



# Louisiana Board of Pharmacy

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## Minutes

**Regular Meeting**

**&**

**Administrative Hearing**

Wednesday, May 10, 2017 at 10:00 a.m.

Wednesday, May 10, 2017 at 3:00 p.m.

Thursday, May 11, 2017 at 8:30 a.m.

**Location:**

Louisiana Board of Pharmacy  
3388 Brentwood Drive  
Baton Rouge, Louisiana 70809-1700

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A regular meeting of the Louisiana Board of Pharmacy was held on Wednesday, May 10, 2017 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The meeting was held pursuant to public notice, each member received notice, and public notice was properly posted.

*1. Call to Order*

Mr. Carl Aron, President, called the meeting to order at 10:10 a.m.

*2. Invocation & Pledge*

Mr. Aron called upon Mr. Brian Bond, and he delivered the invocation. Mr. Don Resweber then led the group in the Pledge of Allegiance.

*3. Quorum Call*

Mr. Aron called upon the Secretary, Mr. Bond, to call the roll to establish a quorum.

**Members Present:**

Mr. Carl W. Aron  
Mr. Brian A. Bond  
Mr. Allen W. Cassidy, Jr.  
Mr. Richard Mannino  
Mr. Marty R. McKay  
Ms. Chris B. Melancon  
Ms. Diane G. Milano  
Mr. Blake P. Pitre  
Mr. T. Morris Rabb  
Mr. Don L. Resweber  
Mr. Douglas E. Robichaux  
Mr. Richard A. Soileau  
Dr. Raymond J. Strong  
Mr. Rhonny K. Valentine

**Members Absent:**

Ms. Jacqueline L. Hall  
Mr. Richard M. Indovina, Jr.  
Mr. Ronald E. Moore

**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

**Guests:**

Mr. Jonathon Shuler – Wal-Mart Pharmacies  
Ms. Michele Fuselier – La. Pharmacists Association  
Mr. Ben J. Sims – Brookshire Grocery Co. Pharmacies  
Dr. Andrea Gisclair – LSU Veterinary Teaching Hospital Pharmacy

Mr. Mark Mitchell – LSU Veterinary Teaching Hospital  
Mr. James German – LSU Veterinary Teaching Hospital  
Mr. Colin Mitchell – LSU Veterinary Teaching Hospital  
Mr. Peter Prevot – Prevot CPA  
Mr. Justin Johnson – La. Independent Pharmacies Association

Mr. Bond certified 14 of the 17 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. With no further requests for amendment, and with no objection, the Board adopted the posted agenda dated April 26, 2017. Mr. Aron then requested authority from the Board to reorder the agenda as necessary for the purpose of accommodating certain guests and/or reports. 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 on January 25, 2017, the Administrative Hearing on January 25-26, 2017, and the Special Board Meeting on March 14, 2017, all of which were held 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. Bond 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. There were no questions from the members.

*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. Rabb 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 January 26, 2017 are approved, adopted, and ratified by the entire Board.

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

*8. Opportunity for Public Comment*

Mr. Aron reminded the members and guests 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 one guest requested the opportunity to ask a question.

Mr. Peter Prevot identified himself as a commentator during the March 2 public

hearing relative to the proposed rule on marijuana pharmacy. He noted that regulatory project was not listed on the published agenda for that day and asked the status of the project. Mr. Broussard replied with detailed information including the next steps and timeline. Mr. Prevot indicated that information answered his questions.

\* *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*

Mr. Aron noted there were no special orders for that day.

10. *Committee Reports*

A. *Finance Committee*

Mr. Aron called upon Mr. Pitre for the committee report. Mr. Pitre directed the members to the interim report for the current fiscal year, reviewed the highlights, and indicated the report was presented for information only and required no action by the Board. There were no questions from the members.

Finally, he expressed his 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 reported the committee had met the previous day to consider one referral from staff. Following their interview and deliberation, the committee authorized the issuance of the pharmacy technician candidate registration without restriction; therefore, no action was required by the Board.

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

C. *Reciprocity Committee*

In the absence of Ms. Hall, Mr. Aron called upon Mr. Valentine for the committee report. He reported the staff had evaluated 79 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.

