

LOUISIANA BOARD OF DRUG AND DEVICE DISTRIBUTORS

Board Meeting

MINUTES

August 22, 2017

AGENDA ITEM 1 - Call to Order

The meeting was called to order by Michael Davis, Vice-Chairman, at approximately 9:40 am. The meeting was held in Baton Rouge, Louisiana at the Administrative Office of the Board located at 12091 Bricksome Avenue, Suite B.

AGENDA ITEM 2 - Roll Call and Introduction of Guests

It was noted by Mr. Davis that those members in attendance were Mr. Davis, Chad Gielen, Jacob Dickson, James DeLatte, and Trion Horgan. Those members absent were Robert Broadus, Randall Brooks, and Ken Dugas. *[Mr. Brooks joined the meeting at approximately 11:10 am for agenda item 9.]* The members in attendance constituted a voting quorum. Also present from the Board's administrative office were George Lovecchio, Executive Director, and Kimberly Barbier, Executive Assistant. Ms. Celia Cangelosi, the Board's general counsel was also in attendance. Guests in attendance were Mr. Stephen Aertker Jr., Attorney, and Mr. Danny Andrus, Board Contract Inspector.

a. Introduction - Contracted Inspectors

Mr. Lovecchio introduced Mr. Danny Andrus to the Board members explaining that Mr. Andrus is one of the two inspectors contracted by the Board to conduct in-state facility inspections. Mr. Andrus is informally known as the "north" inspector covering inspections in the southwest and northern part of the state. The members and Mr. Andrus conversed for a moment regarding general inspection issues. No formal action was taken on this agenda item. Mr. Lovecchio noted that Mr. Liggio had been invited also but was unable to attend the meeting. He noted that Mr. Liggio was the other contracted facility inspector for the Board. Mr. Liggio is informally known as the "south" inspector covering inspections in the southern part of the state, New Orleans area.

AGENDA ITEM 3 - General Motion

Motion was made by Mr. Dickson to approve any agenda items that may be taken out of order of the agenda that will be noted as such in the meeting minutes, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 4 - Call for Additional Agenda Items *[for discussion in Agenda Item 11]*

No additional items were brought before the Board to be added to the agenda.

AGENDA ITEM 5 - Approval of Meeting Minutes

a. The minutes of the June 20, 2017 Board meeting were presented. **Motion was made by Mr. Dickson to dispense with full reading of the minutes and to accept and**

approve the minutes of the June 20, 2017 Board meeting as presented, seconded by Mr. Delatte, and passed by voice vote – FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 6- Financial Matters

a. Financial Statements

Mr. Lovecchio presented the financial information for the month of June 2017 and the year end for fiscal year 2017, and the month of July 2017. The Board members reviewed and general discussion of the presented information was held. No formal action was taken on this agenda item.

b. Annual Financial Attestation – Fiscal Year 2017, Questionnaire (revised)

Ms. Barbier presented a revised questionnaire pertaining to the upcoming annual financial attestation of the Board's finances for fiscal year 2017 ending June 30, 2017. Ms. Barbier explained that the questionnaire approved by the Board at the June 20, 2017 meeting had been the format previously used, but that the contract CPA who will be performing the attestation sent a new questionnaire format. **Motion was made by Mr. Horgan to approve the revised attestation questionnaire as presented, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 7 – Policy and Procedures

a. Federal Criminal History Records Information Security

Ms. Barbier presented a proposed policy/procedure in response to the FBI criminal history records check security audit performed earlier in 2017. General discussion and review of the proposed policy/procedure was held. Minor grammatical corrections and revision were noted. **Motion was made by Mr. Gielen to approve the policy/procedure for criminal history records information security- Access, Use, and Dissemination with corrections and revisions as noted, seconded by Mr. Delatte, and passed by voice vote - FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 8 – Professional Services

a. Contracts

i. Legal Services – Celia Cangelosi, Attorney

Mr. Lovecchio presented information regarding the denial by the Louisiana Attorney General of the previously Board approved two-year contract with Celia Cangelosi for continuation of services as the Board's general counsel. The Board office had resubmitted the contract for Ms. Cangelosi to the Attorney General for reconsideration which was also denied.

