
8. **Calendar Notes**
9. **Adjourn**

**Advisory Council representatives/designees present:** In the absence of the Chair and Vice Chair, Malcolm Broussard (LABP and designee of the Chair) chaired the meeting. Also present were Senator Fred H. Mills, Jr. (La. Senate-Chair H&W), Lesley Rye (LSBME), Dr. J. Michael Burdine (LSMS), Ward Blackwell (LADA), Lisa Bayhi (LANP), Errol Duplantis (LPA), Major Mittendorf (LAPA), Louis Lejarza (DEA), Maj. Layne Barnum (LSP), J.J. Williams (LDAA), Traci Perry (DHH), Cindi York (LSBN), and Russell Laffery (LIPA).

**Others present:** Joe Fontenot (LABP), Danielle Clausen Meadors (LABP), Lindsey Schultz (LABP), Carlos Finalet (LABP), Crystal Carter (LPA), Kimberly Lamotte (DHH), and Paul Knecht (DHH).

### **Call for Additional Agenda Items**

J.J. Williams with the Louisiana District Attorney's Association made note of an unpublished opinion in regards to access to the Prescription Monitoring Program (PMP) by Law Enforcement. Mr. Williams moved to add the item to the agenda. Dr. Burdine seconded the motion and the motion was carried with no objection.

### **Consideration of Minutes from October 14, 2015 Meeting**

Minutes were approved by consensus with no corrections.

### **Opportunity for Public Comment**

Louis Lejarza announced the retirement of Assistant Special Agent in Charge, Joseph Shephard. He also announced that National Drug Take Back Day will take place on April 30, 2016 from 10 a.m. – 2 p.m.

### **Review of Program Operation**

Joe Fontenot, Assistant Executive Director, presented the following statistical information and provided printouts on all information:

[Data is current through December 31, 2015]

Eligible Transactions Reported to the PMP – Total 93,496,800

<u>2008</u>	6,015,089	<u>2012</u>	12,989,950
<u>2009</u>	11,143,865	<u>2013</u>	13,032,083
<u>2010</u>	12,116,982	<u>2014</u>	13,020,364
<u>2011</u>	12,775,344	<u>2015</u>	12,403,123

Prescribers, Pharmacists, & Delegates - Applications Approved for Access - 2015

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
Prescribers	202	251	303	202
Pharmacist	78	92	183	65
Prescriber Delegates	79	263	248	119
Pharmacist Delegates	33	93	60	50

Prescribers, Pharmacists, & Delegates - Applications Approved for Access

	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Prescribers	1,526	721	548	574	640	1,093	958
Prescriber Delegates	0	0	0	0	0	473	709
Pharmacists	728	483	361	494	509	466	418
Pharmacist Delegates	0	0	0	0	0	143	236

Prescriber & Pharmacist Queries in 2015 – Total 2,517,246

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
Prescribers	290,603	287,744	307,593	292,506
Pharmacist	213,065	257,471	275,952	269,008
Prescriber Delegates	33,410	60,245	87,583	87,909
Pharmacist Delegates	5,332	11,925	17,365	16,663
Prescriber Self-Lookup	0	0	1,638	1,234

Prescriber & Pharmacist Queries - Total 7,474,871

## • Prescribers

<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
235,985	368,376	496,270	650,514	842,139	942,733	1,178,446

## • Pharmacists

<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
74,277	111,075	153,783	212,754	382,204	456,568	1,015,496

## • Prescriber Delegates

<u>2014</u>	<u>2015</u>
26,993	269,147

## • Pharmacist Delegates

<u>2014</u>	<u>2015</u>
3,954	51,285

- Prescriber Self-Lookup

2015

2,872

Board and Regulatory Agencies – Total 9,645 (Current through September 30, 2015)

<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
833	1,401	1,612	1,584	1,364	1,675	1,176

Law Enforcement Access and Requests – Totals 7,029

<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
680	889	1,230	845	1,150	1,224	1,011

**Appriss, Inc. - AWARxE PMP Software Upgrade**

Mr. Fontenot reminded the Council that our PMP vendor Optimum Technology was acquired by Appriss, Inc. on April 24, 2015. Mr. Fontenot informed the Advisory Council that the Louisiana PMP is planning to upgrade the PMP Optimum Technology software to the Appriss AWARxE PMP software and explained some of the benefits of making the transition. Mr. Fontenot informed the council that the program expects the transition to the AWARxE platform with Appriss to be complete by the middle of 2016.

**Added Agenda Item: State v. Brock, 2015 KA 0610, La. App., 1st Cir., 2015 0610 (La.App. 1 Cir. 11/06/15); 2015 La. App. Unpub. LEXIS 448, November 6, 2015**

In this case, the Louisiana First Circuit Court of Appeals recognizes a viable claim by defendant that his prescription records, which supported the charge of doctor shopping, were illegally obtained without warrant from the prescription monitoring program. JJ Williams, representing the DA's Association, explained that his office has approached the local DA handling the case to file an Amicus brief with the Court when that office files a Writ. He discussed the procedures and possible outcomes to filing a Writ with the Louisiana Supreme Court. He could not provide a timeline for when or if the Court would grant the Writ but would keep the Council up to date on that progress.

**Review of Legislative Proposal**

Mr. Broussard presented a legislative proposal recently approved by the Louisiana Board of Pharmacy's Regulation Revision Committee in regards to PMP record retention. He indicated the full Board would consider this proposal at their next meeting on February 24, and presuming their approval, would be filed for consideration during the 2016 regular session.

**Calendar Notes**

The remaining meeting dates in 2016 are: April 13, July 13, and October 12.

With no business remaining, the Council adjourned at 1:55 p.m.

*I certify that the foregoing are true and accurate minutes.*

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Malcolm J. Broussard  
Executive Director  
Louisiana Board of Pharmacy