



# Louisiana Board of Pharmacy

5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808-2537  
[www.pharmacy.la.gov](http://www.pharmacy.la.gov)



## Minutes

### Regular Meeting

Wednesday, May 5, 2010 at 1:00 p.m.

Louisiana Board of Pharmacy  
5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808

### Administrative Hearing

Thursday, May 6, 2010 at 8:30 a.m.

Louisiana Board of Pharmacy  
5615 Corporate Boulevard, 8<sup>th</sup> Floor  
Baton Rouge, Louisiana 70808

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, May 5, 2010 in the Boardroom of the Board's office, located on the 8<sup>th</sup> Floor at 5615 Corporate Boulevard 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 1:05 p.m.

*2. Invocation & Pledge*

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

*3. Quorum Call*

Mr. Aron called upon the Secretary, Dr. Reuben Dixon, to call the roll.

**Members Present:**

Mr. Joseph L. Adams  
Ms. Michele P. Alderman  
Dr. Lois R. Anderson  
Mr. Carl W. Aron  
Mr. Brian A. Bond  
Mr. J. Douglas Boudreaux  
Mr. Allen W. Cassidy, Jr.  
Dr. Reuben R. Dixon  
Ms. Sydnie M. Durand  
Ms. Jacqueline L. Hall  
Mr. John O. LeTard  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb

**Members Absent:**

Mr. Ronald E. Moore  
Mr. Richard A. Soileau

**Staff Present:**

Mr. Malcolm J. Broussard, Executive Director  
Mr. Carlos M. Finalet, III, General Counsel  
Mr. M. Joseph Fontenot, Prescription Monitoring Program Manager  
Dr. Edwin H. Adams, Compliance Officer  
Mr. Rayland M. Trisler, Compliance Officer

**Guests:**

Mr. & Mrs. James F. Hunnicutt  
Mr. & Mrs. Robert L. Cousins

Mr. Frank N. Cusimano  
Mr. Philip McCrory, Jr. – DHH/OPH Pharmacy  
Mr. Mitch Ward – Target Pharmacies  
Mr. Council Powell, Jr. – CVS Pharmacies  
Dr. Lien Nguyen – Target Pharmacies  
Ms. Linda Spradley – Spradley & Spradley  
Ms. Mary Staples – NACDS  
Mr. Randal Johnson – LIPA

Dr. Dixon certified that all of the members except Mr. Moore and Mr. Soileau were present, constituting a quorum.

#### *4. Call for Additional Agenda Items*

Mr. Aron asked if there were any additional agenda items, but none were offered. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of adjusting the sequence of various reports. With no objections offered, Mr. Aron indicated he would exercise that authority only as necessary.

#### *5. Consideration of Minutes*

Mr. Aron reminded the Board members they had received the draft minutes from the Regular Board Meeting on February 3, 2010. Hearing no requests for amendments nor any objection to their approval, he declared the minutes were approved as presented. Dr. Dixon reminded the members to sign the Minute Book.

#### *6. Report on Action Items*

Mr. Broussard reported on three initiatives requested during the previous meeting of the Board.

- During the report from the Executive Committee, the members reviewed the results from the January 27 public hearing on the four sets of proposed rules. With no comments filed and no reason to make any further changes, the Board voted to advance all four proposals toward final rules. All four proposals were published as Final Rules in the April 20, 2010 edition of the Louisiana Register. All were effective on the date of publication except *Drugs of Concern*, the effective date of which was delayed until September 1, 2010.
- During the report from the Prescription Monitoring Program (PMP), the members approved two legislative proposals and requested their filing in the 2010 legislative session – one to remove the Board of Examiners of Psychologists from the membership of the PMP Advisory Council, and the second to include veterinarians in the program. Rep. Fred Mills agreed to sponsor both measures. HB 114 was filed relative to the membership on the Advisory Council, and HB 197 was filed relative to inclusion of veterinarians in the program.
- During the report from the Executive Director, the members approved a legislative proposal that would update the state's list of controlled substances to include the newest additions on the federal list and further, requested its filing in the current legislative session. Rep. Fred Mills agreed to sponsor the measure, and HB 121 was filed.

### *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, Dr. Dixon 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 February 3, 2010 are approved, adopted, and ratified by the entire Board.

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

### *8. Opportunity for Public Comment*

Mr. Aron reminded the members and guests that the Open Meetings Law requires all public bodies to provide an opportunity for public comment at all meetings. He solicited general comments from the guests present, but none were offered.

