



Louisiana Board of Pharmacy
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Minutes

Regular Meeting

Tuesday, February 19, 2019 at 9:00 a.m.

Location:

Bayou Pointe Event Center
One Warhawk Way
University of Louisiana at Monroe
Monroe, Louisiana 71209

Table of Contents

<u>Agenda Item No.</u>	<u>Description</u>	<u>Page No.</u>
1.	Call to Order	03
2.	Invocation & Pledge of Allegiance	03
3.	Quorum Call	03
4.	Call for Additional Agenda Items & Adoption of Agenda	04
5.	Consideration of Minutes from Previous Meeting	05
6.	Report on Action Items	05
7.	Confirmation of Acts	05
8.	Opportunity for Public Comment	05
*	Statement of Purpose	05
9.	Special Orders of the Day	05
10.	Committee Reports	
	A. Finance	05
	B. Application Review	06
	C. Reciprocity	06
	D. Violations	07
	E. Impairment	09
	F. Reinstatement	11
	G. Tripartite	11
	H. Regulation Revision	11
	I. Executive	15
11.	Staff Reports	
	J. Assistant Executive Director	20
	K. General Counsel	22
	L. Executive Director	25
12.	Request to Amend Advertising Restrictions in Marijuana Pharmacy Rule – Mr. Jesse McCormick, Capitol Partners	25
13.	Request for Additional Time of Open Marijuana Pharmacy – Mr. Douglas Boudreaux, Hope Pharmacy [Shreveport, LA]	24
14.	Request for Approval of Additional English Language Proficiency Examination – Ms. Cerise Santoro, International Test of English Proficiency [iTEP]	24
15.	New Agenda Items Added During Meeting	26
16.	Announcements	26
17.	Adjourn	26

A regular meeting of the Louisiana Board of Pharmacy was held on Tuesday, February 19, 2019 at the Bayou Pointe Event Center, located on the campus of University of Louisiana at Monroe in Monroe, Louisiana. The meeting was held pursuant to public notice, each member received notice, and public notice was properly posted.

Prior to calling the meeting to order, Board President Carl Aron expressed his appreciation to Dr. Glenn Anderson, Dean of the ULM College of Pharmacy, for inviting the Board to conduct their meetings on the ULM campus. He noted the presence of the students from the College of Pharmacy and invited them to participate in the meeting by asking questions, directing them to microphones in the meeting area. Dean Anderson welcomed the Board members and staff to the campus and expressed his appreciation for the Board's willingness to share their operations with the pharmacy students. Mr. Aron recognized Assistant Dean Mary Rhea for her work with the office staff in securing the meeting logistics.

Mr. Aron then asked the Board members to introduce themselves and indicate their district affiliation as well as their primary type of pharmacy practice. He then asked the Board staff to introduce themselves and indicate their primary role in the office.

Finally, Mr. Aron informed the guests not affiliated with the college of his intent to follow the sequence of the posted agenda, and he estimated the requests listed on the agenda following the committee and staff reports would be heard following the luncheon recess.

1. Call to Order

Mr. Carl Aron, President, called the meeting to order at 9:35 a.m.

2. Invocation & Pledge

Mr. Aron called upon Mr. Rhonny Valentine for the invocation. Ms. Jacqueline Hall then led the group in the Pledge of Allegiance.

3. Quorum Call

Mr. Aron called upon the Secretary, Mr. Richard M. Indovina, Jr., to call the roll to establish a quorum.

Members Present:

Mr. Carl W. Aron
Mr. Allen W. Cassidy, Jr.
Dr. J. Robert Cloud
Ms. Jacqueline L. Hall
Mr. Richard M. Indovina, Jr.
Mr. Kevin LaGrange
Mr. Robert C. LeBas
Mr. Richard Mannino
Mr. Marty R. McKay
Ms. Diane G. Milano
Mr. Ronald E. Moore
Mr. Don L. Resweber
Mr. Douglas E. Robichaux

Mr. Richard A. Soileau
Dr. Raymond J. Strong
Mr. Rhonny K. Valentine

Member Absent:

Mr. Blake P. Pitre

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
Ms. Becky C. Parker, Pharmacist Compliance Officer
Mr. Rayland M. Trisler, Pharmacist Compliance Officer
Ms. Kelley L. Villeneuve, Office Manager

Guests:

Students & Faculty – ULM College of Pharmacy
Mr. Ben J. Sims – Brookshire Grocery Co.
Ms. Cerise Santoro – International Test of English Proficiency
Mr. James Brosam – International Test of English Proficiency
Dr. Renee A. Romain – Walgreen Co.
Ms. Susan Caudle – Line Avenue Compounding Pharmacy
Dr. Monica Dziuba – Ochsner Health System
Mr. Douglas Boudreaux – La. Association of Therapeutic Alternatives (LATA)
Ms. Victoria Brady – La. Association of Therapeutic Alternatives (LATA)
Dr. Richard E. Ainsworth – Brookshire Grocery Co.
Mr. Gerald M. Tonore – Primary Health Services Center
Mr. T. Morris Rabb
Ms. Paige Davenport
Mr. Jacob Irving – Ilera Holistic Healthcare
Mr. Danny Ford – La. Association of Therapeutic Alternatives (LATA)
Mr. Jesse McCormick – La. Association of Therapeutic Alternatives (LATA)
Dr. Johnny Garcia – AllianceRx Walgreens Prime
Mr. Marc D. Gibbens – Bocage Pharmacy Centre
Ms. Marla D. Gibbens – Bocage Pharmacy Centre
Dr. Richard R. Rovira – Ochsner Health System
Mr. Randal Johnson – La. Independent Pharmacies Association (LIPA)
Mr. Russell Caffery – La. Independent Pharmacies Association (LIPA)

Mr. Indovina certified Mr. Pitre was absent; however, the remaining 16 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. Without objection, the members adopted the posted agenda dated February 12, 2019. Mr. Aron requested authority to re-order the agenda as may become necessary, and

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 held on November 14, 2018 and the Administrative Hearing held on November 15, 2018, both 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. Indovina 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 and then reviewed the report for the benefit of the members and guests. There were no questions from the members or guests.

