

LOUISIANA BOARD OF DRUG AND DEVICE DISTRIBUTORS

Annual Board Meeting

MINUTES

June 22, 2021

AGENDA ITEM 1 - Call to Order

The meeting was called to order by Michael Davis, Chairman, at approximately 10:07 am. The meeting was held at the Board's administrative office located at 12091 Bricksome Avenue, Suite B, Baton Rouge, Louisiana. It was noted that all COVID-19 precautionary protocols have been followed to ensure all attendees' safety and health.

AGENDA ITEM 2 - Roll Call and Introduction of Guests in Attendance

Roll call was conducted by Randall Brooks, Secretary-Treasurer. Those Board members in attendance were Mr. Davis, Chad Gielen, Jim Delatte, Trion Horgan, and Randall Brooks; absent from the meeting was Jacob Dickson. There are two vacant Board seats. Those members in attendance constitute a quorum. Also in attendance from the Board's administrative office were George Lovecchio, Executive Director, and Kimberly Barbier, Executive Assistant. The Board's regulatory counsel, John Becknell III, was also in attendance. There were no public guests in attendance. All in attendance were asked to stand and face the American flag for recital of the Pledge of Allegiance led by Mr. Lovecchio.

AGENDA ITEM 3 - Call for Additional Agenda Items (for discussion in agenda item 12)

A call for additional agenda items to be added to the published agenda was made by Mr. Davis.

a. Mr. Delatte requested the addition of an executive session under agenda item 11- Employee Matters, for discussion of agenda item 11.a., employee annual performance review and merit compensation.

There were no other items presented to add to the agenda.

Motion was made by Mr. Delatte to add the presented item to the published meeting agenda, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 4 - Board Matters

a. Board Member Resignation

A resignation letter received at the Board office from Jacob Dickson was presented for review. General discussion was held. It was acknowledged that the Board has accepted Mr. Dickson's resignation from his position on the Board effective May 6, 2021. Mr. Dickson's current term expires April 25, 2023. Nomination of a replacement member

to complete Mr. Dickson's current term should be sent to the Governor's Office by the Louisiana Association of Wholesale Drug Distributors.

b. Annual Election of Officers

Mr. Davis called for nominations for the Board positions of Chairman, Vice-Chairman, Secretary/Treasurer, and Compliance Officer.

1. Mr. Gielen offered the nomination of Mike Davis for Board Chairman. **Motion was made by Mr. Gielen to accept the nomination and elect Mike Davis to the position of Chairman of the Board, seconded by Mr. Delatte, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**
2. Mr. Davis offered the nomination of Chad Gielen for the position of Compliance Officer. **Motion was made by Mr. Davis to accept the nomination and elect Chad Gielen to the position of Compliance Officer for the Board, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**
3. Mr. Davis offered the nomination of Jim Delatte for the position of Vice-Chairman. **Motion was made by Mr. Davis to accept the nomination and elect Jim Delatte to the position of Vice-Chairman of the Board, seconded by Mr. Gielen, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**
4. Mr. Horgan offered the nomination of Randy Brooks for the position of Secretary/Treasurer. **Motion was made by Mr. Horgan to accept the nomination and elect Randy Brooks to the position of Secretary/Treasurer of the Board, seconded by Mr. Davis, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 5- Approval of Meeting Minutes

a. March 9, 2021

Mr. Lovecchio presented prepared minutes from the March 9, 2021 Board meeting. Review and general discussion were held. **Motion was made by Mr. Brooks to dispense with full reading of the minutes and to approve the minutes of the March 9, 2021 Board meeting as presented, seconded by Mr. Gielen, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

b. Mr. Lovecchio presented prepared minutes from the May 6, 2021 Board meeting. Review and general discussion were held. **Motion was made by Mr. Horgan to dispense with full reading of the minutes and to approve the minutes of the May 6, 2021 Board meeting as presented, seconded by Mr. Delatte, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 6- Service Contracts

a. Signature Authorization

Mr. Lovecchio presented the requirement for signature authorization to sign service contracts for submission to Office of State Procurement/Contracts Review. General discussion was held noting that signing of official documents on behalf of the Board is part of the executive duties of the Chairman of the Board; as well as, the Vice-Chairman's duties in the event of absence of the Chairman in which the Chairman is unable to fulfill Board duties. General Board action taken on this agenda item for submission of signature authorization to the Office of State Procurement/ Contracts Review as required.