### *9. Special Order of the Day*

Mr. Aron informed the members that 103 pharmacists were licensed by the Board in 1960, and further, that among the pharmacists qualifying for their Gold Certificate in 2010, three of them had requested presentation of their certificates that day. He then introduced the following pharmacists and presented their Gold Certificates, commemorating 50 years of licensure:

- PST.008419 ~ Frank Nunzio Cusimano
- PST.008452 ~ Robert Luke Cousins
- PST.008457 ~ James Franklin Hunnicutt

The members, staff, and guests recognized the recipients with a standing ovation.

At this point, Mr. Aron re-ordered the agenda to accommodate a practitioner present in support of a request for an opinion.

### *14. Request for Opinion: Dispensing Medications on Standing Orders During Public Health Emergencies*

Mr. Aron recognized Mr. Philip McCrory, Director of Pharmacy for the Office of Public Health in the Dept. of Health and Hospitals. Mr. McCrory reminded the members of their May 2009 review and approval of a plan for the packaging and labeling of certain medications intended for mass dispensing during emergency declarations. He reminded the members that current plans call for the use of Point-of-Dispensing Sites (PODS) to be established and located in strategic sites in affected areas. DHH would be responsible for the operation of the PODS, wherein the medications would be dispensed without charge to anyone requesting it. The State Health Officer has authored a standing order to be used for the dispensing of medications at the PODS.

DHH has acknowledged that some citizens may choose to contact their own healthcare practitioner to obtain a prescription and then visit their local pharmacy to purchase the prophylactic medication. To prevent the necessity for large numbers of prescribers being contacted and then communicating such prescriptions to the pharmacies, the State Health Officer has suggested the propriety of using the same standing order to authorize community pharmacies to dispense the prophylactic

medications.

Mr. Broussard reminded the members that standing orders have not been recognized as valid orders or prescriptions outside healthcare institutions such as hospitals or nursing home facilities. He then suggested the Board could make a determination as to whether there might be a scenario where such orders could be accepted. Mr. Adams then moved,

**Resolved**, that the Board make the following determinations:

- During a State of Emergency declared by the Governor of the State of Louisiana, the public health is best served by the efficient communication of medical orders and prescriptions for medications needed by the citizens; and further,
- In the event of such an emergency caused by the release of anthrax, the Standing Order for Dispensing of Prophylactic Antibiotics for Anthrax issued by the State Health Officer shall constitute a valid medical order and prescription sufficient to authorize a pharmacist in a pharmacy to dispense the medications cited therein.

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

Mr. Aron expressed his appreciation to Mr. McCrory for his sustained efforts to improve the ability of all pharmacists and pharmacies to respond to disasters and other emergencies.

Mr. Aron then returned to the sequence of the posted agenda.

## 10. *Committee Reports*

### A. *Finance Committee*

Mr. Aron called upon Mr. Bond for the report. He directed the members to the current financial report in their meeting binder, which reflected the Board's fiscal status as of March 31, 2010. He reviewed the different schedules and supplemental information, and then submitted the report for information only.

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

### B. *Application Review Committee*

Mr. Aron called upon Mr. McKay for the committee report. He reported the committee met on April 14 to consider 11 referrals from the staff. He reported the disposition of 8 applications and then presented the following files for Board action.

**Dinah Denise Draper (PTC.007906)** Mr. McKay moved to deny the request for an extension of the expiration date of the registration. The motion was

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**Editor's Note:** The Board has adopted a coding system for its credentials, such that a three-lettered prefix will be followed by a period and then immediately by the credential number. Some of the relevant prefixes include PHY for pharmacy permit, PST for pharmacist license, PNT for pharmacy intern registration, CPT for certified pharmacy technician certificate, PTC for pharmacy technician candidate registration, and CDS for controlled dangerous substance license. Some credentials may contain a suffix.

adopted after a unanimous vote in the affirmative. The Board denied the request for an extension of the expiration date of the registration.

**Krystal Renee Domingue (PTC Applicant)** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

**Anthony Charles Mason (PTC Applicant)** Mr. McKay moved to deny the application and refuse to issue the registration. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

Finally, Mr. McKay expressed his appreciation to the other committee members for their participation in the April meeting.

C. *Reciprocity Committee*

Mr. Aron called upon Ms. Hall for the committee report. She reported the committee interviewed 30 candidates earlier that day. She then moved,

**Resolved**, that the Board approve

Rania Alkhoury  
Lonny Neal Allison, II  
Jessica Lynn Buzzelli  
Kevin James Denesen  
Jill Earlette Farley  
Ronald Wayde Ferguson  
Elizabeth Erin Floyd  
Camilla Ann Hancock  
Booth Kristopher Harned  
Nancye Dozier Hatcher  
Margaret Diane Henderson  
Paul Matthew Hueseman  
Leon Cheronne James  
Kelli Lynn Jordan  
Alan Lloyd Kanning  
Edward Khoriaty  
Allen David Knee  
Gregory Robert Kratz  
Stacy Michele Lindsey  
Gregory Oris McNider  
Michael Mesfun  
Kesha Nicholas O'Reilly  
Cedric Lamar Salone  
Jeannie Watson Saylor  
Deborah Gwen Smith  
Brian Paul Snyder



John Jason Stasiak  
Stephen David Webb  
Matthew Glenn Young, *and*  
Kelly Jean Zaccarelli

for pharmacist licensure by reciprocity.