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 their last meeting in accordance with policies and procedures previously approved by the Board, Mr. Moore moved, **Resolved**, that the actions taken and decisions made by the Board officers, Board committees, and Executive Director in the general conduct and transactions of Board business since November 14, 2018 are approved, adopted, and ratified by the entire Board.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

8. Opportunity for Public Comment

Mr. Aron reminded the members and guests the Open Meetings Law requires all public bodies to provide an opportunity for public comment at all meetings and for each agenda item upon which a vote is to be taken. He solicited general comments on non-agenda items from the guests present, and none 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 legislative mandate in mind as they considered all the matters before them.

9. Special Orders of the Day

There were no special orders.

10. Committee Reports

A. Finance Committee

In the absence of Mr. Blake Pitre, Chair of the Finance Committee, Mr. Aron called upon the ranking member, Mr. Marty McKay, for the committee report. Mr. McKay directed the members to the *Interim Report for Fiscal Year 2018-2019* in their meeting binder. Prior to reviewing the report, he

reminded the guests the Board is a self-funded agency, receiving and spending only those funds collected by the Board, and further, the Board receives no legislative appropriations. Mr. McKay summarized the report for the members; there were no questions. He reminded the members no action was necessary for that report.

Finally, Mr. McKay closed his report with 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 began his report with a point of personal privilege, informing the members and guests of the reason for Mr. Blake Pitre's absence due to a health emergency and he requested everyone to keep Mr. Pitre and his family in their thoughts and prayers. He then described the purpose of the committee for the guests.

Mr. Soileau reported the committee met on January 15, 2019 to consider seven referrals from the staff:

- 1 application for a PTC registration;
- 3 applications for a PHY permit;
- 2 applications for a PST license; and
- 1 application for a TM registration.

Following their interviews and deliberations, the committee authorized the issuance of two pharmacy permits. They noted the expired status of the third application as well as an unsatisfactory inspection report from the resident board of pharmacy. The committee directed the acquisition of a satisfactory VPP inspection report to accompany their next application for a pharmacy permit. The committee deferred further consideration of one of the applications for a pharmacist license, directing the applicant to provide a copy of their board order issued by another board of pharmacy. For the second application for a pharmacist license, the committee authorized the acquisition of additional hours of practical experience. The applicant for the TM registration withdrew his application in lieu of the proposed denial by the committee. Mr. Soileau then presented the following file to the members for consideration of the committee's recommendation.

Emerald Kamisha Howard (Applicant for PTC Registration): Mr. Soileau moved to deny the application and refuse to issue the registration. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board denied the application and refused to issue the registration.

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

C. Reciprocity Committee

Mr. Aron called upon Mr. Cassidy for the committee report. He reported the staff had evaluated 53 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, he closed his report with appreciation to the other committee members for their ongoing efforts.

D. Violations Committee

Mr. Aron called upon Mr. Indovina for the committee report. Mr. Indovina reported the committee held preliminary hearings on December 5, 2018 to consider their posted agenda which included 21 cases: six pharmacists, eight pharmacy technicians, and seven pharmacy permits. Prior to the hearing, the committee granted requests for continuances from one pharmacy, one pharmacist, and one technician. Those three respondents, which are all related to the same master case, have been re-scheduled for the committee's March 2019 meeting. Following interviews and deliberations during their December hearing, the committee issued non-disciplinary Letters of Noncompliance to two of the pharmacies. Three respondents failed to appear at the hearing, and those cases have been referred to a formal administrative hearing, imposing an interim emergency suspension for one pharmacist. The committee then offered proposed voluntary consent agreements to the remaining 13 respondents. Of that number, eight had accepted their proposed consent agreements; the other five had not accepted the proposals so they were referred to a future administrative hearing. Mr. Indovina then presented the following proposed consent agreements to the members for their consideration.

Fred's Stores of Tennessee, Inc. d/b/a Fred's Pharmacy No. 2722

[Franklin, LA] (PHY.006806): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the permit effective December 20, 2018, and further, assessed a fine of \$10,000 plus administrative and investigative costs.

Douglas Christopher Montecino (ST.015620): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed administrative costs.

Galleria Medical Pharmacy, LLC d/b/a Galleria Medical Pharmacy

[Metairie, LA] (PHY.007516): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning, and further, assessed administrative and investigative costs.

Kristian Raymond Hahn (PST.016625): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the license for five years and stayed the execution of the suspension, then placed the license on probation for five years effective February 19, 2019 subject to certain terms enumerated within the consent agreement, and further, assessed a fine of \$5,000 plus administrative costs.

Millicent Anne Montelaro (CPT.013599): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. 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.

David Raines Community Health Centers, Inc. d/b/a David Raines Community Health Centers Pharmacy [Shreveport, LA] (PHY.005457): Mr. Indovina moved to approve the proposed voluntary consent agreement. He responded to questions from multiple members; there were no public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed administrative and investigative costs.

Curren Joseph Pitre, Jr. (PST.013461): Mr. Indovina moved to approve the proposed voluntary consent agreement. He responded to questions from multiple members; there were no public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed administrative and investigative costs.

