



**Louisiana Board of Pharmacy**  
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# Minutes

**Regular Board Meeting**

Wednesday, May 8, 2024 at 09:00 a.m.  
Louisiana Board of Pharmacy  
3388 Brentwood Drive  
Baton Rouge, Louisiana 70809

## 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 Draft Minutes from Previous Meeting  | 04              |
| 6.                     | Report on Action Items                                | 04              |
| 7.                     | Confirmation of Acts                                  | 04              |
| 8.                     | Opportunity for Public Comment                        | 04              |
| 9.                     | Special Orders of the Day                             | 05              |
| 10.                    | Committee Reports                                     |                 |
|                        | A. Finance  | 05              |
|                        | B. Application Review                                 | 05              |
|                        | C. Reciprocity  | 05              |
|                        | D. Violations   | 06              |
|                        | E. Impairment   | 08              |
|                        | F. Reinstatement                                      | 09              |
|                        | G. Tripartite   | 09              |
|                        | H. Regulation Revision                                | 09              |
|                        | I. Executive  | 11              |
| 11.                    | Staff Reports   |                 |
|                        | A. General Counsel                                    | 17              |
|                        | B. Executive Director                                 | 18              |
| 12.                    | New Agenda Items Added During Meeting                 | 18              |
| 13.                    | Announcements   | 18              |
| 14.                    | Adjourn   | 18              |

The Louisiana Board of Pharmacy convened a regular meeting on Wednesday, May 8, 2024 at the Louisiana Board of Pharmacy located at 3388 Brentwood Drive in Baton Rouge, Louisiana 70809. The meeting was held pursuant to public notice, each member received notice, and public notice was properly posted.

**1. Call to Order**

Mr. Marty McKay, President, called the meeting to order at 9:00 a.m.

**2. Invocation & Pledge of Allegiance**

Mr. Rhonny Valentine delivered the invocation and Mr. Don Resweber led the group in the Pledge of Allegiance.

**3. Quorum Call**

Mr. McKay called upon the Secretary, Mr. Richard Indovina, to call the roll of members to establish a quorum.

Members Present:

Dr. J. Robert Cloud  
Mr. David A. Darce  
Ms. Jennifer Dupree  
Ms. Jacqueline L. Hall  
Mr. Richard M. Indovina, Jr.  
Mr. W. Charles Jones  
Mr. Kevin LaGrange  
Mr. Richard Mannino  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Mr. J. Troy Menard  
Mr. Anthony G. Mercante  
Mr. Blake P. Pitre  
Mr. Don L. Resweber  
Dr. Raymond J. Strong  
Mr. Rhonny K. Valentine

Members Absent:

Mr. Robert C. LeBas

Staff Present:

Mr. M. Joseph Fontenot Jr., Executive Director  
Mr. Carlos M. Finalet, III, General Counsel  
Ms. Becky Parker, Compliance Officer

Guests:

Mr. Malcolm J. Broussard – Hygeia Solutions  
Ms. Sarah Perkins - BSW  
Mr. Mark Johnston – CVS Health  
Mr. Minh Nguyen – Willow Bark Pharmacy

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

#### **4. Call for Additional Agenda Items & Adoption of Agenda**

Mr. McKay asked if there were any additional agenda items to be added; none were requested. Without objection, the members adopted the posted agenda dated May 6, 2024. There were no objections to Mr. McKay's request for authority to re-order the agenda should the President determine it appropriate to do so.

#### **5. Consideration of Draft Minutes from Previous Meeting**

Mr. McKay reminded the members they had received the draft minutes from the Regular Board Meeting held on February 21, 2024. With no objections, he waived the reading of the draft minutes. With no requests for amendments or corrections, and with no objection, Mr. McKay declared the minutes were approved as presented.

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

Mr. McKay called upon Mr. Fontenot for the report. Mr. Fontenot directed the members to the report in their meeting materials which provided an update on the current status of six regulatory projects, one regulatory proposal, and two legislative proposals. The members had no questions and Mr. Fontenot concluded his report.

#### **7. Confirmation of Acts**

Pursuant to Mr. McKay's declaration that the officers, members and 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, Ms. Melancon moved,

*Resolved, that the decisions made and the actions taken by the Board officers, members and committees, and executive director in the general conduct and transactions of Board business since February 21, 2024 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. McKay 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; none were offered.