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

Finally, Ms. Hall expressed her appreciation to the other members of the committee for their work that morning.

*D. Violations Committee*

Mr. Aron called upon Dr. Dixon for the committee report. Dr. Dixon reported the committee held an informal conference on March 3-4, 2010 and reviewed that docket. He then reviewed the docket for the administrative hearing slated for the following day, as well as the committee's next conference in June 2010.

Finally, Dr. Dixon expressed his appreciation to the other members of his committee for their ongoing work.

*E. Impairment Committee*

Mr. Aron called upon Mr. Rabb for the committee report. Mr. Rabb presented the following files for Board action.

**Edward John Rabalais (PST.009897)** Mr. Rabb 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 license for an indefinite period of time, effective March 3, 2010.

**Michael Thomas Savario (PST.016568)** Mr. Rabb 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 license for an indefinite period of time, effective March 9, 2010.

**Edward John Rabalais (PST.009897)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, and then once reinstated, suspended the license for ten years and stayed the execution thereof, and then placed the license on probation for ten years, subject to certain terms as enumerated in the consent agreement.

**Troy Renard Guilbeaux (PST.017854)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended license, and then once reinstated, suspended the license for five years and stayed the execution thereof, and then placed the

license on probation for five years, subject to certain terms as enumerated in the consent agreement.

**Jason Conrad Dove (PST.015811)** Mr. Rabb moved to deny the request for reinstatement of the previously suspended license. The motion was adopted after a unanimous vote in the affirmative. The Board denied the request for reinstatement of the license.

**Michael Jay Sylvester (PST.015929)** Mr. Rabb moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board ordered the completion of certain procedures as enumerated in the consent agreement.

Finally, Mr. Rabb expressed his appreciation to the other members of his committee for their deliberations the previous day.

*F. Reinstatement Committee*

Mr. Aron called upon Mr. Adams for the committee report. Mr. Adams presented the following files for Board action.

**PharmaCorr, LLC (PHY.005208)** Mr. Adams moved to grant the request to reinstate the previously lapsed permit. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously lapsed permit.

**Candace Paige D'Gerolamo French (PST.015040)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously lapsed license, contingent upon the completion of certain requirements enumerated in the agreement.

**Laura Elizabeth Colson (PST.014544)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously lapsed license, contingent upon the completion of certain requirements enumerated in the agreement.

**Patricia Babin Hogan (CPT.001158)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to reinstate the previously suspended certificate, contingent upon the completion of certain requirements identified in the agreement, and further, once the certificate is reinstated, the Board ordered the immediate suspension of the certificate for five years and stayed the execution thereof, and then ordered the certificate to be placed on probation for five years, beginning on the date of reinstatement, with said probation to be subject to certain terms as enumerated in the agreement

**Susan Kum Lee (PST.014662)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request for an extension of time to comply with the provisions of her reinstatement order issued in February 2009, with said extension to terminate on November 5, 2010.

**Charles Scott Weatherford (PST.015275)** Mr. Adams moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the request to modify the terms of probation by removing the provision which prevented him from accepting an appointment as the pharmacist-in-charge of a pharmacy.

Finally, Mr. Adams expressed his appreciation to the other members of his committee for their deliberations earlier that day.

*G. Tripartite Committee*  
(No report.)

At this point, Mr. Aron declared a brief recess. It was noted the Board recessed at 2:20 p.m., and then reconvened at 2:40 p.m.

*H. Regulation Revision Committee*

Mr. Aron called upon Dr. Anderson for the committee report. She reported on the committee's April 15 meeting.

- With respect to hospital pharmacy dispensing and distribution processes and recordkeeping rules, the committee agreed to convene a stakeholder group to solicit additional information to ensure the recordkeeping rules are still appropriate for contemporary practice.
- The committee reviewed prescription drug take back programs and decided no new rules were required; however, guidance information for pharmacies was clearly needed. They directed staff to prepare a guidance document for consideration; Dr. Anderson then moved **Resolved**, that the Board approve the Guidance for Medication Disposal Programs document, and further, direct staff to post the guidance document on the Board's website, and further, communicate the availability of the guidance document in the Board's newsletter and other media as appropriate.