b. Facility Inspections (North)- Danny Andrus

Mr. Lovecchio presented a new (renewal of services) contract for facility inspection services between the Board and Mr. Danny Andrus. Review and general discussion were held regarding the current contract and proposed renewal contract of services. **Motion was made by Mr. Gielen to approve the contract for facility inspection service with Mr. Danny Andrus as presented and for a maximum contract amount of \$35,000.00 for the one-year period of July 1, 2021 through June 30, 2022, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

c. Legal Services- The Becknell Law Firm

Mr. Lovecchio presented a new (renewal of services) contract and Board resolution for legal services between the Board and The Becknell Law Firm. Review and general discussion were held noting that Mr. John Becknell III of The Becknell Law Firm provides legal services to the Board which include consulting and advice on general and regulatory matters and statute and regulation changes. **Motion was made by Mr. Gielen to approve the contract and adopt the Board resolution for legal services with The Becknell Law Firm as presented and for a maximum contract amount of \$23,000.00 for the one-year period of July 1, 2021 through June 30, 2022, seconded by Mr. Brooks, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

d. Legal Services- Celia Cangelosi, Attorney

Mr. Lovecchio presented a new (renewal of services) contract and Board resolution for legal services between the Board and Celia Cangelosi, Attorney. Review and general discussion were held noting Ms. Cangelosi provides legal services to the Board for guidance on general disciplinary and regulatory issues. **Motion was made by Mr. Horgan to approve the contract and adopt the Board resolution for legal service with Celia Cangelosi, Attorney, as presented and for a maximum contract amount of \$10,000.00 for the one-year period of July 1, 2021 through June 30, 2022, seconded by Mr. Gielen, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr.**

Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.

e. Proposed Contractor- Compliance Administrator

Mr. Lovecchio presented his preliminary review into the possible contracting for a Compliance Administrator for management of compliance matters including inspection and disciplinary/enforcement administration. General discussion was held. It was requested that a committee be formed to continue review of this issue. **Motion was made by Mr. Brooks to establish a committee entitled *Compliance Administrator Review Committee* to review the issue of contracting an individual for services including management of compliance, inspection, and disciplinary/enforcement matters, seconded by Mr. Delatte, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.** Members assigned to the committee are Board member- Mr. Gielen, Mr. Lovecchio, Executive Director, and Mr. Becknell, Board Attorney. The committee may report progress and recommendations at a future Board meeting.

AGENDA ITEM 7 - Financial Matters

a. Financial Statements

Mr. Lovecchio presented financial statements for the months of March, April, and May, 2021. General discussion was held. No formal action was taken on this agenda item.

b. Budget Review- Current Fiscal Year 2021 (ending June 30, 2021)

Mr. Lovecchio presented a budget versus actuals report for the current fiscal year 2021 covering July 1, 2020 through June 30, 2021. General discussion was held. No formal action was taken on this agenda item.

c. Annual Financial Attestation- Fiscal Year 2021- Questionnaire

Mr. Lovecchio presented a completed *LOUISIANA ATTESTATION QUESTIONNAIRE (For Attestation Engagements of Governmental Agencies)* which is required from the Board for the start of the Board's fiscal year 2021 (ending June 30, 2021) annual financial attestation by the CPA contracted through the Louisiana Legislative Auditor's office. **Motion was made by Mr. Brooks to adopt for execution the *LOUISIANA ATTESTATION QUESTIONNAIRE (For Attestation Engagements of Governmental Agencies)* and to adopt a Board resolution for the adoption of the questionnaire, seconded by Mr. Gielen, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

d. Authorized Signatures for Financial Accounts

Mr. Lovecchio presented a bank resolution required for depository of Board funds, maintenance and security of Board accounts, and authorization of Board representatives for jurisdiction on behalf of the Board over accounts and signature endorsement. General

discussion was held. **Motion was made by Mr. Horgan to adopt the *Resolution of a State or Local Government Operating Under Authority of a Board, Counsel or Other Type Governing Body* between the Board and Hancock Whitney Bank as presented, seconded by Mr. Delatte, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 8- New Business

a. Annual Records Officer Designation, State Archives

Mr. Lovecchio presented the *RECORDS OFFICER DESIGNATION FORM* required annual for submission to the Louisiana State Archives-Records Management for the individual designated by the Board's Chairman to act as liaison between the Board and State Archives on matters relating to management of the Board's public records. The Board's designated records officer is Mr. Lovecchio. No formal action was taken on this agenda item.

b. 2021 Legislature Regular Session Review

Mr. Becknell presented a review of items presented during the 2021 Louisiana legislative regular session. General discussion was held. Mr. Delatte gave general comment on the legislative session. Mr. Becknell and Mr. Delatte will keep the Board informed of any legislative developments affecting the Board. No formal action was taken on this agenda item.