#### **\* Statement of Purpose**

Mr. McKay 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**

Mr. McKay informed the members and guests the terms of five members were scheduled to conclude on June 30, 2024. He then presented Distinguished Service Awards to all five members whose current terms were scheduled to conclude the following month:

Dr. J. Robert Cloud [2018 to 2024]  
Mr. Kevin LaGrange [2018 to 2024]  
Mr. Robert C. LeBas [2018 to 2024]  
Mr. Blake Pitre [2018 to 2024]  
Mr. Rhonny Valentine [2018 to 2024]

The members and guests congratulated the award recipients with generous applause.

## **10. Committee Reports**

### **A. Finance Committee**

Mr. McKay called upon Mr. Resweber for the committee report. Mr. Resweber reported the next meeting of the committee is scheduled for August 13, 2024. During that meeting the committee will review the compiled financial statements for Fiscal Year 2023-2024 which will end on June 30, 2024. Following the committee's review, the year-end statements will be presented at the next scheduled Board meeting, on August 14, 2024 for consideration.

Mr. Resweber concluded his report by recognizing the other members of the committee – Mr. Valentine, Mr. Pitre, Ms. Melancon, and Mr. Jones.

### **B. Application Review Committee**

Mr. McKay called upon Dr. Cloud for the committee report. Dr. Cloud reported the committee last met on February 20, 2024 and since that meeting the Board has not received any applications which require committee consideration, and therefore, have not met.

Dr. Cloud concluded his report by recognizing the other members of the committee – Mr. Darcy, Mr. LeBas, Mr. Mannino, and Mr. Pitre.

### **C. Reciprocity Committee**

Mr. McKay called upon Mr. Mannino for the committee report. Mr. Mannino reported the staff had evaluated 84 applications for pharmacist licensure by reciprocity since the last Board meeting and 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. Mr. Mannino then directed the members to the list of new pharmacists licensed by reciprocity in their meeting materials.

Mr. Mannino concluded the report by recognizing the other committee members – Mr. Jones, Mr. LaGrange, Mr. LeBas, Mr. Mercante, and Mr. Resweber.

#### **D. Violations Committee**

Mr. McKay called upon Mr. Valentine to give the committee report. Mr. Valentine reported the committee met on March 5-6, 2024 to consider several cases on their agenda. Following their interviews and subsequent deliberations, the committee developed recommendations for the Board's consideration. Mr. Valentine directed the members to copies of those proposals in their meeting materials and then presented the following cases to the members for their consideration.

**Jorden Paige Wells (CPT.013172):** Mr. Valentine 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. For an arrest on or about August 15, 2023 involving the operation of a vehicle while intoxicated, possession of a schedule 2 and drug paraphernalia, and her failure to furnish to the Board information legally requested, the Board revoked her credential; and further, prohibited her from applying or reapplying to practice or assist in the practice of pharmacy.

**Galleria Medical Pharmacy, LLC, dba Galleria Medical Pharmacy (Metairie, LA) (PHY.007516):** Mr. Valentine 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. For its failure to comply with Board regulations in regard to the compounding of sterile preparations (Case No. 23-0259), the Board issued a letter of reprimand; and further, assessed a fine of \$45,000 plus administrative and investigative costs.

**Mayme Lucille Hymel (PST.022705):** Mr. Valentine 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. For her accountability as pharmacist-in-charge (PIC) for compliance with Board regulations in regard to the compounding of sterile preparations at Galleria Medical Pharmacy, the Board issued a letter of reprimand; and further, assessed a fine of \$5,000 plus administrative costs and ordered to complete a sterile compounding training course by December 31, 2024.

**Galleria Medical Pharmacy, LLC, dba Galleria Medical Pharmacy (Metairie, LA) (PHY.007516):** Mr. Valentine 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. For its failure to comply with Board regulations in regard to the compounding of sterile preparations (Case No. 23-0270), the Board issued a letter of reprimand; and further, assessed a fine of \$60,000 plus administrative and investigative costs.

**Ronald Charles Cavaretta, Jr. (PST.018866):** Mr. Valentine moved to approve the proposed voluntary consent agreement. There was one member comment from Mr. Menard noting 2 different PICs over time and there were no public comments. The motion was adopted after a unanimous vote in the affirmative. For his accountability as pharmacist-in-charge for compliance with Board regulations in regard to the compounding of sterile preparations at Galleria Medical Pharmacy, the Board issued a letter of reprimand; and further, assessed a fine of \$7,500 plus administrative costs and ordered to complete a sterile compounding training course by December 31, 2024.