Marcos Alfonso Carrillo (CPT.012379): Mr. Indovina moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. 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.

Mr. Indovina reminded the members of their assignment to the committee to draft a policy for the enforcement of the law and rule relative to reporting changes in pharmacy employment and mailing address to the Board office. He reported staff had prepared a draft policy addressing both topics, but the committee elected to focus only on mailing address changes at that time. He reported the committee had voted to recommend the approval of the second draft. On behalf of the committee, he then moved,

Resolved, to approve the proposed new policy *PPM.I.C.7.d ~ Violations Committee – Licensing Record Changes (Draft #2)* for inclusion in the Board's *Policy & Procedure Manual*.

Mr. Indovina, Mr. Aron, and Mr. Broussard responded to questions from

multiple members and one guest; there were no other public comments. The motion was adopted after a unanimous vote in the affirmative.

Mr. Indovina reminded the members of their August 2018 policy relative to completion of investigations of complaints received by the Board. The policy requires all cases still open 180 days after receipt by the Board to be reviewed by the chair of the violations committee. He also noted the inclusion of a new report in the executive director's report package tracking the number of cases and the number of investigations exceeding the policy threshold. He then reported the Board had opened 267 new cases since the beginning of the fiscal year and closed 246 cases. Of the cases closed, the average number of days to complete the investigation was 49 days. Ten of the closed cases (4.1%) exceeded the policy threshold of 180 days; all of those cases were opened prior to the approval of the policy. He reported the Chief Compliance Officer had informed the staff of the policy and was monitoring their performance on the policy benchmark.

Mr. Indovina reported the committee was scheduled to meet on March 20-21 to consider the 23 cases on that docket, which includes nine pharmacists, six pharmacy technicians, one pharmacy technician candidate, and seven pharmacy permits.

Finally, he concluded his report with appreciation to the other committee members for their ongoing efforts and for the ongoing staff support.

E. Impairment Committee

Mr. Aron called upon Ms. Hall for the committee report. Ms. Hall reported the committee met the previous day to consider nine referrals from the staff – two applications for reinstatement of credentials, three applications for modification of previous orders, and four appearances for informal conference. Following their interviews of the applicants and subsequent deliberations, the committee took no action on two of the cases referred for informal conference, referred a third for medical evaluation, and deferred action on the fourth cases pending receipt of an updated application. Ms. Hall reported the committee developed recommendations for the five remaining applicants, and then presented the following files to the members for their consideration.

Blair Pope Wilbert (PST.017357) Ms. Hall moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for termination of the previously-entered private agreement, then suspended the license for five years and stayed the execution of the suspension, and then placed the license on probation for five years effective February 19, 2019 subject to certain terms enumerated within the consent agreement.

Aurdie Kent Bellard (PST.014340) Ms. Hall moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the

affirmative. The Board granted the applicant's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of 15 years and stayed the execution of the suspension, then placed the license on probation for 15 years effective February 19, 2019 subject to certain terms enumerated within the consent agreement.

Steven Walter Gough (PST.013199) Ms. Hall moved to approve the applicant's request to modify previous orders by removing the restriction which prevented him from accepting an appointment as the pharmacist-in-charge of a pharmacy. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board approved the request to modify previous orders, then removed Article 2.e from his February 2018 Probation Order which allowed him to accept an appointment as the pharmacist-in-charge of a pharmacy.

Ashley Elizabeth Reynolds (PST.020382) Ms. Hall moved to approve the applicant's request to modify previous orders by removing the restriction which prevented her from accepting an appointment as the pharmacist-in-charge of a pharmacy. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board approved the request to modify previous orders, then removed Article 2.e from her August 2016 Probation Order which allowed her to accept an appointment as the pharmacist-in-charge of a pharmacy.

Richard Jeffrey Gaudé (PST.015640) Ms. Hall moved to approve the applicant's request to modify previous orders by terminating the probationary period. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board approved the request to modify previous orders, then terminated the probationary period originally scheduled to conclude on May 26, 2020, and then restored the license to active and unrestricted status.

Ms. Hall reported the committee had received requests for Board recognition from two physicians affiliated with Pine Grove Behavioral Health & Addiction Services in Hattiesburg, Mississippi. Following their review of the physicians' qualifications and credentials, the committee voted to recommend their approval to the Board. On behalf of the committee, Ms. Hall then moved,

Resolved, to approve Peter S. Kamp, MD and Charles D. Richardson, II, DO for the Board's Roster of Approved Addictionists.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Finally, Ms. Hall closed her report with appreciation to her fellow committee members for their work the previous day.

F. Reinstatement Committee

Mr. Aron called upon Mr. Moore for the committee report. Mr. Moore reported the committee had met the previous day to consider one referral from the staff, and the committee developed a recommendation for the Board's consideration. Mr. Moore then presented the following case to the members for their consideration.

Mary Renea Applegate (CPT.004104) Mr. Moore moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board granted the applicant's request for reinstatement of the previously lapsed certificate, contingent upon the completion of certain requirements identified within the consent agreement prior to February 19, 2021.

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

G. Tripartite Committee

Mr. Aron called upon Mr. Resweber for the committee report. Mr. Resweber reported the committee had met the previous day to consider the items on their posted agenda. The committee received reports from ULM and Xavier Colleges of Pharmacy as well as the La. Pharmacists Association (LPA) and the La. Society of Health-System Pharmacists (LSHP), all relative to the status of their ACPE accreditations as well as their curricular and educational offerings.

