

LOUISIANA BOARD OF WHOLESALE DRUG DISTRIBUTORS

Board Meeting

MINUTES

June 25, 2013

AGENDA ITEM 1 - Call to Order

The meeting was called to order by Robert Broadus, Chairman, at approximately 9:35 am. The meeting was held in Baton Rouge, Louisiana at the Administrative Office of the Board located at 12091 Bricksome Avenue, Suite B, Baton Rouge, Louisiana.

AGENDA ITEM 2 - Roll Call

It was noted by Mr. Broadus that those members in attendance were Mr. Boardus, Randall Brooks, Wayne Gremillion, Kenneth Dugas, Chad Gielen, and Jacob Dickson. Michael Davis was absent. The Board members in attendance constituted a quorum. Also present from the Board's administrative office were John Liggio, Kimberly Barbier, and George Lovechio. There were no guests in attendance.

AGENDA ITEM 2.a. - Introduction and Welcome of New Board Member

Jacob Dickson was introduced. Mr. Dickson was appointed by the Governor on April 26, 2013 to replace Hersh Paul whose term on the Board expired January 8, 2013. Mr. Dickson's term expires April 25, 2018. Mr. Dickson was welcomed.

AGENDA ITEM 3 - Call for Additional Agenda Items [*for discussion in Agenda Item 12*]

- 1) Inspection Process - Mr. Lovechio.
- 2) Update - Physical Therapy Board Regulations - Mr. Liggio.
- 3) Officer/Director List Requirement - Mr. Liggio.

Motion was made by Mr. Brooks to add the three items presented to the agenda for discussion later in the meeting, seconded by Mr. Gremillion, and passed by voice vote - FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.

AGENDA ITEM 4 - Approval of Meeting Minutes

The minutes of the March 12, 2013 Board meeting were presented. **Motion was made by Mr. Gremillion to dispense with full reading of the minutes and to accept and approve the minutes as presented, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.**

AGENDA ITEM 5 – Financial Matters

a. Financial Statements

Mr. Liggio presented financial information for March 2013. General discussion was held regarding upcoming federal laws on pedigree; pedigree and inspections; and the California pedigree requirements. No formal action was taken on these matters. Mr. Liggio presented financial information for April and May 2013. Review and general discussion was held regarding the financial information. No formal action was taken on this matter.

b. Budget Amendments – Fiscal Year 2013

Mr. Liggio presented a breakdown of the current fiscal year budget with amendments. General discussion and review was held. **Motion was made by Mr. Dugas to approve the amendments to the budget for fiscal year 2013 as presented for submission to the appropriate state agencies, seconded by Mr. Gielen, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.**

c. Annual Financial Attestation – Fiscal Year 2013 – Questionnaire

Mr. Liggio presented the attestation questionnaire for attestation engagement. **Motion was made by Mr. Brooks to approve the attestation questionnaire as completed for signatures, seconded by Mr. Gremillion, and passed by voice vote - FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None**

AGENDA ITEM 6 – Professional Service Contracts

a. Shows, Cali, & Walsh

A proposed renewal contract for legal services between the Board and the attorney firm of Shows, Cali, & Walsh was presented. The current contract with Shows, Cali, & Walsh will expire on September 30, 2013. The renewal contract is proposed for one-year, October 1, 2013 through September 30, 2014. General discussion was held regarding renewal of the contract. **Motion was made by Mr. Dugas to approve the (renewal) contract covering the period of October 1, 2013 through September 30, 2014 not to exceed \$30,000, seconded by Mr. Dickson, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.**

The Board recognized the loss of Mr. Howard Bolton a long-time affiliate of the Louisiana Board of Pharmacy who passed away recently. It was noted that Mr. Bolton would be greatly missed.

AGENDA ITEM 7 - Licensing Matters

a. New Licenses Issued

A list of approximately 102 new licenses as issued by the Board office on behalf of the Board since the March 12, 2013 Board meeting was available for review. General discussion was held. No formal action was taken on this matter.

General discussion was held with regards to anticipated new application regulations and the possible need for new application approval policies including the creation by the Board of an application approval committee. No formal action was taken on this matter.

AGENDA ITEM 8 - Old Business

a. Medical Food Distributors

Mr. Liggio presented a letter from the regulatory attorney in response to the Board's inquiry as to whether or not the Board has authority to require licensure of "Rx" labeled medical food wholesalers/distributors. The letter was reviewed and discussion was held.

The Board recessed for a break at approximately 11:10 am. The Board returned to regular session at approximately 11:37 am and returned to agenda item 8.a.

The Board assigned Mr. Broadus and Mr. Brooks to look further into the issue of licensing medical food distributors among their respective associations (manufacturers and pharmacies). Their findings will be presented at the next Board meeting. This matter was deferred to the next Board meeting.

b. Violations - Licensee Changes Timeline

Mr. Liggio presented the regulation requirement that licensees report changes in license information within 60 days after effective (30 days prior for changes in location). Discussion was held regarding current procedures. No formal action was taken on this matter.