Mr. Valentine then directed the attention of the members to the next agenda item which is for reconsideration of two previous board orders involving the compounding of semaglutide with sodium.

- **Case No. 23-0086** ~ PHY.008107 - Pharmaceutical Specialties, LLC, d/b/a Pharmaceutical Specialties
- **Case No. 23-0087** ~ PST.016141 - Michael Marist Bourg

Mr. Valentine explained, the committee heard several cases involving the compounding of semaglutide with sodium at several of its last meetings. Case No. 23-0086 and Case No. 23-0087 were the first considered by the committee regarding this issue and the respondents agreed to the proposed discipline terms to settle the matter. The proposed voluntary consent agreements were subsequently approved by the Board during its August 16, 2023 Board meeting.

Mr. Valentine continued, in similar cases subsequent to Case No. 23-0086 and Case No. 23-0087, the committee reviewed submissions by the respondents of corrected Certificates of Analysis (COAs) which the committee used in their decision to take no action in those cases. A subsequent review of the documentation submitted by Pharmaceutical Specialties (Case No. 23-0086) and Pharmacist Michael Marist Bourg (Case No. 23-0087) at the time of their appearance before the committee, revealed that corrected COAs were also submitted in those cases. In retrospect, the committee feels those Board Orders should now be rescinded for the purpose of fairness and consistency with other cases involving the same issue.

Mr. Valentine then moved,

***Resolved***, in view of further supporting evidence from cases heard subsequent to the voluntary consent agreements which resulted in Board Orders for Case No. 23-0086 ~ PHY.008107 - Pharmaceutical Specialties, LLC d/b/a Pharmaceutical Specialties and Case No. 23-0087 ~ PST.016141 - Michael Marist Bourg, the Board hereby rescinds these Board Orders for the purpose of fairness and consistency with other cases involving the same issue.

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

Mr. Valentine then reported the committee's next meeting was scheduled for June 11-12, 2024 to consider 31 cases on that docket. Mr. Valentine concluded the report by recognizing the other committee members –Dr. Cloud, Ms. Hall, Mr. Indovina, and Mr. Mercante.

### **E. Impairment Committee**

Mr. McKay called upon Ms. Hall for the committee report. Ms. Hall reported the committee met the previous day. Following their interviews and subsequent deliberations, the committee developed recommendations for the Board's consideration. Ms. Hall then presented the following cases:

**Courtland Gregory Dickinson (PST.023335):** 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 his request for reinstatement of the previously suspended license, converted the duration of the suspensive period to a term of five years and stayed the execution of the suspension, then placed the license on probation for five years, beginning on May 8, 2024 and terminating on May 8, 2029, subject to certain terms enumerated within the voluntary consent agreement.

**Peyton Brownlee Vinson (CPT.008842):** 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 her request for reinstatement of the previously lapsed credential, suspended the certificate for five years and stayed the execution of the suspension, then placed the certificate on probation for five years, beginning on May 8, 2024 and terminating on May 8, 2029, subject to certain terms enumerated within the voluntary consent agreement.

**Chris Brooks Klingman (PST.017980):** Ms. Hall moved to remove Article 2-e imposed from his November 17, 2021 Probation Board Order, thereby allowing him to serve as 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 granted his request for modification of previous orders by removing Article 2-e imposed from his November 17, 2021 Probation Board Order.

Ms. Hall then reported the committee conducted their annual review of the Board's roster of approved addictionists and voted to approve the updated list. On behalf of the committee, Ms. Hall then moved,

***Resolved, to approve the May 2024 Roster of Approved Addictionists.***

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

Ms. Hall closed her report by recognizing the other committee members – Mr. Darce, Mr. Menard, Mr. Resweber, Dr. Strong, and Mr. Valentine.



#### **F. Reinstatement Committee**

Mr. McKay called upon Dr. Strong for the committee report. Dr. Strong stated, since the last Board meeting no applications were received which required committee review and consideration. He then referred the members to a report listing all the interim reinstatement actions by the committee chair and licensing staff since the last Board meeting. Dr. Strong then concluded his report by recognizing the other committee members – Ms. Dupree, Mr. LaGrange, Mr. Mannino, Mr. Mercante, and Mr. Pitre.