Mr. Resweber reminded the members of their assignment to the committee to consider the status of veterinary pharmacy education. The committee reviewed some current educational opportunities for that topic. The committee considered whether to recommend the requirement for any particular continuing education for veterinary pharmacy and ultimately determined not to make such a recommendation. However, the committee did vote to recommend to the Board to direct the publication of an article in the Board's newsletter on the topic of veterinary pharmacy education. The article should encourage pharmacists to secure the resources necessary to ensure their competence in dispensing veterinary prescriptions.

Finally, Mr. Resweber closed his report with appreciation to the other committee members for their work the previous day, as well as for the contributions of the representatives from ULM and Xavier Colleges of Pharmacy, LPA, and LSHP.

At this point, Mr. Aron declared a recess. It was noted the members recessed at 10:47 am and then reconvened at 11:07 am. Mr. Aron resumed the sequence of the posted agenda.

H. Regulation Revision Committee

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

reported the committee met on January 16, 2019 to consider the items on their posted agenda. During that meeting, the committee voted to recommend the approval of three legislative proposals and one regulatory proposal. He then presented the following proposals to the Board for their consideration.

Legislative Proposal 2019-A ~ CDS Update (Drafts #2 and #3)

Mr. McKay reminded the members and guests of the Board's role in maintaining the state's list of controlled substances by monitoring changes in the federal list of controlled substances and the preparation of legislative proposals to update the state list accordingly. The committee members reviewed Draft #2 prepared by staff and voted to recommend its approval. Following the committee meeting, the Louisiana State Police Crime Lab requested some technical amendments to the names of some of the chemicals proposed for Schedule I. Staff prepared Draft #3 to incorporate those changes but the committee had not considered that draft.

With Mr. Aron's permission, Mr. McKay offered a motion to approve Draft #2 as recommended by the committee, and then prior to any discussion or vote on that original motion, Mr. McKay then offered a substitute motion:

Resolved, to approve *Legislative Proposal 2019-A ~ CDS Update (Draft #3)*, and further, to authorize the filing of same in the Regular Session of the 2019 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.

There were no member questions or public comments. The substitute motion was adopted after a unanimous vote in the affirmative.

Legislative Proposal 2019-B ~ CBC for CDS License (Draft #1)

Mr. McKay reminded the members and guests of the Board's role in issuing state controlled substance licenses to all persons and facilities performing any activities with controlled substances. He indicated most of the people receiving a state CDS license are medical practitioners such as physicians, dentists, veterinarians, etc. licensed by another board, and these practitioners have completed a criminal background check (CBC) as part of that licensure process. However, there are a small number of categories of people not otherwise licensed, including animal euthanasia technicians, canine drug detection trainers, and researchers. Given the level of access to Schedule I chemicals for these unlicensed persons, the staff developed a proposal to amend the controlled substance law to allow the Board to require otherwise unlicensed persons to complete a criminal background check as part of their application for a state CDS license. The committee voted to recommend the approval of the proposal. On behalf of the committee, Mr. McKay moved,

Resolved, to approve *Legislative Proposal 2019-B ~ CBC for CDS License (Draft #1)*, and further, to authorize the filing of same in the Regular Session of the 2019 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.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Legislative Proposal 2019-C ~ Access to PMP (Draft #1)

Mr. McKay reminded the members and guests of the provisions of the state prescription monitoring program (PMP) law which permitted the sharing of PMP information between states. With the recent development of a federal PMP for all federal facilities and pharmacies and the recent decision to allow the federal PMP to share data with state PMP systems, the staff developed a proposal to amend the state PMP law to allow the sharing of PMP information with the federal PMP. The committee voted to recommend the approval of the proposal. On behalf of the committee, Mr. McKay moved,

Resolved, to approve *Legislative Proposal 2019-C ~ Access to PMP (Draft #1)*, and further, to authorize the filing of same in the Regular Session of the 2019 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.

Mr. Fontenot responded to a question from one member; there were no public comments. The motion was adopted after a unanimous vote in the affirmative.

Regulatory Proposal 2019-B ~ Marijuana Pharmacies (Draft #2)

Mr. McKay reminded the members of their assignment of this topic to the committee during their November 2018 meeting in response to a request from a parent of a child with autism. The Board requested an expedited review. Staff was aware of requests to amend other sections of the marijuana pharmacy rule and developed a proposal to address all known requests. Mr. McKay summarized all of the proposed amendments to the rule. The committee voted to recommend the approval of the proposal. On behalf of the committee, Mr. McKay moved,

Resolved, to approve *Regulatory Proposal 2019-B ~ Marijuana Pharmacies (Draft #2)*, and further, to authorize the Executive Director to promulgate the proposed rule upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay suggested the subset of proposed amendments repealing the current limits on the amount of tetrahydrocannabinol (THC) in medical marijuana products should be permitted to occur as soon as possible in the state's evolving medical marijuana program. Although the proposed amendments do not qualify for

emergency rulemaking, perhaps the same outcome could be achieved by directing staff to not enforce the portions of the rule which have been recommended for repeal. Mr. McKay then moved,

Resolved, to direct staff to not enforce the portions of the marijuana pharmacy rule which the Board has proposed to repeal, and further, to communicate this decision to the La. Dept. of Agriculture & Forestry, GB Sciences, Ilera Holistic Healthcare, and the La. State Board of Medical Examiners.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Reconsideration of Regulatory Proposal 2018-C ~ Investigational Drugs (Drafts #1 and #2)

Mr. McKay reminded the members of their approval of the first draft of the regulatory proposal during their previous meeting in November 2018. He reminded the members the proposal will amend the rules for hospital pharmacies to allow those pharmacies participating in clinical drug studies to dispense investigational drug products to study patients even if those patients are not registered patients of the hospital. The petitioner contacted the Board after that meeting to suggest that since some clinical study protocols require the dispensing of commercially available drug products in addition to investigational drug products, then the proposal should be amended to allow the hospital pharmacy participating in such studies to dispense commercially available products in addition to investigational drug products to all study patients even if they are not registered patients of the hospital. Staff prepared Draft #2 to accomplish that objective; however, the committee had not considered that document.