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

- The committee initiated discussions on the sale of medical gases and devices pursuant to a prescription, and directed staff to conduct research on regulatory approaches in other jurisdictions.
- The committee continued their discussion about the limitation of service at institutional pharmacies, and agreed to continue their review.
- The committee reviewed the recent request concerning potential requirements for pharmacists to accept appointments as pharmacist-in-charge of a pharmacy. The committee reached preliminary consensus to

require two years of licensed practice as well as an educational program focused on the responsibilities required of a pharmacist-in-charge. Since the educational requirement would require staff and office resources, the committee desired Board input prior to further consideration of that potential requirement. Following substantial discussion, the Board reached consensus to encourage the committee to further develop a rule requiring two years of practice as well as completion of an educational program as minimum requirements for a pharmacist-in-charge in any pharmacy permit.

Finally, Dr. Anderson expressed her appreciation to the other members of the committee for their ongoing efforts.

At that point, Mr. McKay requested an opportunity to consider the referral of two new topics to the committee. Hearing no objection, Mr. Aron permitted Mr. McKay to introduce the following topics for referral to the committee:

- A comprehensive review of the pharmacy laws and rules to remove barriers to the utilization of electronic communications and procedures across all aspects of Board operations.
- Consideration of requiring a pharmacist-in-charge to be within the pharmacy permit of which he serves as the pharmacist-in-charge for some minimum period of time, e.g., twenty hours per week.

The members agreed with the referral of those topics to the committee for further consideration and potential rule-making activities.

*I. Executive Committee*

Mr. Aron reported the committee met the previous day to review committee operations, administrative operations, as well as their annual review of contracts, agreements, and the policy and procedure manual. He indicated all vendors had fulfilled their contractual obligations and no performance issues were identified. He then called upon Mr. Rabb to present the committee recommendations. Mr. Rabb moved,

**Resolved**, that the Board approve the proposed legal services contract with Celia R. Cangelosi, at the stipulated rate, in an amount not to exceed \$80,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed legal services contract with E. Wade Shows, at the stipulated rate, in an amount not to exceed \$40,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed accounting services contract with Kolder, Champagne, Slaven & Company, at the stipulated rate, in an amount not to exceed \$20,000 for Fiscal Year 2010-2011.

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

moved,

**Resolved**, that the Board approve the proposed licensure database software support agreement with Software Applications, Inc., at the stipulated rate, in an amount not to exceed \$20,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the completion of the installation, implementation, and operation of eLicense, a browser-based integrated software product for the automation of examination, certification, licensing, and enforcement processes from CAVU Corporation, at the stipulated rate, in an amount not to exceed \$170,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed information system network support service agreement with Essential Solutions, LLC, at the stipulated rate, in an amount not to exceed \$30,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed website maintenance agreement with Mr. Michael Yoches, at the stipulated rate, in an amount not to exceed \$10,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed website maintenance agreement with Covalent Logic, at the stipulated rate, in an amount not to exceed \$5,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed agreement with Health Information Designs as the vendor for the Board's Prescription Monitoring Program, at the stipulated rate, in an amount not to exceed \$115,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the proposed agreement with Portico Learning Solutions as the vendor for the Board's electronic education initiative, at the stipulated rate, in an amount not to exceed \$20,000 for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the National Association of Boards of Pharmacy as the administrator for the pharmacist licensure examinations (NAPLEX, MPJE, and FPGEE) for Fiscal

Year 2010-2011.

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

**Resolved**, that the Board approve the Pharmacy Technician Certification Board (PTCB) as the administrator for the pharmacy technician certification examination for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the NABP Foundation as the publisher of the Board's newsletter – both electronic and printed editions – at the stipulated rate, in an amount not to exceed \$35,000 for Fiscal Year 2010-2011.

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

Following the Board's approval of all the proposed contracts and agreements, Mr. Aron instructed the Executive Director to execute those instruments on behalf of the Board and to submit them to the appropriate administrative and legislative agencies exercising oversight of Board contracts and agreements.

Mr. Aron then reminded the members of the annual review of manuals and other resources. He called upon Mr. Rabb to present the committee recommendations. Mr. Rabb moved,

**Resolved**, that the Board continue its approval of the Board's Policy & Procedure Manual for Fiscal Year 2010-2011.

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

**Resolved**, that the Board approve the Board's Loss Prevention Manual for Fiscal Year 2010-2011.

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

**Resolved**, that the Board continue its approval of FirstLab as the vendor for the Board's drug screening program for Fiscal Year 2010-2011.

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

**Resolved**, that the Board continue its approval of the Board's Roster of Approved Addictionists for Fiscal Year 2010-2011.