He reported the committee had met earlier that morning to consider two referrals from staff. On behalf of the committee, Mr. Valentine then moved to approve pharmacist licensure without restriction for Messay Alem Addis (reciprocating from VA) and Robert Brent Clevenger (reciprocating from NC). The motion was adopted after a unanimous vote in the affirmative.

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

*D. Violations Committee*

Mr. Aron called upon Mr. Bond for the committee report. Mr. Bond reported the committee held preliminary hearings on March 8-9, 2017 to consider their posted agenda which included 20 cases: 7 pharmacists, 3 pharmacy technicians, 2 pharmacy technician candidates, 7 pharmacy permits, and one applicant for a pharmacy permit. Prior to the meeting, the committee authorized continuances for 5 of the respondents. After interviews and deliberations, the committee took no action on 3 of the respondents and issued a non-disciplinary letter of noncompliance to one respondent. They continued one of the cases pending the results of a medical evaluation. One of the respondents voluntarily surrendered their credential in lieu of an appearance before the committee. The committee offered proposed voluntary consent agreements to the remaining 9 respondents. Mr. Bond then presented the following proposals to the members for their consideration.

**Walgreen Louisiana Co., Inc. d/b/a Walgreen Pharmacy No. 15067 [Metairie, LA] (PHY.006406)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$5,000 plus administrative and investigative costs.

**Alvin Watts, III d/b/a Doc-Your-Dose Pharmacy [Grosse Tete, LA] (PHY.005969)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the permit.

**Alvin Watts, III (PST.018168)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the license; and further, issued a lifetime prohibition on the ownership of any pharmacy licensed by the Board; and further, assessed a fine of \$45,000 plus administrative and investigative costs.

**Reeves Apothecary, Inc. d/b/a New Arcadia Drug Store [Arcadia, LA] (PHY.000814)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$1,000 plus administrative and investigative costs.

**Jesse Eugene Reeves, III (PST.010221)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$1,000 plus administrative costs.

**Matthew Ian Johnson (CPT.013661)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a

unanimous vote in the affirmative. The Board assessed a fine of \$250 plus administrative costs.

**Ricky Lamar Zeigler (PST.017855)** Mr. Bond moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the license for an indefinite period of time, effective January 30, 2017.

**Executive Pharmacy, LLC d/b/a Executive Pharmacy [Sunrise, FL] (PHY.007214)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$20,000 plus administrative and investigative costs.

**Trinity Medical Pharmacy, LLC d/b/a Trinity Medical Pharmacy [New Port Richey, FL] (PHY.007182)** Mr. Bond moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Clemencia Ann Henry (CPT.011507)** Mr. Bond moved to approve the proposed voluntary consent agreement. 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. Bond reported the committee will meet on June 14-15, 2017 to consider that docket, which was still under development.

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

*E. Impairment Committee*

Mr. Aron called upon Mr. Rabb for the committee report. Mr. Rabb reported the committee met the previous day to consider 15 referrals from the staff. Following their interviews of the applicants and subsequent deliberations, the committee took no formal action for one of the respondents, directed one respondent to submit to a medical evaluation, and deferred further action for three respondents pending additional review. Mr. Rabb then presented the following files to the members for their consideration.

**Eric Christopher Ament (PST.020768)** Mr. Rabb moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the license for an indefinite period of time, effective March 31, 2017.



**Kevin Trenouth Kellow (PST.019095)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of five years and stayed the execution of the suspension, then placed the license on probation for five years effective May 10, 2017, subject to certain terms enumerated in the consent agreement.

**Ricky Thomas Guidry (PST.013683)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of ten years and stayed the execution of the suspension, then placed the license on probation for ten years effective May 10, 2017, subject to certain terms enumerated in the consent agreement.

**Timothy Keith Freeman (PST.020918)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted the respondent's request for reinstatement of the previously suspended license, converted the duration of the suspensive period from an indefinite term to a term of five years and stayed the execution of the suspension, then placed the license on probation for five years effective May 10, 2017, subject to certain terms enumerated in the consent agreement.

**Justin Matthew Scalfano (PST.018787)** Mr. Rabb moved to decline the respondent's request for early termination of the previously-imposed probationary period which was scheduled to conclude on August 17, 2021, and in the alternative, to modify the previously-imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed Article 2-e from his May 2016 Probation Board order which had restricted him from accepting an appointment as the pharmacist-in-charge at a pharmacy.