With Mr. Aron's permission, Mr. McKay offered a motion to reconsider the vote by which the Board approved Regulatory Proposal 2018-C ~ Investigational Drugs (Draft #1) at their previous meeting in November 2018. There were no member questions or public comments. That procedural motion was adopted after a unanimous vote in the affirmative. With the original motion for Draft #1 under reconsideration and with Mr. Aron's permission, Mr. McKay offered a substitute motion:

Resolved, to approve *Regulatory Proposal 2018-C ~ Investigational Drugs (Draft #2)*, and further, to authorize the Executive Director to promulgate the proposed rule upon the instruction of the President, and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

There were no member questions or public comments. The substitute motion was adopted after a unanimous vote in the affirmative.

Mr. McKay informed the members and guests of other topics pending before the committee, including drug disposal by pharmacies, the use of chart orders by pharmacies serving patients in institutional facilities, and the use of automated medication systems in correctional facilities. He

suggested the committee should be prepared to recommend proposals on those topics at the Board's next meeting.

Finally, Mr. McKay closed his report with appreciation for the other committee members for their ongoing efforts and for the ongoing staff support.

I. Executive Committee

Mr. Aron reported the committee had met the previous day to consider the items on their posted agenda. He indicated Mr. McKay was prepared to offer motions on behalf of the committee.

Proposed Revision of PPM.I.A.26 ~ Sale of CBD Oil (Guidance Document)

Mr. Aron reminded the members of their approval of the guidance document at their previous meeting in November 2018, as well as the subsequent change in federal law resulting from the federal Farm Bill in December 2018. The committee reviewed a proposal to amend the guidance document by removing the two references to the federal law leaving intact the references to state law and the ultimate guidance. On behalf of the committee, Mr. McKay then moved,

Resolved, to approve the proposed revision to *PPM.I.A.26 ~ Sale of CBD Oil (Guidance Document)* for the Board's *Policy & Procedure Manual*.

Mr. Aron requested guests wishing to comment on the motion to approach the witness table.

- Mr. Jesse McCormick informed the members of the probable introduction of legislation in the 2019 Legislature of hemp-related legislation, and suggested that once approved by the legislature, requested the Board consider amending the marijuana pharmacy rule to allow the marijuana pharmacies to sell CBD oil products.
- Mr. Douglas Boudreaux informed the members of the agreement of all the marijuana pharmacies to participate in clinical drug studies with marijuana products and wanted to incorporate CBD oil products in those studies.
- Mr. Jacob Irving informed the members of existing provisions of the law relative to penalties for possession of marijuana and some immunity provisions for marijuana pharmacies.
- Ms. Susan Caudle indicated her appreciation for the Board's guidance and encouraged the Board to find a way for pharmacies to have the opportunity to offer CBD oil products for their patients

Multiple members offered comments about the current retail sales of CBD oil products across the state and expressed frustration for the inequitable situation presented by illegal sales of such products. Following substantial discussion, the motion was adopted after a unanimous vote in the affirmative.

Mr. Aron declared a luncheon recess. It was noted the members recessed at 12:00 noon and reconvened at 1:30 pm. Mr. Aron resumed the sequence of the posted agenda.

10. Committee Reports (cont.)

I. Executive Committee (cont.)

Proposed New PPM.I.A.27 ~ Electronic Prior Authorizations (Rule Interpretation)

Mr. Aron informed the members of multiple requests for guidance after the promulgation of the rule relative to the uniform prescription drug prior authorization form. In particular, companies offering electronic prior authorization systems wanted to know whether their processes were affected by the new rule. He reported the staff consulted with the legislator sponsoring the enabling legislation and confirmed the legislative intent applied to forms and electronic versions of such forms but not to electronic systems compliant with national telecommunication standards. Given the timing of the rule and the amount of time before the February meeting, Mr. Aron reported he instructed staff to issue an interpretation of the rule consistent with the legislative intent. The committee reviewed the interpretation and voted to recommend its approval. On behalf of the committee, Mr. McKay then moved,

Resolved, to approve *PPM.I.A.27 ~ Electronic Prior Authorizations (Rule Interpretation)* for the Board's *Policy & Procedure Manual*.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Proposed New Subsection PPM.II.E ~ Financial Services

Following the last financial audit, the auditor requested the Board to formally adopt policies delineating the office accounting procedures. Staff developed the proposal, and the committee voted to recommend its approval. On behalf of the committee, Mr. McKay then moved,

Resolved, to approve *PPM.II.E ~ Financial Services* for the Board's *Policy & Procedure Manual*.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Proposed Revision of PPM.II.H.2 ~ Sexual Harassment

Mr. Aron reported the staff developed the proposal to comply with Act 270 of the 2018 Legislature, and the committee voted to recommend the approval of the proposal. On behalf of the committee, Mr. McKay moved,

Resolved, to approve the proposed revision of *PPM.II.H.2 ~ Sexual Harassment* for the Board's *Policy & Procedure Manual*.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Proposed Revision of PPM.III.B.06 ~ Application for New Pharmacy Permit
Proposed Revision of PPM.III.B.07 ~ Application for New Nonresident Pharmacy Permit