AGENDA ITEM 9 - General Matters

a. Attorney General Opinion - Building Purchase

Mr. Liggio presented a letter from the Attorney General's Office in response to the Board's inquiry as to whether the Board has statutory authority to purchase the office building it currently occupies for its administrative office. No formal action was taken on this matter.

b. Update - New Database Program - GL Suite

Mr. Lovecchio presented an update on the new database program the Board has authorized through GL Solutions. Mr. Lovecchio gave a summary of the testing period the Board office has been performing for the past week. Mr. Liggio gave an overview of

the Board office staff's expectations for the new database. No formal action was taken on this matter.

AGENDA ITEM 10 - Statutes and Rules

a. Rule Promulgation Update

Mr. Liggio presented an update of current rule promulgation for amendments to LAC 46:XCI. 301, 305, and 311 - Requirements, Qualification, and Recordkeeping. No formal action was taken on this matter.

b. Proposed Rule Amendments

Mr. Liggio presented proposed amendments to rules regarding setting the lowest unit of measure for drugs or devices sold and distributed by licensees. Discussion of the matter was held. The matter was deferred to the next Board meeting.

AGENDA ITEM 11 - Policies and Procedures

a. Uniform Policy

Mr. Liggio presented a proposed policy for uniforms for office staff. Discussion was held; changes made to the proposed policy **Motion was made by Mr. Gremillion to approve the policy for office staff uniforms as stated, seconded by Mr. Brooks, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.**

AGENDA ITEM 12 - Additional Agenda Items *(added per Agenda Item 3)*

1. Inspection Process. Mr. Lovecchio gave the Board a demonstration of the new laptop/tablet that was purchased for use in the field for completing the inspection form during facility inspections; Mr. Lovecchio also demonstrated a new software to be purchased that will allow signatures to be "burned" onto the inspection form whereby no digital copy of signatures will be made thereby proving no security concerns. No formal action was taken on this matter.

Motion was made by Mr. Brooks to enter into executive session for discussion of agenda item 14, Employee Matters, Annual Merit Reviews, seconded by Mr. Gielen, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None. Motion was made by Mr. Dickson to close executive session and return to regular session, seconded by Mr. Gielen, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None. The issue discussed in executive session was in regards to salary evaluation for Mr. Liggio as Executive Director. **Motion was made by Mr. Brooks to approve a merit raise salary increase of 5% for Mr. Liggio effective July 1, 2013, seconded by Mr. Gremillion, and passed by voice vote: FOR: Mr. Broadus, Mr.**

Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.

The Board continued with agenda item 13 after executive session.

Agenda item 12.2. was discussed after discussion of agenda item 13.

2. Update - Physical Therapy Board Regulations - Mr. Liggio presented a letter from the Louisiana Board of Medical Examiners to the Physical Therapy Board regarding the Physical Therapy Board's regulations previously promulgated giving physical therapist authority to procure and possess legend drugs and devices to use in their scope of practice. General discussion was held. No formal action was taken on this matter.

General discussion was held regarding VAWD accreditation inspections; pedigree; track and trace; and serialization. No formal action was taken on these matters.

3. Officer and Director List Regulatory Requirement - Mr. Liggio presented the matter of regulatory requirement for applicants/licensees to provide a list of its officers and directors. General discussion of the matter was held. No formal action was taken on this matter.

Agenda item 13 was discussed after executive session held after agenda item 12.1.

AGENDA ITEM 13 - Board Matters - Annual Election of Officers.

The current officers of the Board were introduced: Mr. Robert Broadus, Chairman; Mr. Michael Davis, Vice-Chairman; Mr. Randall Brooks, Secretary-Treasurer; and Mr. Wayne Gremillion, Compliance Officer. **Motion was made by Mr. Dugas to ratify the current officers to serve for another year, seconded by Mr. Dickson, and passed by voice vote: FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Dugas, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis; RECUSED: None.**

Mr. Dugas exited the meeting after agenda item 13 at approximately 2:15 pm. The Board continued with agenda item 12.2.

AGENDA ITEM 14 - Employee Matters, Annual Merit Reviews.

Agenda item 14 was discussed during executive session held after agenda item 12.1.

AGENDA ITEM 15 - Confirmation of Next Board Meeting Date

The next Board meeting is tentatively set for Tuesday, September 17, 2013.

Mr. Broadus asked the Board members present to repeat with him an Oath of Service; the Oath was taken by Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Gielen,

and Mr. Dickson. Mr. Davis and Mr. Dugas will be presented the Oath at the next Board meeting.

AGENDA ITEM 16 - Adjournment

There being no further business before the Board, **motion was made by Mr. Gielen to adjourn the meeting, seconded by Mr. Dickson, and passed by voice vote - FOR: Mr. Broadus, Mr. Brooks, Mr. Gremillion, Mr. Gielen, and Mr. Dickson; AGAINST: None; ABSTAINED: None; ABSENT: Mr. Davis and Mr. Dugas; RECUSED: None.**

The meeting adjourned at approximately 2:37 pm.

Approved and accepted by the full Board - Date: September 17, 2013



Randall Brooks
Board Secretary/Treasurer



John Liggi
Executive Director