**Andrea Katherine Bourque (PST.019587)** Mr. Rabb moved to approve the respondent's request for modification of previously-imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed Article 2-e from her February 2016 Probation Board Order which had restricted her from accepting an appointment as the pharmacist-in-charge at a pharmacy.

**Matthew Marston Lane (PST.018065)** Mr. Rabb moved to approve the respondent's request for modification of previously-imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed Article 2-e from his February 2015 Probation Board

Order which had restricted him from accepting an appointment as the pharmacist-in-charge at a pharmacy.

**Doddi Vidrine Alexander (PST.016007)** Mr. Rabb moved to approve the respondent's request for modification of previously-imposed probationary terms. The motion was adopted after a unanimous vote in the affirmative. The Board removed Articles 2-e and 2-f from her May 2015 Probation Board Order, of which the former had restricted her from accepting an appointment as the pharmacist-in-charge at a pharmacy and the latter had required her practice to be supervised by another pharmacist at all times.

**Victor James Whitacre (CPT.013240)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the certificate for five years and stayed the execution of the suspension, then placed the certificate on probation for five years effective May 10, 2017, subject to certain terms enumerated in the consent agreement.

**Rebecca Thrasher Ricks (CPT.001817)** Mr. Rabb moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the certificate for one year and stayed the execution of the suspension, then placed the certificate on probation for one year effective May 10, 2017, subject to certain terms enumerated in the consent agreement.

Mr. Rabb reported the committee had performed its annual review of the Board's Roster of Approved Addictionists. The members determined it appropriate to remove one of the providers on the roster and also add several new providers to the roster. Mr. Rabb then moved,

**Resolved**, to approve the May 10, 2017 edition of the Board's Roster of Approved Addictionists for the remainder of Fiscal Year 2016-2017 as well as Fiscal Year 2017-2018.

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

Finally, Mr. Rabb closed his report with appreciation to his fellow committee members for their work the previous day and for the ongoing staff support.

*F. Reinstatement Committee*

Mr. Aron called upon Ms. Melancon for the committee report. Ms. Melancon reported the committee met the previous day to consider four referrals from staff. She then presented the following files to the members for their consideration.

**Michel Darlene Rush (CPT.003241)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted respondent's request for reinstatement of the previously lapsed certificate, contingent upon the

successful completion of certain requirements identified in the consent agreement.

**Janna Eve Husser (CPT.004466)** Ms. Melancon moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board granted respondent's request for reinstatement of the previously lapsed certificate, contingent upon the successful completion of certain requirements identified in the consent agreement.

**Christine Adele Ackal (PST.015539)** Ms. Melancon moved to approve the respondent's request for early termination of the previously-imposed probationary period which was scheduled to conclude on January 30, 2019. The motion was adopted after a unanimous vote in the affirmative. The Board removed all probationary terms and restored the license to active and unrestricted status.

**Ackal's Community Pharmacy, Inc. d/b/a Ackal's Community Pharmacy [Youngsville, LA] (PHY.005948)** Ms. Melancon moved to approve the respondent's request for early termination of the previously-imposed probationary period which was scheduled to conclude on January 30, 2019. The motion was adopted after a unanimous vote in the affirmative. The Board removed all probationary terms and restored the permit to active and unrestricted status.

Ms. Melancon closed her report with appreciation to the other committee members for their work the previous day.

*G. Tripartite Committee*

Mr. Aron called upon Mr. Moore for the committee report. Mr. Moore noted the committee had not met since March 2016 and therefore no report was available.

*H. Regulation Revision Committee*

Mr. Aron called on Mr. McKay for the committee report. Mr. McKay noted the committee had not met since the last Board meeting. He noted the Board had approved several regulatory projects for promulgation and that activity was described in the Report on Action Items presented earlier that day.

*I. Executive Committee*

Mr. Aron reported the committee had met the previous day to consider the items on their posted agenda. In particular, the committee performed their annual review of the policy and procedure manuals, the approved pharmacy educational institutions, as well as preliminary preparations for the annual financial audit. The committee developed several recommendations for the Board's consideration. Mr. Aron requested Mr. Rabb to offer those motions

on behalf of the committee. Mr. Rabb moved,

**Resolved**, to approve the proposed revision of *Policy No. LPM.II.A – Authorized Drivers* in the Board's *Loss Prevention Manual*.