#### **G. Tripartite Committee**

In the absence of Mr. LeBas, Mr. McKay stated the committee has not met since the last Board meeting and there is no report for the committee.

#### **H. Regulation Revision Committee**

Mr. McKay called upon Mr. Indovina for the committee report. Mr. Indovina reported the committee met on April 25, 2024 to consider four (4) regulatory proposals. He then presented the developed recommendations for consideration.

##### Regulatory Proposal 2023-C ~ Automated Medication Systems (AMS)

Mr. Indovina reminded the members that the Board approved Draft #3 of this regulatory proposal during the August 16, 2023 Board meeting. Subsequently, comments of concern were received from stakeholders which led to the proposal being referred back to the Regulation Revision Committee for further review. Considering the comments and feedback from stakeholders, the committee developed Draft #6 and voted to recommend approval of the proposal. Mr. Indovina then moved,

***Resolved**, to approve Regulatory Proposal 2023-C ~ Automated Medication Systems (AMS) - Draft #6; and further, to authorize the Executive Director to promulgate the proposed rule changes; 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.

##### Regulatory Proposal 2024-A ~ Pharmacy Technicians

Mr. Indovina explained, this proposal is in response to the pharmacy technician shortage in Louisiana and amends Sections 901, 903, and 905 of the Board's rules regarding pharmacy technicians. He further explained, the amendments provide additional criteria by which an applicant would qualify for a Pharmacy Technician Candidate Registration. The first additional eligibility criteria allow the applicant to provide verification from a licensed pharmacist indicating their intention to provide technician training in a permitted pharmacy. The second, allows the applicant to provide verification of enrollment in a Louisiana Department of Education program with a pharmacy technician career path.

The committee developed Draft #3 and voted to recommend approval of the proposal. Mr. Indovina then moved,

***Resolved***, to approve Regulatory Proposal 2024-A ~ Pharmacy Technicians - Draft #3; and further, to authorize the Executive Director to promulgate the proposed rule changes; and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

After member discussion primarily related to educational standards for pharmacy technicians, as well as age and examination requirements, there were two public comments. The first public comment was from Pharmacist Andy Soileau in which he thanked the Board for the development of the proposal. The second public comment, which was in the form of a question, from Pharmacist Malcolm J. Broussard was answered by Mr. McKay. Then, the motion was adopted after a unanimous vote in the affirmative.

#### Regulatory Proposal 2024-C ~ Durable Medical Equipment (DME) Permit Change of Ownership

Mr. Indovina reminded members of the recent changes made to pharmacy permit change of ownership procedures and advised that this proposal mirrors those changes for DME permits. The committee developed Draft #1 and voted to recommend approval of the proposal. Mr. Indovina then moved,

***Resolved***, to approve Regulatory Proposal 2024-C ~ Durable Medical Equipment (DME) Permit Change of Ownership - Draft #1; and further, to authorize the Executive Director to promulgate the proposed rule changes; and further, to authorize the President to approve acceptable amendments as may become necessary during the promulgation process.

There were no member questions. One public comment, in the form of a question, from Pharmacist Andy Soileau in which he questioned a sole proprietorship change. Mr. McKay responded to Pharmacist Soileau's question. The motion was adopted after a unanimous vote in the affirmative.

#### Regulatory Proposal 2024-F ~ Prescription Transfers

Mr. Indovina explained, in response to federal regulations permitting the electronic transfer of an initial electronic prescription for a controlled substance between pharmacies, the Board approved Legislative Proposal 2024-A ~ Transfer of CDS Prescriptions. The proposal became House Bill 193 which is being carried by Representative Chris Turner. The Bill is making progress through this legislative session and passage with an effective date of August 1, 2024 is expected.

To prepare for its passage, the committee developed this regulatory proposal which amends Sections 2523 and 2747 of the Board's rules. As part of this proposal, in addition to controlled substance prescription transfers, the committee updated the language in regard to the transfer of prescriptions for

drugs other than controlled substances, to address the transfer of non-controlled substance prescriptions for initial filling. The committee developed Draft #2 and voted to recommend approval of the proposal. Mr. Indovina then moved,

***Resolved***, to approve *Regulatory Proposal 2024-F ~ Prescription Transfers - Draft #2*; and further, to authorize the Executive Director to promulgate the proposed rule changes; 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.