Mr. Aron reported the referral of several applications for new pharmacy

permits to the Board's Application Review Committee. Staff referred the applications due to the applicants' inability to provide detailed information on the thousands of shareholders holding less than 5% share ownership in applicant firms such as publicly-traded companies, foundations, and other non-traditional owners. Staff developed proposed revisions to the policies based on experiences at the Application Review Committee meetings, and the Executive Committee voted to recommend the approval of the proposals. On behalf of the committee, Mr. McKay moved,

Resolved, to approve the proposed revisions of *PPM.III.B.06 ~ Application for New Pharmacy Permit* and *PPM.III.B.07 ~ Application for New Nonresident Pharmacy Permit* for the Board's *Policy & Procedure Manual*.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Proposed New Section PPM.V ~ Prescription Monitoring Program (PMP)

As part of their review of the Board's operation of the PMP last year, the Legislative Auditor recommended the Board establish formal policies for the compliance monitoring performed by the Board staff as well as guidelines for the discipline of pharmacies which fail to comply with those monitoring parameters. Staff developed a portion of a new chapter of policies and procedures for the PMP, and although incomplete, the proposed policies address all of the auditor's recommendations and more. The committee voted to recommend the approval of the policies. On behalf of the committee, Mr. McKay moved,

Resolved, to approve *PPM.V ~ Prescription Monitoring Program* for the Board's *Policy & Procedure Manual*.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Proposed Revision of Board's Roster of Accredited Pharmacy Technician Training Programs.

Mr. Aron informed the members that two of the programs listed on the Board's roster were no longer in operation and one had recently lost their accreditation. The committee voted to recommend the approval of the proposed revision of the Board's roster to remove those programs. On behalf of the committee, Mr. McKay moved,

Resolved, to approve the proposed revision of the Board's *Roster of Accredited Pharmacy Technician Training Programs.*

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Annual Review of Contracts and Agreements

Mr. Aron reported staff had reviewed all of the contracts and agreements, found no performance issues, and had initiated the contract renewal process. The committee reviewed all of the proposed contracts and agreements and voted to recommend their approval. On behalf of the committee, Mr. McKay

moved,

Resolved, to approve the resolution for professional legal services to retain Celia R. Cangelosi for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay 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 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve the resolution for professional legal services to retain Shows, Cali & Walsh, LLC for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay 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 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve the proposed accounting services contract with Champagne and Company, LLC, Certified Public Accountants, at the stipulated rates, in an amount not to exceed \$30,000 for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve the maintenance agreement with MicroPact, Inc. (formerly known as CAVU and Iron Data Corporation, and soon to be known as Tyler Technologies) 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 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve the proposed information system network support services agreement with Essential Solutions, LLC, at the stipulated rates, in an amount not to exceed \$50,000 for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay 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 \$215,000 for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved,

Resolved, to approve the renewal of the cooperative endeavor

agreement with ULM College of Pharmacy to develop, implement, and maintain the Board's drug pricing website, at the stipulated rate, in an amount not to exceed \$43,000 for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay 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 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved, **Resolved**, to approve the National Association of Boards of Pharmacy as the administrator for the pharmacist licensure and remediation examinations (NAPLEX, MPJE, and FPGEE) for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. Mr. McKay then moved, **Resolved**, to approve the National Healthcareer Association (NHA) and the Pharmacy Technician Certification Board (PTCB) as administrators for the pharmacy technician certification examination for Fiscal Year 2019-2020.

There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative.

Mr. Aron directed the staff to execute the contracts and agreements just approved on behalf of the Board and submit them to the various administrative and legislative agencies with oversight of the Board's operations.

Nomination of USP 800 Stakeholder Group

Mr. Aron requested the members to nominate interested persons to serve on the Board's USP 800 Stakeholder Group which will review USP <800> Hazardous Drugs ~ Handling in Healthcare Settings and make recommendations to the Board for its consideration.

Regulation of Prescription Video Games

Mr. Aron reported the committee reviewed a recent communication from a company nearing completion of the FDA approval process for a prescription video game intended for therapeutic treatment of pediatric attention-deficit/hyperactivity disorder (ADHD). Mr. Broussard described the regulation of software as medical devices by the FDA. He then related the communication from the manufacturer's representative seeking guidance on a centralized dispensing model for the dispensing of the access code to the video game. He reminded the members of their historical enforcement discretion relative to medical devices and the question posed by this new type of medical device. Mr. Aron reported he referred the topic to the Board's Regulation Revision Committee for their review and development of a proposal for the Board's consideration.

Pharmacy Technician Training Programs

Mr. Aron reported he had received a request from a board member to discuss the topic of pharmacy technician training programs, and he recognized Mr. Mannino to initiate that discussion. Mr. Mannino stated he wanted to re-visit the rules relative the pharmacy technician education and training the Board implemented in January 2018. He stated his belief the Board's rule solved a problem that didn't exist. He believes Louisiana is the most difficult state for technicians to obtain their credentials. He suggested the Board should require the accredited programs to file annual reports with enrollment and completion data and other information. He reported his understanding of rules adopted by the South Carolina Board of Pharmacy which provided for at least two levels of pharmacy technicians, with different scopes of practice and different educational requirements. Multiple members offered their views on the topic. Mr. Mannino then moved,

Resolved, to request the Regulation Revision Committee to review the rules for pharmacy technicians and develop a regulatory proposal for the Board's consideration

There was no additional member discussion or public comment. The motion was adopted after a majority vote in the affirmative. Ms. Hall, Mr. Indovina, Mr. LaGrange, Mr. McKay, Mr. Moore, and Mr. Valentine objected. Mr. Aron referred the topic to the Regulation Revision Committee for its consideration.