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

**Resolved**, to renew the approval of the updated *Loss Prevention Manual* for Fiscal Year 2017-2018.

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

**Resolved**, to approve the proposed new *Policy No. PPM.I.A.22 ~ Transfer of Prescription Information Between Pharmacies* for the Board's *Policy & Procedure Manual*.

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

**Resolved**, to approve the proposed new *Policy No. PPM.IV.B.2 ~ Application for New Pharmacist License by Reciprocity or License Transfer* for the Board's *Policy & Procedure Manual*.

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

**Resolved**, to renew the approval of the updated *Policy & Procedure Manual* for Fiscal Year 2017-2018.

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

**Resolved**, to renew the approval of the updated *Roster of Accredited Colleges & Schools of Pharmacy* for Fiscal Year 2017-2018.

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

**Resolved**, to renew the approval of the updated *Roster of Accredited Pharmacy Technician Training Programs* for Fiscal Year 2017-2018.

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

**Resolved**, to approve the *Management's Representation Letter for the 2017 Audit* by the Office of the Legislative Auditor; and further, to authorize the President and Executive Director to execute that document on our behalf.

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

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 his report. Mr. Fontenot directed the members to the quarterly report for the Prescription Monitoring Program, reviewing transaction data, registration counts, and search data. He then reviewed his efforts to establish interstate sharing relationships with several

states, including Alabama, Florida, and Georgia.

Mr. Fontenot then directed the members to the new requests for exemption from the PMP reporting requirements. Mr. Rabb moved,

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

- > PHY.007260-NR – Absolute Veterinary Compounding Pharmacy (TX);
- > PHY.007356-NR – American Service & Product (IL);
- > PHY.007189-NR – Bluegrass Pharmacy of Lexington (KY);
- > PHY.006432-NR – BriovaRx of Texas (TX);
- > PHY.007329-NR – Heartland Veterinary Pharmacy (NE);
- > PHY.006868-NR – IV Solutions of Lubbock (TX);
- > PHY.007425-NR – Medication Management Program (OH);
- > PHY.007063-NR – MedImpact Direct (AZ);
- > PHY.007467-NR – NuFactor (CA);
- > PHY.007464-SAT – Ochsner Cancer Center – Baton Rouge Infusion Pharmacy (LA);
- > PHY.007263-SAT – Ochsner Health Center – Summa Infusion Pharmacy (LA);
- > PHY.000835-HOS – Ochsner Foundation Hospital Pharmacy (LA);
- > PHY.007380-SAT – Ochsner Infusion Center (LA);
- > PHY.006730-HOS – Ochsner Medical Center – Baptist Pharmacy (LA);
- > PHY.006820-NR – Onco360 (NY);
- > PHY.007443-NR – Optime Care, Inc. (MO);
- > PHY.007451-NR – Pharmaceutical Specialties Express (GA);
- > PHY.005865-NR – Triad Isotopes, Inc. (AL);
- > PHY.006672-NR – Triad Isotopes, Inc. (MS);
- > PHY.006610-NR – Truax Patient Services (MN);
- > PHY.007466-NR – U of A Medication Management Center #2 (AZ);
- > PHY.007405-NR – US Healthlink, LLC (FL); and
- > PHY.005693-HOS – Vermilion Behavioral Health Systems (LA) once they have executed the standard consent agreement for that purpose.

The motion was adopted after a unanimous vote in the affirmative. Finally, Mr. Fontenot indicated completion of his report.

At this point, Mr. Aron declared a luncheon recess. It was noted the members recessed at 11:45 a.m. and reconvened at 12:55 p.m. Mr. Aron re-ordered the agenda to consider Item 12 on the published agenda.