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

Mr. Aron then informed the members about the recent progress concerning the previously announced plan to construct a new office building. Due to recent changes in financial reporting requirements, certain funds are no longer available, which would impact the agency's ability to repay a substantial bond obligation. The committee then opened discussion on the potential purchase of an existing office building for a lower cost than the planned construction cost. Following substantial discussion, Mr. Boudreaux moved,

**Resolved**, to authorize the Board's Executive Committee and administrative officers to enter into and continue negotiations for the purchase of an office building.

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

Finally, Mr. Aron expressed his appreciation to the other members of the committee for their work the previous day.

At this point, Mr. Aron declared a brief recess. It was noted the Board recessed at 3:30 pm and then reconvened in open session at 3:50 pm.

## 11. *Staff Reports*

### *J. Prescription Monitoring Program*

Mr. Aron called upon Mr. Fontenot for the report. Mr. Fontenot directed the members to the quarterly statistical report in the meeting binder. Beyond those numbers, he indicated the average number of prescriptions per month reported to the database was 900,000, and further, the average number of queries per day was approximately 1,000.

He then responded to questions from several members about various aspects of the program operations, as well as requests for certain enhancements to the program.

Mr. Broussard reported the filing of legislation at the request of the PMP Advisory Council, and then presented a summary of the contents of HB 1095.

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 deferred the presentation of his report until the following day.

### *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 Division
  - Census Reports – Compliance Division
  - Licensure Activity Report
  - Exceptions Report
    1. PIC at Multiple Pharmacies
    2. Special Work Permits
- Examinations
  - MPJE
  - NAPLEX
  - PTCB

Mr. Aron requested staff to continue their research on matching technician candidates to training programs for the purpose of tracking success rates for training programs.

- Operations
  - 2010 Pharmacist CE Audit

- Board Member Nomination Elections
- eLicense Project
- Collaborations
  - Collaborative Drug Therapy Management (CDTM)
- Regulatory Activities at Other Agencies
  - Regulatory Project 2009-1 ~ Drugs of Concern
  - Regulatory Project 2009-2 ~ Pharmacy Interns
  - Regulatory Project 2009-3 ~ Prescription Transfers
  - Regulatory Project 2009-4 ~ Digital Imaging of Prescriptions
  - DEA Rule on Electronic Prescribing of Controlled Substances
- Legislative Activities
- Operational Activities at Other Agencies
- NABP

*12. Request for Opinion: Permissible Activities for Unlicensed Persons in Prescription Departments*

Mr. Aron directed the members to a communication from a pharmacy requesting clarification as to whether a non-credentialed person may access prescription information in a pharmacy's prescription department.

Following substantial discussion, the members were unable to reach consensus. Mr. Aron referred the matter to the Regulation Revision Committee.

*13. Request for Opinion: Electronic Medical Record Systems and Long-Term Care Pharmacies*

Mr. Aron directed the members to a series of communications from a vendor supplying an electronic medical record system to long-term care facilities. In particular, the vendor requested information as to the certification or approval requirements for an electronic medical record system used in a nursing home that communicates directly with the supplying pharmacy for delivery of electronic prescription information.

The Board took note of the recent rule from the DEA that established security and integrity standards for electronic systems used to generate, transmit, and process prescriptions for controlled substances. The members agreed there should not be two separate standards related to controlled substances and non-controlled substances.

Mr. Broussard requested the members to confirm their intent to establish a fundamental policy regarding all electronic medical record systems. The members indicated their intent to require all such systems to be compliant with DEA standards as recently promulgated.

*15. Announcements*

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

*16. Recess*

Mr. Cassidy moved to adjourn. Having completed the tasks itemized on the posted agenda, and with no further business before the Board, Mr. Aron adjourned the meeting at 6:25 p.m.

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An Administrative Hearing was convened on Thursday, May 6, 2010 in the Boardroom of the Board's office, located on the 8<sup>th</sup> Floor at 5615 Corporate Boulevard 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 meeting to order at 8:35 a.m.

*B. Invocation & Pledge of Allegiance*

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

*C. Quorum Call*

Mr. Aron called upon Secretary Dixon, and he called the roll. After doing so, he informed Mr. Aron that all of the members except Mr. Moore were present, constituting a quorum.

*D. Call for Additional Agenda Items*

Mr. Aron asked if there were any additional agenda item; none were requested. At that point, Mr. Aron requested authority from the Board to reorder the agenda as necessary for the purpose of adjusting the sequence of various reports and witnesses. There were no objections to his request.

*E. 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. He solicited comments from the guests in attendance, but none were offered.