Mr. Lovecchio presented a proposed one-year contract and resolution for Ms. Cangelosi's continued services as general counsel for regulatory, licensee, and disciplinary issues. General discussion was held. **Motion was made by Mr. Gielen to approve the presented contract and resolution for general legal services to be provided by Celia Cangelosi, Attorney, for the term covering July 1, 2017 through June 30, 2018 at a maximum contract amount not to exceed \$15,000, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.**

ii. Legal Services- Stephen Aertker, Jr., Attorney

Mr. Lovecchio presented a proposed contract and resolution for Stephen Aertker, Jr., Aertker Legal LLC, for general legal counsel and regulatory advice. General discussion was held. **Motion was made by Mr. Dickson to approve the presented contract and resolution for legal services to be provided by Stephen Aertker, Jr., Aertker Legal LLC, for the term covering September 1, 2017 through August 31, 2018 at a maximum contract amount not to exceed \$20,000, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Davis; AGAINST: None; ABSENT: Mr. Broadus, Mr. Brooks, and Mr. Dugas; ABSTAINED: None; RECUSED: None.**

[Mr. Davis called for a short break at approximately 10:52 am after agenda item 8.a.ii.]
[The Board returned to open session at approximately 11:10 am wherein Mr. Brooks joined the meeting; the Board continued with agenda item 9.]

AGENDA ITEM 9 - Old Business

a. Board Funds Review Committee Report

Mr. Lovecchio noted that a committee consisting of Mr. Brooks and Mr. Delatte was delegated at the June 20, 2017 Board meeting to work with Mr. Lovecchio in reviewing the Board's financial accounts and working up a plan for tracking moneys allocated to general operation fund reserve, contingency reserve funds, uninsured risk management reserve, and compliance reserve with regards to future state statutory changes for compliance with future anticipated federal regulation changes. Mr. Brooks explained that some information had been discussed among the committee members and Mr. Lovecchio but that the committee work was not yet complete. This agenda item was deferred to the next Board meeting.

AGENDA ITEM 10 - Licensing Matters

a. Designated Responsible Party Qualification Review

Mr. Lovecchio presented a request for Board consideration and approval of the previous work experience for a change in licensee information, new designated responsible party (DRP), Christopher Honrado, for licensee Mylan Pharmaceuticals, LA

license 8474. Review of information provided and general discussion was held. **Motion was made by Mr. Brooks to delegate Mr. Davis and Mr. Brooks to review the qualifications of the proposed DRP appointee and to make the decision on the request on behalf of the Board, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, Mr. Davis and Mr. Brooks; AGAINST: None; ABSENT: Mr. Broadus and Mr. Dugas; ABSTAINED: None; RECUSED: None.**

b. New Licenses Issued

Ms. Barbier presented a list of approximately 39 new Louisiana drug/device distributor licenses issued by the Board office on behalf of the Board since the June 20, 2017 Board meeting. Approximately 26 of the new licenses issued represent first-time Louisiana licensure. No formal action was taken on this agenda item.

AGENDA ITEM 11 - Additional Agenda Items Properly Brought Before the Board (approved in agenda item 4)

There were no additional agenda items presented for review.

AGENDA ITEM 12 - Board Issues

a. Confirmation of Next Board Meeting Date

The next Board meeting is tentatively set for Tuesday, December 12, 2017.

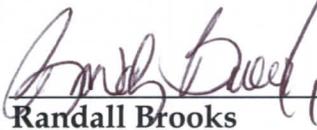
AGENDA ITEM 13 - Adjournment

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

The meeting adjourned at approximately 12:00 noon.

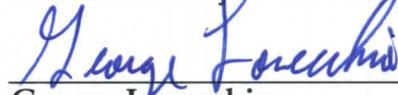
Approved and accepted by the full Board -

Date: 12-12-17



Randall Brooks

Board Secretary-Treasurer



George Lovecchio
Executive Director