#### *12. Request to Extend Authority for Pilot Project at LSU Veterinary Teaching Hospital Pharmacy*

Mr. Aron recognized Mr. James German, Operations Manager at LSU Veterinary Teaching Hospital. Mr. German introduced his colleagues, Ms. Andrea Gisclair and Mr. Colin Mitchell. Mr. German presented an addendum to the policy originally approved by

the Board in May 2016 which would add certain specifically-named individuals to the list of persons authorized to enter the pharmacy after hours in accordance with the facility's policies and procedures. Following a short discussion, Mr. Rabb moved,

**Resolved**, to approve the March 14, 2017 version of the Pharmacy After-Hours Access Policy Addendum, to provide interim authority for the Board staff and the facility staff to make necessary adjustments to the list of specifically named individuals as needed by the facility, and to extend the authority for the pilot project at LSU Veterinary Teaching Hospital Pharmacy through June 30, 2018.

The motion was adopted after a unanimous vote in the affirmative. The LSU representatives extended their appreciation to the Board for its favorable consideration of their request.

Mr. Aron then re-ordered the agenda to return to the staff reports.

#### 11. Staff Reports

##### K. Report of General Counsel

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

**Nadia Deolinda Archambault (PST.020942)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Steven David Webb (PST.019070)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Madhavi Padigala (PST.020460)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Shamina Olia Antenucci (PST.018120)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Avery Carlton Huff (PST.020002)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Harold D. Ross (PST.020478)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Custom Meds, Inc. d/b/a Custom Meds [Inverness, FL] (PHY.006141)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand; and further, assessed a fine of \$5,000 plus administrative costs.

**National Pharmaceutical Network, Inc. d/b/a EntrustRx [Memphis, TN] (PHY.006764)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand; and further, assessed a fine of \$5,000 plus administrative costs.

**Robin Rashaun Vidal (PST.018051)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Brigit Marino Schexnayder (PST.014791)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Jason S. Kim (PST.020110)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Picton Timothy Evans (PST.020532)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Kroger Specialty Pharmacy, Inc. d/b/a Kroger Specialty Pharmacy MS [Vicksburg, MS] (PHY.005747)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning; and further, assessed a fine of \$5,000 plus administrative costs.

**Parrish Wendell Posey, Jr. (PTC.023548)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the registration effective March 28, 2017; and further, prohibited the acceptance of any future application for the reinstatement of the registration or for any other credential issued by the Board.

**Michelle Eileen Ulrich-Goebel (PST.021401)** Mr. McKay moved to approve the proposed voluntary consent agreement. 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.

**Drug Depot, Inc. d/b/a APS Pharmacy [Palm Harbor, FL] (PHY.006689)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Reprimand; and further, assessed a fine of \$20,000 plus administrative costs.

**Marian Respiratory Care, Inc. d/b/a Marian Respiratory Care [Daphne, AL] (PHY.006762)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board suspended the permit for one year plus seven months plus twenty-one days and stayed the execution of the suspension, then placed the permit on probation for one year plus seven months plus twenty-one days effective May 10, 2017, to run concurrently with the probationary period imposed on its Alabama permit by the Alabama Board of Pharmacy, subject to certain terms enumerated in the consent agreement; and further, assessed administrative costs.

**Cammie Michelle Seago (CPT.013255)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board revoked the certificate effective April 27, 2017; and further, prohibited the acceptance of any future application for the reinstatement of the certificate or for any other credential issued by the Board.

**Crysoncare Pharmacy, Inc. d/b/a Crysoncare Pharmacy [Spring, TX] (PHY.007441)** Mr. McKay moved to approve the proposed voluntary consent agreement. The motion was adopted after a unanimous vote in the affirmative. The Board issued a Letter of Warning; and further, assessed a fine of \$10,000 plus administrative costs.

**DeLynn Eubanks (PST.015490)** Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the license for an indefinite period of time, effective February 23, 2017.

**Jason Van Johnson (PTC.024586)** Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the registration for an indefinite period of time, effective February 24, 2017.



**Mykia Shavon Hemphill (CPT.013040)** Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the certificate for an indefinite period of time, effective March 17, 2017.

**Francis Renee Vercher (CPT.013765)** Ms. Melancon moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the certificate for an indefinite period of time, effective March 22, 2017.

**Wilkinson Family Pharmacy, LLC d/b/a Wilkinson Family Pharmacy [Chalmette, LA] (PHY.006645 & CDS.042758)** Mr. McKay moved to accept the voluntary surrender of the credentials. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrenders, resulting in the active suspension of the permit and CDS license for an indefinite period of time, effective April 24, 2017.