*Appearances*

Mr. Aron declared the Administrative Hearing in session, and then served as the Hearing Officer. Ms. Celia R. Cangelosi served as the Prosecuting Attorney, and Mr. Carlos M. Finalet, III served as General Counsel for the Board. Mr. Mark LaCour was the Official Recorder, and Mr. Malcolm Broussard served as the Hearing Clerk. Mr. Aron indicated the jury for the formal hearings would be composed of all the members present except for those members participating in the most recent meeting of the Violations Committee – specifically, Mr. Adams, Mr. Bond, Dr. Dixon, Ms. Melancon, and Mr. Rabb. Mr. Aron directed the insertion of the posted agenda into these minutes and waived the reading thereof. The posted agenda is re-created here.

**NOTICE IS HEREBY GIVEN** that an Administrative Hearing has been ordered and called for 8:30 a.m. on Thursday, May 6, 2010 in the Board office, for the purpose to wit:

*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 05-03-2010

A. Call to Order

- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Call for Additional Agenda Items
- E. Opportunity for Public Comment
- F. Formal Hearings
  - 01. CPT.003421 – Laura Bird Leaber Complaint No. 09-0393
  - 02. PTC.014898 – Angela Lavette Armstrong Complaint No. 09-0522
  - 03. CDS.036866 – Doctor’s Hospital of Shreveport Complaint No. 09-0480
- G. Report of Violations Committee – Consideration of Voluntary Consent Agreements
  - 04. PHY.004847 – Wal-Mart Pharmacy No. 10-2822 Complaint No. 09-0378
  - 05. PHY.005205 – LHC Group Pharmaceutical Services Complaint No. 09-0470
  - 06. PST.013223 – David Wayne Nagem Complaint No. 09-0515
  - 07. PST.013099 – Angela Lindsey Hill Complaint No. 09-0510
  - 08. PHY.000061 – Begneaud’s Pharmacy Complaint No. 09-0226
  - + 09. PST.015749 – Angela Ortego Miller Complaint No. 09-0227
  - 10. PST.010884 – James Robert Lang Complaint No. 09-0504
  - 11. PHY.001388 – Thompson’s Family Pharmacy Complaint No. 09-0542
  - + 12. PST.009795 – Larry Robert Thompson Complaint No. 09-0543
  - 13. PHY.003786 – Walgreen Pharmacy No. 03610 Complaint No. 09-0548
  - + 14. PST.017224 – Binita Mridul Desai Complaint No. 09-0549
  - 15. PHY.005784 – CVS Pharmacy No. 5615 Complaint No. 09-0501
  - + 16. PST.010052 – Charles Erwin Seymour Complaint No. 09-0502
  - + 17. PST.016181 – Walter Marionneaux Barker Complaint No. 09-0503
  - 18. PST.013324 – Martin Philmore Gilchrist Complaint No. 09-0514
  - 19. PHY.004215 – HealthSouth Specialty Hospital of North Louisiana Complaint No. 09-0387
  - + 20. PST.015923 – Tamica Blake May Complaint No. 09-0388
  - 21. PHY.000755 – Russo’s Health Mart Pharmacy Complaint No. 09-0441
  - + 22. PST.010667 – Salvadore Joseph Russo Complaint No. 09-0442
  - 23. PHY.005965 – Costco Pharmacy No. 581 Complaint No. 10-0008
  - 24. PHY.005689 – Medical Analysis Pharmacy Complaint No. 10-0009
  - 25. PHY.005202 – F&M Specialty Pharmacy (LA) Complaint No. 10-0010
  - 26. PHY.004865 – F&M Specialty Pharmacy (MS) Complaint No. 10-0011

- |     |   |                                     |
|-----|---|-------------------------------------|
| 27. | PHY.005533 – Touro Infirmary Department of Pharmacy | Complaint Nos. 09-0509<br>& 09-0535 |
| +   |   |                                     |
| 28. | PST.014142 – Lee Benton Hankins                     | Complaint Nos. 09-0536<br>& 09-0550 |

H. Report of General Counsel

*Consideration of Voluntary Consent Agreements*

- |     |                                      |                       |
|-----|--------------------------------------|-----------------------|
| 29. | CPT.007587 – Sarah Lucinda Stell     | Complaint No. 10-0025 |
| 30. | CPT.009061 – Chanen Marie Dunn       | Complaint No. 10-0050 |
| 31. | CPT.009347 – Britton Bennett LeFebre | Complaint No. 10-0073 |
| 32. | PST.014099 – Brooke Hoa Le           | Complaint No. 10-0072 |

*Consideration of Voluntary Surrenders*

- |     |                                       |                       |
|-----|---------------------------------------|-----------------------|
| 33. | PST.014858 – John Scott Soileau       | Complaint No. 09-0424 |
| 34. | PHY.004400 – Thrift Clinic Pharmacy   | Complaint No. 10-0035 |
| 35. | CDS.010243.MD – Richard Wayne Harmon  | Complaint No. 10-0036 |
| 35. | CPT.007903 – Michelle Bergeron Keller | Complaint No. 10-0076 |
| 36. | PST.014219 – Angela Waldron Allums    | Complaint No. 10-0104 |

I. Adjourn

At this point, Mr. Aron re-ordered the agenda to consider the voluntary consent agreements.