\*At this point, Mr. McKay declared a recess. It was noted the members recessed at 9:57 a.m. and then reconvened at 10:26 a.m.

### ***I. Executive Committee***

Mr. McKay reported the committee had met the previous day to consider the items on their posted agenda. The committee members performed their annual reviews of policies and procedures, educational programs, and credentialing examinations as well as contracts and agreements. Mr. McKay indicated Ms. Hall was prepared to offer motions on behalf of the committee and reminded the members that copies of these documents were included in their meeting material.

- Consideration of Continuing Approval of Updated *Loss Prevention Manual*  
Mr. McKay reported the committee reviewed the *Loss Prevention Manual* and voted to recommend your continuing approval of the updated manual. Ms. Hall then moved,

***Resolved***, to renew our approval of the updated *Loss Prevention Manual* for Fiscal Year 2024-2025.

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

- Consideration of Continuing Approval of Updated *Policy & Procedure Manual*  
Mr. McKay reported the staff updated the *Policy & Procedure Manual* by incorporating revisions authorized by the Board since the previous annual review and the committee voted to recommend to the Board continuing approval of the updated manual. Ms. Hall then moved,

***Resolved***, to renew our approval of the updated *Policy & Procedure Manual* for Fiscal Year 2024-2025.

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

- Consideration of Continuing Approval of Updated Roster of Approved Colleges of Pharmacy

Mr. McKay reported the staff updated the roster based on the most recent status information available from ACPE. The committee voted to recommend to the Board continuing approval of the updated roster. Ms. Hall then moved,

***Resolved, to renew our approval of the updated Roster of Approved Colleges of Pharmacy for Fiscal Year 2024-2025.***

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

- Consideration of Request for Approval of the Pharmacy Technician Training Program at Lakewood University in Cleveland Heights, Ohio

Mr. McKay explained, the Board received a request to add Lakewood University's pharmacy technician training program to the list of Board-approved programs. The program is accredited by ASHP. Ms. Hall then moved,

***Resolved, to approve the Lakewood University Pharmacy Technician Training Program as a Board-Approved Pharmacy Technician Training Program contingent upon maintaining their ASHP accredited status.***

There was one member question and no public comments. The motion was adopted after a unanimous vote in the affirmative.

- Consideration of Continuing Approval of Updated Roster of Approved Pharmacy Technician Training Programs

Mr. McKay reported the staff updated the roster based on the most recent accreditation status of programs and the committee voted to recommend to the Board continuing approval of the updated roster. Ms. Hall then moved,

***Resolved, to renew our approval of the updated Roster of Approved Pharmacy Technician Training Programs for Fiscal Year 2024-2025.***

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

- Consideration of Continuing Approval of Credentialing Examinations

Mr. McKay reported the committee voted to recommend to the Board continuing approval of the current credentialing examination administrators and examinations. Ms. Hall then moved,

***Resolved, to renew our approval of the National Association of Boards of Pharmacy (NABP) as administrator of the pharmacist***

*licensure examinations for Fiscal Year 2024-2025, including the North American Pharmacist Licensure Examination (NAPLEX), the Multistate Pharmacy Jurisprudence Examination (MPJE), and the Foreign Pharmacy Graduate Equivalency Examination (FPGEE).*

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

***Resolved***, to renew our approval of the Pharmacy Technician Certification Examination (PTCE) administered by the Pharmacy Technician Certification Board (PTCB) for Fiscal Year 2024-2025.

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

***Resolved***, to renew our approval of the Examination for Certification of Pharmacy Technicians (ExCPT) administered by National Healthcareer Association (NHA) for Fiscal Year 2024-2025.

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

- Consideration of Proposed Resolutions for Professional Legal Services

Mr. McKay explained, the Attorney General requires all state agencies contracting for professional legal services to certify through resolution that such contracts do not include contingency fees. The committee voted to recommend your approval of the proposed resolutions for Ms. Celia Cangelosi as well as the legal firm of Shows, Cali & Walsh, both of whom we intend to approve contracts for professional legal services in a few moments. Ms. Hall then moved,

***Resolved***, to approve the proposed Resolution for Professional Legal Services for Ms. Celia R. Cangelosi for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed Resolution for Professional Legal Services for Shows, Cali & Walsh, LLP for Fiscal Year 2024-2025.