**Keith Daniel Wilkinson (PST.017070)** Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the license for an indefinite period of time, effective April 24, 2017.

**James Edward Helou (PST.019129)** Mr. McKay moved to accept the voluntary surrender of the credential. The motion was adopted after a unanimous vote in the affirmative. The Board accepted the voluntary surrender, resulting in the active suspension of the license for an indefinite period of time, effective May 4, 2017.

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

At this point, Mr. Aron declared a brief recess. It was noted the members recessed at 1:30 p.m. and then reconvened at 1:40 p.m.

*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
  - Census Reports – Credentials & Compliance Divisions
  - Production Reports – Credentials Division
  - Exceptions Report
- Examinations

MPJE  
NAPLEX  
PARE  
PTCB

- Operations
  - Credentials Division
  - Compliance Division
  - Administrative Division
- State Activities
  - La. Legislature
  - La. Dept. of Health – Bureau of Health Services Finances
  - La. State Board of Medical Examiners
- Regional & National Activities
  - National Association of Boards of Pharmacy (NABP)
  - NABP-AACP District 6
  - MALTAGON
  - U.S. Congress
- International Activities
  - International Pharmaceutical Federation (FIP)
  - .Pharmacy gTLD

Mr. Rabb requested an update concerning one of the legislative proposals approved by the Board, more particularly the proposal relative to pharmacy benefit managers (PBMs). Mr. Broussard reminded the members of the proposal which requested the legislative staff draft language that would authorize the Board to license and regulate PBMs with respect to their pharmacy practice activities such as drug formulary restrictions, prior authorization policies and procedures, other policies and procedures which restrict patient access to medications, as well as patient freedom of choice to select their pharmacy provider. He reported he submitted the legislative proposal to the legislative staff at the House Health & Welfare Committee. He also reported a board member had informed him another organization would secure a legislative sponsor, relieving the Board of that task. Mr. Aron reported a legislator had contacted him the previous day looking for the PBM legislation, which had not yet been filed. The legislator also informed Mr. Aron that a request for an opinion from the Office of the Attorney General had apparently been filed, seeking clarification whether the pharmacy practice act already contains sufficient authority for the Board to license and regulate PBMs. Mr. Aron noted Mr. Justin Johnson, a representative for the Louisiana Independent Pharmacies Association (LIPA) was in the audience. Mr. Johnson confirmed a request for that opinion had been submitted.

Mr. Aron reviewed SB 75, which proposes to centralize all the administrative hearing proceedings for all the healthcare licensing boards in the Div. of Administrative Law, as well as HB 436, relative to drug price transparency and SB 59, relative to marketing of prescription drugs to practitioners. He asked if any members had any information about HB 488, which seeks to amend all the Board's powers and duties; to date, it had not received any committee hearing.

Mr. Rabb asked about the upcoming NABP Annual Meeting in Orlando, noting the candidates for the various open positions on the NABP Executive Committee, as

well as the proposed resolutions. The members reviewed the candidates as well as the proposed resolutions.

Mr. Soileau asked about the NABP District 6 meetings and whether there would be an option to meet with any other districts. Mr. Broussard reviewed the options relative to meeting with other districts.

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

### *13. Announcements*

Mr. Aron directed the members to the announcements in their meeting binder.

### *14. Recess*

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron recessed the meeting at 2:20 p.m.

\* \* \* \* \*

An Administrative Hearing was convened on Wednesday, May 10, 2017 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice (unless specifically stated otherwise in the official transcript), and public notice was properly posted.

#### *A. Call to Order*

Mr. Aron called the hearing to order at 3:00 p.m.

#### *B. Quorum Call*

Mr. Aron called upon Secretary Bond and he called the roll. After doing so, he certified Ms. Hall, Mr. Indovina, Ms. Melancon, Mr. Moore, Mr. Rabb, and Mr. Valentine were absent; however, the remaining 11 members were present, constituting a quorum for the conduct of official business.

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

Mr. Aron asked if there were any additional agenda items, and none were requested. With no objection, the Board adopted the posted agenda, dated April 26, 2017. He then requested authority to re-order the agenda as may become necessary, and there was no objection to that request.

#### *D. 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 prior to the vote on each agenda item. He solicited comments from the guests, but none were offered.