*G. Report of Violations Committee – Consideration of Voluntary Consent Agreements*  
Mr. Aron called upon Dr. Dixon for the report. Dr. Dixon presented the following matters to the members for their consideration.

**Wal-Mart Pharmacy No. 10-2822 (PHY.004847)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning to the permit holder, and further, assessed a fine of \$2,500 plus administrative and investigative costs.

**LHC Group Pharmaceutical Services (PHY.005205)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$2,500 plus administrative and investigative costs.

**David Wayne Nagem (PST.013223)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for five years, effective March 31, 2010, and further, prohibited any application for reinstatement until July 1, 2010, and further, directed the reinstated license to be placed on probation for the

remainder of the original suspensive period, and further, assessed a fine of \$5,000 plus administrative and investigative costs.

**Angela Lindsey Hill (PST.013099)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective March 3, 2010.

**Begnaud's Pharmacy (PHY.000061)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the permit holder, and further, assessed a fine of \$3,500 plus administrative and investigative costs.

**Angela Ortego Miller (PST.015749)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand to the respondent, directing the publication of same, and further, assessed administrative costs.

**Thompson's Family Pharmacy (PHY.001388)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for five years and stayed the execution thereof, and then placed the permit on probation for five years, effective March 31, 2005, subject to certain terms as enumerated in the agreement, and further, assessed a fine of \$2,500 plus administrative and investigative costs.

**Larry Robert Thompson (PST.009795)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for five years and stayed the execution thereof, and then placed the license on probation for five years, effective March 31, 2010, subject to certain terms as enumerated in the agreement, and further, assessed administrative costs.

**James Robert Lang (PST.010884)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for ten years and stayed the execution thereof, and then placed the license on probation for ten years, effective March 31, 2010, subject to certain terms as enumerated in the agreement, and further, assessed a fine of \$10,000 plus administrative and investigative costs.

**Walgreen Pharmacy No. 03610 (PHY.003786)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$2,500 plus administrative and investigative costs.

**Binita Mridul Desai (PST.017224)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand, and further, assessed administrative costs.

**CVS Pharmacy No. 5615 (PHY.005784)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for six months and stayed the execution thereof, and then placed the permit on probation for six months, beginning April 1, 2010, subject to certain terms as enumerated in the agreement; and further, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Charles Erwin Seymour (PST.010052)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand and directed the publication thereof, and further, assessed a fine of \$1,000 plus administrative costs.

**Walter Marionneaux Barker (PST.016181)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand and directed the publication thereof, and further, assessed a fine of \$500 plus administrative costs.

**Martin Philmore Gilchrist (PST.013324)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand, and further, assessed administrative and investigative costs.

**HealthSouth Specialty Hospital of North Louisiana (PHY.004215)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$2,500 plus administrative and investigative costs.

**Tamica Blake May (PST.016923)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed administrative costs.

**Russo's Health Mart Pharmacy (PHY.000755)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the CDS license effective May 1, 2010; and further, the Board suspended the permit for five years and stayed the execution thereof and then placed the permit on probation for five years, beginning April 1, 2010, subject to certain terms as enumerated in the agreement; and further, assessed a fine of \$25,000 plus administrative and investigative costs.

**Salvadore Joseph Russo (PST.010667)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for an indefinite period of time, and further, conditioned the acceptance of any future reinstatement application upon the completion of at least ten years of active suspension, and further, prohibited his access or entry into Russo's Health Mart Pharmacy; and further, the Board assessed a fine of \$25,000 plus administrative costs.

**Costco Pharmacy No. 581 (PHY.005965)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$3,000 plus administrative and investigative costs.

**Medical Analysis Pharmacy (PHY.005689)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$3,000 plus administrative and investigative costs.

**F&M Specialty Pharmacy – LA (PHY.005202)** Dr. Dixon move to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$3,000 plus administrative and investigative costs.

**F&M Specialty Pharmacy – MS (PHY.004865)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$3,000 plus administrative and investigative costs.

**Touro Infirmary Pharmacy (PHY.005533)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand and directed the publication thereof, and further, assessed a fine of \$7,500 plus administrative and investigative costs.

**Lee Benton Hankins (PST.014142)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued the respondent a Letter of Reprimand and directed the publication thereof, and further, assessed a fine of \$5,000 plus administrative costs.

Dr. Dixon indicated the completion of the voluntary consent agreements.