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

- Consideration of Annual Renewal of Contracts and Agreements

Mr. McKay reported staff reviewed the performance objectives of each contract and determined that the contractors met their obligations to the Board, and further, recommended renewal of all contracts and agreements. He reported the committee voted to recommend to the Board renewal of these contracts and agreements. Ms. Hall then moved,

***Resolved***, to approve the proposed contract for professional legal services with Ms. Celia R. Cangelosi, at the stipulated rate, in an amount not to exceed \$125,000 for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed contract for professional legal services with Shows, Cali & Walsh, LLP, at the stipulated rate, in an amount not to exceed \$50,000 for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed contract for professional accounting services with Champagne & Company, LLC, Certified Public Accountants, at the stipulated rates, in an amount not to exceed \$40,000 for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed contract for the operation of the state prescription monitoring program with Bamboo Health, Inc., at the stipulated rate, in an amount not to exceed \$215,000 for Fiscal Year 2024-2025.

There was one member question and no public comments. The motion was adopted after a unanimous vote in the affirmative. Ms. Hall then moved,

***Resolved***, to approve the proposed contract for the prescription monitoring program Gateway with Bamboo Health, Inc. at the stipulated rate, in an amount not to exceed \$600,000 for Fiscal Year 2024-2025 contingent upon receipt of grant funds.

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

***Resolved***, to approve the proposed renewal of the interagency agreement with the Louisiana Department of Justice for the Occupational Licensing Review Program for Fiscal Year 2024-2025 in an amount not to exceed \$90,000.

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

***Resolved***, to approved the proposed renewal of the contract with Covalent Logic for website hosting services, at the stipulated rate, in an amount not to exceed \$8,000 for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed renewal of the agreement for the publication of the Board's Newsletter by the NABP Foundation, at the stipulated rate, in an amount not to exceed \$4,000 for Fiscal Year 2024-2025.

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

***Resolved***, to approve the proposed contract with the Louisiana Department of Health – Office of Public Health – Bureau of Community Preparedness for the receipt of grant funds to cover the expenses of the Gateway® through Bamboo Health and other services for Fiscal Year 2023-2024, Fiscal Year 2024-2025, and Fiscal Year 2025-2026.

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

- Consideration of Delegated Signature Authority for Contracts

Mr. McKay explained, the Division of Administration – Office of State Procurement requires the Board to maintain a copy of delegated signature authority for contracts of the Louisiana Board of Pharmacy pursuant to LA R.S. 39:1595(B). Ms. Hall then moved,

***Resolved***, to authorize M. Joseph Fontenot, Jr., in his role as the Board's Executive Director to execute any contract or agreement on behalf of the Board when so authorized.

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

- Request from Conrad Meyer, JD re “Piggybacking and Compounding”

Mr. McKay explained that Mr. Conrad Meyer, an attorney who represents Med Spa and IV Hydration clinic therapy clients wishes to ensure full compliance with state regulations. Therefore, he is seeking the Board's stance on whether "piggybacking" intravenous (IV) lines is considered "compounding".

According to Mr. Meyer, his clients have been utilizing a technique known as "piggybacking" for administering IV hydration therapy, where a smaller bag containing medication is connected to an established main IV line. This method allows for the medication to be infused without the need for multiple IV sites, as the smaller bag is removed post-infusion, leaving the main IV setup unchanged.

Mr. Meyer offered the specific definition of "compounding" under La. R.S. 37:1164(7), which focuses on the preparation, mixing, assembling, packaging, or labeling of drugs or devices by a pharmacist in response to a prescription drug order or initiative, his clients believe that "piggybacking" does not fall under this definition. The practice does not involve altering the drug but rather administering it via an established IV line.

After member discussion, Ms. Hall then moved,

***Resolved, the Board considers an IV piggyback, also known as an IVPB or secondary infusion, a method of administration.***

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

- Exceptions Report

Mr. McKay reported Board policy permits the President to review and respond to requests for exceptions to laws, rules, and policies in the interim between meetings of the Board. Board Policy also permits the Executive Director, with concurrence of the Board President, to issue Special Work Permits and approve dual PIC privileges with notice to the Board at its next meeting. The committee reviewed the current “Exceptions Report” posted in the Board member reading room and the report is now presented to the full board as required in policy. It does not require any action from the Board. There were no member questions or comments.