### *Appearances*

Mr. Aron indicated he would serve as the Hearing Officer, Mr. Carlos Finalet as the Prosecuting Attorney, Ms. Susan Erckle as the Official Recorder, and Mr. Malcolm Broussard as the Hearing Clerk. Without objection, Mr. Aron waived the reading of the posted agenda and instead directed the insertion thereof into these minutes. The posted agenda is re-created here.

## **A G E N D A**

NOTE: This agenda is tentative until 24 hours in advance of the meeting, at which time the most recent revision becomes official.  
Revised 04-26-2017

- A. Call to Order
- B. Quorum Call
- C. Call for Additional Agenda Items & Adoption of Agenda
- D. Opportunity for Public Comment
- E. Formal Hearings
  - 01. CPT.011432 – Chandrika Te’Nea Woods Case No. 16-0202
  - 02. CPT.009209 – Candace Cecile Navarra Case No. 16-0212

*At the conclusion of the cases docketed above, the Board will recess; they will reconvene the following day at 8:30 a.m., in the Board office, to consider the following agenda:*

- A. Call to Order
- B. Invocation & Pledge of Allegiance
- C. Quorum Call
- D. Opportunity for Public Comment
- E. Formal Hearings (continued)
  - 03. PTC.021994 – Kristen Je’Nay Williams Case No. 15-0350
  - 04. PHY.007309 – Reliable Pharmacy, LLC *d/b/a* Case No. 16-0272  
Reliable Pharmacy [Marco Island, FL]
- F. Adjourn

### *E. Formal Hearings*

**Chandrika Te’Nea Woods (CPT.011432)** Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and seven exhibits. He then presented a closing statement and offered proposed findings of fact, conclusions of law, and board order, following

which he tendered the matter to the hearing panel for its consideration. Mr. Pitre moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 3:10 p.m. and then reconvened in open session at 3:20 p.m. Mr. Aron reported no decision was made during the executive session.

Mr. Resweber moved,

**Resolved**, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resweber then moved,

**Resolved**, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

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

Resweber then moved,

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

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 11432, held by Chandrika Te'Nea Woods, shall be and is hereby suspended for an indefinite period of time, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$250;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein; and
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction.

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

**Candace Cecile Navarra (CPT.009209)** Mr. Finalet appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. Aron ruled the hearing would proceed as scheduled in the

form of a default proceeding. Mr. Finalet presented an opening statement, no witnesses, and six exhibits. He then presented a closing statement and offered proposed findings of fact, conclusions of law, and board order, following which he tendered the matter to the hearing panel for its consideration. Mr. Cassidy moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered executive session at 3:35 p.m. and then reconvened in open session at 3:45 p.m. Mr. Aron reported no decision was made during the executive session.

Ms. Milano moved,

**Resolved**, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Milano then moved,

**Resolved**, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.

The motion was adopted after a unanimous vote in the affirmative. Ms. Milano then moved,

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

It is ordered, adjudged, and decreed that Louisiana Pharmacy Technician Certificate No. 9209, held by Candace Cecile Navarra, shall be and is hereby suspended for an indefinite period of time, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$500;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney, and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this certificate, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein;
- (2) Respondent shall have no pending legal or disciplinary actions against her in any jurisdiction; and
- (3) Respondent shall received a favorable

recommendation for her return to the practice of pharmacy without posing a threat to the public's health, safety, or welfare pursuant to a medical evaluation from an addiction medicine specialist approved by the Board.

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

Mr. Finalet indicated completion of the cases scheduled for that day. Mr. Aron expressed his appreciation to Ms. Erckle for her recording services that day.

Having completed the tasks itemized on the posted agenda, with no further business pending before the Board, and without objection, Mr. Aron recessed the hearing at 3:50 p.m.

\* \* \* \* \*

The Administrative Hearing was re-convened on Thursday, May 11, 2017 in the Boardroom of the Board's office, located at 3388 Brentwood Drive in Baton Rouge, Louisiana. The hearing was held pursuant to public notice, each member received notice, each respondent received notice (unless specifically stated otherwise in the official transcript), and public notice was properly posted.

*A. Call to Order*

Mr. Aron called the hearing to order at 8:40 a.m.

*B. Invocation & Pledge of Allegiance*

Mr. Aron called upon Mr. Bond, and he delivered the invocation. Mr. Cassidy then led the members in the Pledge of Allegiance.