AGENDA ITEM 9- Old Business

a. NADDI Programs

Mr. Lovecchio gave an update of NADDI's upcoming training and educational programs. General discussion was held regarding the Board's future participation with NADDI on opioid awareness. Mr. Lovecchio will keep the Board informed on this matter. No formal action was taken on this agenda item.

b. Self-Evaluation Report (SER)

Mr. Lovecchio discussed the Self-Evaluation Report (SER) preparation assessment project that had been started in mid-2019 utilizing a consultant. The assessment was mostly completed just after the COVID-19 pandemic started in early 2020. Mr. Lovecchio will contact the consultant and work with them to get a full report of findings and recommendations for future presentation to the Board. No formal action was taken on this agenda item.

AGENDA ITEM 10- Licensing Matters

a. New Licenses Issued

Ms. Barbier presented a list of new licenses issued since the March 9, 2021 Board meeting through June 8, 2021. General discussion was held. No formal action was taken on this agenda item.

AGENDA ITEM 11- Employee Matters

(The Board skipped to Agenda Item 12.a. before agenda item 11.a.; the Board continued with Agenda item 11.a. after agenda item 12.a.)

a. Annual Performance Review and Merit Compensation

Mr. Brooks noted that the Board had discussed the work performance over the past year and any merit compensation for the Board's Executive Director, George Lovecchio in the executive session. **Motion was made by Mr. Brooks to accept the performance rating of "Successful" as determined by the Board in evaluation of Mr. Lovecchio's work as the Executive Director and grant Mr. Lovecchio a six percent (6%) annual salary increase, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.**

b. Mr. Lovecchio reported to the Board that there were no special recognitions nor monetary rewards awarded to any employee of the Board during fiscal year 2021. No formal action was taken on this agenda item.

AGENDA ITEM 12- Additional Agenda Items Properly Brought Before the Board Approved in Agenda Item 3

(The Board initiated Agenda Item 12.a. before agenda item 11.a.)

a. Addition of an Executive Session to Agenda Item 11 for Discussion of Agenda Item 11.a.

Motion was made by Mr. Gielen to enter into executive session for discussion of agenda item 11.a. on employee matters of annual performance review and merit compensation, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.

Motion was made by Mr. Delatte to close the executive session and return to open regular session, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Gielen, Mr. Delatte, Mr. Horgan, Mr. Brooks, and Mr. Davis; AGAINST: None; ABSENT: None; ABSTAINED: None; RECUSED: None.

(The Board continued with agenda item 11.a. after agenda item 12.a.)

AGENDA ITEM 13- Board Meetings

a. Proposed Tentative Board Meeting Dates for Remainder of Calendar Year 2021

Ms. Barbier presented tentative dates for Board meetings through the end of calendar year 2021. General discussion was held. All were advised to check and mark their calendars with the suggested dates; anyone with conflict should contact the administrative office for resolution. No formal action was taken on this agenda item.

b. Mr. Davis presented the tentative date for the next Board meeting as Tuesday, September 14, 2021. No formal action was taken on this agenda item.

AGENDA ITEM 14- General Motion (Recording of Agenda Changes)

It is noted that the following agenda items were taken out of order of the published agenda order:

- a. Agenda item 12.a. (added in agenda item 3) before agenda item 11.a.
- b. Agenda item 11.a. after agenda item 12.a.

Mr. Delatte made mention that he would like to discuss the subject of continuing education for Board office staff at a future Board meeting.

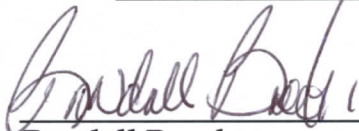
AGENDA ITEM 15- Adjournment

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

The meeting adjourned at approximately 11:40 am.

Approved and accepted by the full Board -

Date: 12-6-21



Randall Brooks
Board Secretary/Treasurer



George Lovecchio
Executive Director