Mr. McKay then closed his report by expressing his appreciation to the other committee members- Ms. Hall, Mr. Valentine, Mr. Resweber, and Mr. Indovina.



## 11. Staff Reports

### A. Report of General Counsel

Mr. McKay called upon Mr. Finalet for his report. Mr. Finalet presented the following proposed voluntary consent agreements to the members for their consideration.

**Samantha Martin Rotherham (PTC.032378):** Ms. Hall moved to accept the proposed consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. For an arrest involving a felony conspiracy to introduce contraband, specifically the drug Suboxone, into a correctional facility, the Board revoked her credential; and further, prohibited her from applying or reapplying to practice or assist in the practice of pharmacy.

**Ashley Nzinga Jones (CPT.015545):** Ms. Hall moved to accept the voluntary surrender of the credential, resulting in the active suspension of the certificate for an indefinite period of time. 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 of the credential, resulting in the active suspension of the certificate for an indefinite period of time commencing on March 18, 2024.

**Henry James Dunklau, IV (PST.023290):** Ms. Hall moved to accept the proposed consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. For his failure to report a November 2022 board order issued by the Kentucky Board of Pharmacy as part of his reinstatement application for his Louisiana pharmacist license for 2024, despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$1,000 plus administrative costs.

**Ashley Nicole Marrs (PST.024922):** Ms. Hall moved to accept the proposed consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. For her failure to report an October 2023 board order issued by the Kansas Board of Pharmacy as part of her application for the renewal of her Louisiana pharmacist license for 2024, despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$1,000 plus administrative costs.

**Kayla Mona' Wilson (CPT.017515):** Ms. Hall moved to accept the proposed consent agreement. There were no member questions or public comments. The motion was adopted after a unanimous vote in the affirmative. For her failure to report a September 2023 arrest as part of her pharmacy technician application, despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

**Kacie Leigh Dore' Keith (PST.020248):** Ms. Hall moved to accept the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time. 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 of the credential, resulting in the active suspension of the license for an indefinite period of time commencing on May 1, 2024.

Mr. Finalet then indicated completion of his report.

## **B. Report of the Executive Director**

Mr. McKay called upon Mr. Fontenot for his report. Mr. Fontenot directed the members to the quarterly report of the prescription monitoring program found in their meeting material, there were no member comments or questions.

Mr. Fontenot then directed the members to the requests from 13 pharmacies seeking a waiver from the duty to report zero prescription transaction reports to the prescription monitoring program. Mr. Indovina then moved,

**Resolved**, to authorize the issuance of full PMP reporting waivers to the following permits once they have executed the standard consent agreement for that purpose:

| <b>Permit No.</b> | <b>Permit Name</b>                       |
|-------------------|--|
| PHY.008734-NR     | Almac Clinical Services, LLC             |
| PHY.008780-NR     | BioPlus Specialty Pharmacy Services, LLC |
| PHY.008784-NR     | BioPlus Specialty Pharmacy Services, LLC |
| PHY.008801-NR     | BioPlus Specialty Pharmacy Services, LLC |
| PHY.008760-NR     | CF #11507                                |
| PHY.008788-NR     | Chewy Pharmacy MCO4, LLC                 |
| PHY.008748-HOS    | Covington Trace ER & Hospital            |
| PHY.008750-NR     | Gatlin Animal Pharmacy                   |
| PHY.008793-NR     | ImprimisRx Nashville, LLC                |
| PHY.008815-IR     | Next Step New Orleans, LLC               |
| PHY.008746-NR     | TelyRx LLC                               |
| PHY.008472-IR     | Vital Care of Baton Rouge                |
| PHY.008816-NR     | White Label Pharmacy                     |

## **12. New Agenda Items Added During Meeting**

There were no new agenda items added during the meeting.

## **13. Announcements**

Mr. McKay directed the members to the announcements in their meeting material and he emphasized the upcoming deadline of May 15 for filing a disclosure report to the Board of Ethics. He also reminded the members of their annual training requirements in regard to *Preventing Sexual Harassment* and *Code of Government Ethics*.

## **14. Adjourn**

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board and without objection, Mr. McKay adjourned the meeting at 11:17 a.m.

*Minutes prepared by Joe Fontenot and then approved as presented during the subsequent meeting on August 14, 2024.*

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Richard M. Indovina, Jr.  
Secretary