*C. Quorum Call*

Mr. Aron called upon the Secretary, Mr. Bond, to call the roll to establish a quorum. Mr. Bond certified that Ms. Hall, Mr. Indovina, Ms. Melancon, Mr. Moore, and Mr. Valentine were absent; however, the remaining 12 members were present, constituting a quorum for the conduct of Board business.

*D. 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 prior to the vote on each agenda item. He solicited comments from the guests, but none were offered.

\* *Appearances*

Mr. Aron indicated he would abstain from both cases scheduled that day due to his prior knowledge, and he appointed Mr. Marty McKay to serve as the Hearing Officer. Ms. Celia R. Cangelosi served as the Prosecuting Attorney, Ms. Susan Erckle as the Official Recorder, and Mr. Malcolm Broussard as the Hearing Clerk.

*E. Formal Hearings (continued)*

Mr. McKay, without objection, re-ordered the sequence of the posted agenda and requested Ms. Cangelosi to proceed when she was ready.

**Kristen Je'Nay Williams (PTC.021994)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent but the presence of respondent's counsel, Mr. Kris Perret. Mr. Perret indicated the reason for the absence of the respondent was a last-minute change in the date of a previously-scheduled test in her university course. Respondent attempted to re-schedule that proctored final examination but was unable to do so. Mr. Perret suggested the Board and the respondent would benefit from her presence, and he requested a continuance. Ms. Cangelosi noted the case had received multiple prior continuances; however, the credential was no longer active and the respondent was not actively practicing. Mr. McKay granted the continuance but cautioned counsel it would be the last continuance granted.

**Reliable Pharmacy, LLC d/b/a Reliable Pharmacy [Marco Island, FL] (PHY.007309)** Ms. Cangelosi appeared for the Board and noted the absence of the respondent or counsel. After verifying the absence of the respondent, Mr. McKay ruled the hearing would proceed as scheduled in the form of a default proceeding. Ms. Cangelosi presented an opening statement, one witness, and five exhibits. She then presented a closing statement and offered proposed findings of fact, conclusions of law, and board order, following which she tendered the matter to the hearing panel for its consideration. Mr. Pitre moved to enter into executive session for the purpose of deliberating the disciplinary matter and discussing the respondent's professional competency. The motion was adopted after a unanimous roll call vote in the affirmative.

It was noted the hearing panel entered into executive session at 9:05 a.m. and then reconvened in open session at 9:20 a.m. Mr. McKay reported no decision was made during the executive session.

Mr. Cassidy moved,

**Resolved**, that the hearing panel, having heard the testimony and considered the evidence, accept the Findings of Fact as proposed by the Prosecuting Attorney, modify them by amending Item 2 to correct the dates of departure and notice, Item 8 to reflect the absence of the respondent, and Item 9 to reflect the absence of respondent's counsel, to adopt the amended findings as our own, and then enter them into the hearing record.

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

**Resolved**, that the hearing panel accept the Conclusions of Law as proposed by the Prosecuting Attorney, adopt them as our own, and then enter them into the hearing record.



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

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

It is ordered, adjudged, and decreed that Louisiana Pharmacy Permit No. 7309, held by Reliable Pharmacy, LLC *d/b/a* Reliable Pharmacy, shall be and is hereby suspended for an indefinite period of time, effective on the entry of this order, and further, the respondent shall pay the following assessments:

- (1) A fine of \$5,000;
- (2) The administrative hearing fee of \$250; and
- (3) The investigative and hearing costs, including the costs of the prosecuting attorney and the official recorder; and

It is further ordered the acceptance of any future application for the reinstatement of this permit, or any application for any other credential issued by the Board, shall be conditioned upon the satisfaction of the following terms:

- (1) Respondent shall have paid all assessments levied herein; and
- (2) Respondent shall have no pending legal or disciplinary actions against the firm in any jurisdiction.

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

Ms. Cangelosi indicated completion of the cases scheduled for that day. Mr. McKay expressed his appreciation to Ms. Cangelosi for her prosecutorial services and to Ms. Erckle for her recording services that day.

*F. 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 hearing at 9:25 a.m.

Respectfully submitted,

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Brian A. Bond  
Secretary