Proposed Resolutions for Consideration at NABP Annual Meeting

Mr. Aron directed the members to the draft resolutions intended for consideration at the NABP Annual Meeting on May 16-18. He noted that meeting would occur prior to the next meeting of the Board. He encouraged the members to review the resolutions and then contact him with any questions or concerns. He indicated he would use that information to cast the Board's vote on those resolutions at the meeting.

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 the report. He directed the members to the quarterly report of the prescription monitoring program, detailing the prescription transaction counts as well as queries from prescribers, dispensers, and law enforcement agencies. In particular, he noted the 21% reduction in the number of opioid prescriptions dispensed during Calendar Year 2018 compared to Calendar Year 2017. For the drug hydrocodone, he noted the 32% reduction in the number of prescriptions dispensed during 2018 compared to 2017.

Mr. Fontenot then directed the members to the requests from 35 pharmacies seeking a waiver from the duty to report zero prescription transaction reports to the prescription monitoring program. Mr. Moore then

moved,

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

- > PHY.007814-SAT – Acadian Medical Center – A Campus of Mercy Regional Medical Center (LA);
 - > PHY.005624-NR – Accredo Health Group (TN);
 - > PHY.007796-NR – Advanced InfusionCare (MS);
 - > PHY.005577-NR – Aetna Rx Home Delivery (FL);
 - > PHY.007147-IR – AlphaMed Pharmacy (LA);
 - > PHY.006292-NR – AmEx Pharmacy (FL);
 - > PHY.007750-NR – AON Pharmacy (FL);
 - > PHY.007730-HOS – Archer Institute of Lake Charles Memorial Hospital (LA);
 - > PHY.007787-NR – Blink Health Pharmacy (MO);
 - > PHY.007473-NR – CareMed Pharmaceutical Services (NY);
 - > PHY.007835-NR – CareMetx Health (MD);
 - > PHY.007591-HOS – Christus Bossier Emergency Hospital Department (LA);
 - > PHY.007840-HOS – Cornerstone Hosp of SW La. (LA);
 - > PHY.007690-NR – Diabetic Care Rx (FL);
 - > PHY.005900-NR – Drug Source (IL);
 - > PHY.007792-NR – Express Care Pharmacy (FL);
 - > PHY.007808-NR – Family Pharmacy (CA);
 - > PHY.007795-NR – Fresenius Medical Care – North America (IL);
 - > PHY.007798-NR – Mace RX Pharmacy (TX);
 - > PHY.007728-NR – Matrix Health (FL);
 - > PHY.007793-NR – Med 4 Home (MO);
 - > PHY.007813-HOS – Mercy Regional Medical Center (LA);
 - > PHY.007818-HOS – Minden Medical Center (LA);
 - > PHY.007678-HOS – Ochsner Rehabilitation Hospital (LA);
 - > PHY.007711-NR – PharMerica (AZ);
 - > PHY.007804-NR – Pineland Pharmacy (TX);
 - > PHY.007594-IR – Professional Service Pharmacy (LA);
 - > PHY.007788-NR – Soleo Health (KS);
 - > PHY.006110-HOS – St. Francis Medical Center (LA);
 - > PHY.007849-NR – Stellar Rx (PA);
 - > PHY.007745-NR – The Pill Club Pharmacy (CA);
 - > PHY.007718-NR – Transcript Pharmacy (MS);
 - > PHY.007765-NR – TwelveStone Medical (TN);
 - > PHY.007767-NR – Value Specialty Pharmacy (PA); and
 - > PHY.007817-NR – Valustar Pharmacy (TX)
- once they have executed the standard consent agreement for that purpose.

Mr. Fontenot replied to questions from two members. There were no public comments. The motion was adopted after a unanimous vote in the affirmative.

He reported on the implementation of new program enhancements

included in the new program contract awarded to Appriss. He described the auto registration process for medical interns, clinical alerts for prescribers, an advanced analytics package which will be used by the state's epidemiologist, and prescriber report cards.

He then reported on the progress of the program's collaboration with the Dept. of Health to integrate the PMP into all the electronic health record systems and pharmacy information systems in the state. He noted the grant funding supporting that initiative required completion of the integration by June 30, 2019.

Finally, Mr. Fontenot indicated completion of his report.

K. Report of General Counsel

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

Scott Reuben Hunt (PST.013627): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

John Adam Lochridge (PST.020349): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of 1,000 plus administrative costs.

Stuart Hall Burgess (PST.013189): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

Nadia Deolinda Archambault (PST.020942): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

Tremekia Vaughn Brown (CPT.013758): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate effective January 3, 2019, and further, permanently prohibited the acceptance of any future application for the reinstatement of the certificate or for any other credential issued by the Board.

American Specialty Pharmacy d/b/a ASP Cares [Oklahoma City, OK] (PHY.007344): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for one year plus seven months plus seven days and stayed the execution of the suspension, then placed the permit on probation for one year plus seven months plus seven days effective February 19, 2019 and terminating September 26, 2020 subject to certain terms enumerated within the consent agreement, noting the probationary period is scheduled to run concurrently with the probationary period imposed by the Oklahoma Board of Pharmacy on its resident Oklahoma pharmacy permit. Further, the Board assessed administrative costs.

Melissa Marie Bordelon (CPT.006229): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate effective January 15, 2019, and further, permanently prohibited the acceptance of any future application for the reinstatement of the certificate or for any other credential issued by the Board.