#### *H. Report of General Counsel*

Mr. Aron called upon Mr. Finalet for the report. Mr. Finalet presented the following matters to the members for their consideration.

**Sarah Lucinda Stell (CPT.007587)** Dr. Dixon move to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, prohibited any future application for the reinstatement of the certificate.

**Chanen Marie Dunn (CPT.009061)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, prohibited any future application for the reinstatement of the certificate.

**Britton Bennett LeFebre (CPT.009347)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate, and further, prohibited any future application for the reinstatement of the certificate.

**Brooke Hoa Le (PST.014099)** Dr. Dixon moved to approve the voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board directed the completion of the tasks identified in the agreement by the deadline noted in the agreement, and further, assessed a fine of \$250 plus administrative costs.

**John Scott Soileau (PST.014858)** Dr. Dixon 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 suspension of the license for an indefinite period of time, effective February 15, 2010.

**Thrift Clinic Pharmacy (PHY.004400)** Dr. Dixon 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 suspension of the permit for an indefinite period of time, effective February 15, 2010.

**Richard Wayne Harmon (CDS.010243.MD)** Dr. Dixon 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 suspension of the license for an indefinite period of time, effective February 15, 2010.

**Michelle Bergeron Keller (CPT.007903)** Dr. Dixon 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 suspension of the certificate for an indefinite period of time, effective March 31, 2010.

**Angela Waldron Allums (PST.014219)** Dr. Dixon 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 suspension of the license for an indefinite period of time, effective May 3, 2010.

Mr. Finalet indicated the completion of his report.

*F. Formal Hearings*

Mr. Aron called upon Ms. Cangelosi, and she presented the following matters to the members of the hearing panel for their consideration.

**Laura Bird Leaber (CPT.003421)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, she was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, three 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. Pitre 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 9:30 a.m. and then returned to open session, at the instant case, at 9:50 a.m.

Ms. Alderman moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 12 to reflect the absence of the respondent from these proceedings, adopt the amended findings as our own, and then enter them into the record.

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

Alderman moved,

**Resolved**, that the Board 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. Ms.

Alderman moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 3421, held by Laura Bird Leaber, 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 \$5,000; (2) the administrative hearing fee of \$250; and (3) the investigative and



hearing costs, including the costs of the prosecuting attorney, the advisor to the hearing officer, and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of the 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 matters against her in any jurisdiction.

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

**Angela Lavette Armstrong (PTC.014898)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, she was not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, two witnesses, and four 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. 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 into executive session at 10:05 a.m. and then returned to open session, at the instant case, at 10:20 a.m.

Ms. Alderman moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 3 to change 'employed' to 'working' and also to correct the misspelling of 'Lortab', to delete Item 4, and to amend Item 7 to reflect the absence of the respondent from these proceedings, and to 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.

Alderman moved,

**Resolved**, that the Board accept the Conclusions of Law as proposed by the Prosecuting Attorney, modify them by deleting the reference to LAC 46:LIII.903(A)(2)(e), 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. Alderman moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Candidate Registration No. 14898, held by Angela Lavette Armstrong, 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 \$5,000; (2) the administrative hearing fee of \$250; and (3) the investigative and hearing costs, including the costs of the prosecuting attorney, the advisor to the hearing officer, and the official recorder; and

It is further ordered, the acceptance of any future application for the reinstatement of the 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; and (2) Respondent shall have no pending legal or disciplinary matters against her in any jurisdiction.

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

**Doctors' Hospital of Shreveport (CDS.036866)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent. Further, they were not represented by counsel. After verifying the respondent's absence, Mr. Aron ruled the hearing would continue 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. Pitre 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 10:40 a.m. and then returned to open session, at the instant case, at 10:50 a.m.

Ms. Alderman moved,

**Resolved**, that the Board, having heard the testimony, considered the evidence, observed the demeanor of the witnesses and weighed the credibility of each, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 24 to reflect the absence of the respondent 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. Alderman moved,

**Resolved**, that the Board 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. Ms. Alderman moved,

**Resolved**, that the Board enter the following order at this time:

It is ordered, adjudged, and decreed that Louisiana Controlled Dangerous Substance License No. 36866, held by Doctors' Hospital of Shreveport, 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 \$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 have paid all assessments levied herein; and (2) Respondent shall have no pending legal or disciplinary matters against it in any jurisdiction.

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

Ms. Cangelosi indicated the completion of all hearing scheduled for that day.

*I. Adjourn*

Mr. Boudreaux motioned to adjourn. Having completed the tasks itemized on the posted agenda and with no further business before the Board, Mr. Aron adjourned the meeting at 10:55 a.m.

Respectfully submitted,

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Reuben R. Dixon, PharmD  
Secretary