Dallas Whitney Blade (PTC.026943): Mr. McKay moved to accept the voluntary surrender of the credential. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the registration for an indefinite period of time effective November 7, 2018.

Krutarth Arunkumar Parikh (PST.020835): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand, and further, assessed a fine of \$1,000 plus administrative costs.

Dave's Pharmacy, Inc. d/b/a Dave's Pharmacy [Marrero, LA] (CDS.039211-PHY): Mr. McKay moved to approve the voluntary surrender of the credential. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the controlled substance license for an indefinite period of time effective February 7, 2019.

340B Partners Pharmacy – Dallas, LLC d/b/a Avita Drugs [Dallas, TX] (PHY.006893): Mr. McKay moved to approve the proposed voluntary consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$10,000 plus administrative costs.

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

Mr. Aron indicated he would re-order the sequence of the agenda to accommodate travel schedules of the presenters for Agenda Item 14.

14. Request for Approval of Additional English Language Proficiency Examination – Ms. Cerise Santoro, International Test of English Proficiency [iTEP]

Mr. Aron recognized Ms. Cerise Santoro and Mr. Jim Brosam from International Test of English Proficiency (iTEP). They presented information about their firm and their testing solutions in support of their request for the Board's approval of their firm's test for use by colleges of pharmacy in their admissions process.

Mr. Broussard inquired whether the Board would incur any liability for its endorsement of a language proficiency examination in the event a future inquiry of a licensee who passed the test for an adverse event where language competency was determined to be a factor. Mr. Finalet indicated he was not able to answer that question definitively at that time and suggested the Board may wish to evaluate that possibility.

Mr. Aron queried the members to see if they wished to take the request under advisement and render a decision later. Mr. McKay suggested there was no need for the Board to approve or endorse an examination that would not be required by the Board, and that colleges of pharmacy should be free to select a language proficiency examination of their choice.

Mr. Broussard reminded the members that the Board only required language proficiency assessment of foreign pharmacy graduates through the FPGEC program administered by NABP and that there were no assessments required of graduates of ACPE-accredited programs. He reported the Board has received complaints from consumers of their inability to understand some pharmacists attempting to provide patient counseling at pharmacy prescription counters. He informed the Board that one state board of pharmacy requires a language proficiency examination for every applicant for pharmacist licensure regardless of their educational preparation; the assessment consists of a 15 minute telephone assessment.

Mr. Aron determined the members had no interest in either approving or endorsing the iTEP testing solution and had no interest in taking the request under advisement for a future decision. He informed the presenters the members had no objection to the use of the testing solution by any college of pharmacy. Finally, he expressed appreciation for their presentation to the members.

Mr. Aron indicated he wished to dispose of two other agenda items out of sequence.

13. Request for Additional Time to Open Marijuana Pharmacy – Mr. Douglas Boudreaux, Hope Pharmacy [Shreveport, LA]

Mr. Aron noted Mr. Boudreaux had been present for the meeting but had just departed the meeting. Mr. Boudreaux and several other marijuana pharmacy representatives had petitioned the Board for an exception to the Board's rule for marijuana pharmacies requiring such pharmacies to open within 310 days following their award or risk loss of their permits. Mr. Aron noted that marijuana products were

still not available and would not be for a few more months. Mr. Aron noted Mr. Boudreaux had requested an allowance for all the marijuana pharmacies through the end of December 2019. Mr. McKay then moved,

Resolved, to grant an allowance to all marijuana pharmacies which have been awarded a marijuana pharmacy permit and not yet opened for business, such that all marijuana pharmacies shall open for business no later than December 31, 2019.

Mr. Aron responded to a comment from one member. There were no public comments. The motion was adopted after a unanimous vote in the affirmative.

12. Request to Amend Advertising Restrictions in Marijuana Pharmacy Rule – Mr. Jesse McCormick, Capitol Partners

Mr. Aron noted the requested rule change had been incorporated into the regulatory proposal for marijuana pharmacies approved by the Board earlier that day. Mr. Aron deferred any further consideration of the request pending completion of the rulemaking process for the regulatory project.

Mr. Aron then resumed the sequence of the posted agenda, returning to Agenda Item 11-L for the report from the Executive Director.

11. Staff Reports (cont.)

L. Report of Executive Director

Mr. Aron called upon Mr. Broussard for the report. Mr. Broussard directed the members to his report in the meeting binder. He reviewed the following topics:

- Meeting Activity
- Reports
 - Internal Reports
 - Credentials Division
 - Census Report
 - Licensure Activity Report
 - Application Activity Report
 - Exceptions Report
 - Compliance Division
 - Census Report
 - Complaint Investigation Policy Monitor
 - External Reports
 - Administrative and Legislative Agency Reports
- Examinations
 - MPJE
 - NAPLEX
 - ExCPT
 - PTCB
- Operations
 - Credentials Division
 - Compliance Division
 - PMP Division

- State Activities
 - La. Legislature
- Regional & National Activities
 - National Association of Boards of Pharmacy (NABP)
 - NABP-AACP District 6
 - MALTAGON
 - Office of National Drug Control Policy
- International Activities
 - International Pharmaceutical Federation (FIP)
 - dotPharmacy Verified Websites Program

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

15. New Agenda Items Added During Meeting

There were no new agenda items added during the meeting.

16. Announcements

Mr. Aron directed the members to the announcements in their meeting binder. He announced the next meeting of the board would be held on May 29 at the Board office in Baton Rouge.

17. Adjourn

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board and without objection, Mr. Aron adjourned the meeting at 3:07 p.m.

Respectfully submitted,

Richard M. Indovina, Jr.
Secretary