

LOUISIANA BOARD OF DRUG AND DEVICE DISTRIBUTORS

Board Meeting

MINUTES

June 20, 2017

AGENDA ITEM 1 – Call to Order

The meeting was called to order by Bob Broadus, Chairman, at approximately 9:38 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. Broadus that those members in attendance were Mr. Broadus, Randall Brooks, Kenneth Dugas, Chad Gielen, Jacob Dickson, James DeLatte, and Trion Horgan. Those members absent were Michael Davis. 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. John Becknell of The Becknell Law Firm.

AGENDA ITEM 3 – General Motion

No motion was made.

AGENDA ITEM 4 – Call for Additional Agenda Items [*for discussion in Agenda Item 12*]

1. Employee Annual Performance Review – Bob Broadus

Motion was made by Mr. Gielen to add items as noted to the agenda for discussion in agenda item 12, seconded by Mr. Dugas, and passed by voice vote – FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.

Mr. Lovecchio introduced Mr. Becknell of the Becknell Law Firm. Mr. Broadus introduced Ms. Cangelosi for the benefit of the newer Board members.

AGENDA ITEM 5 – Approval of Meeting Minutes

a. The minutes of the March 21, 2017 Board meeting were presented. **Motion was made by Mr. Dugas to dispense with full reading of the minutes and to accept and approve the minutes of the March 21, 2017 Board meeting as presented, seconded by Mr. Horgan, and passed by voice vote – FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 6- Financial Matters

- a. Financial Statements

Mr. Lovecchio presented the financial information for the months of March, April, and May 2017 and the budget versus actual summary for the current fiscal year, 2017, through May 2017. 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

Mr. Lovecchio presented and reviewed the questionnaire pertaining to the upcoming annual financial attestation of the Board's finances for fiscal year 2017 ending June 30, 2017. General discussion was held. **Motion was made by Mr. Brooks to approve the questionnaire as presented, seconded by Mr. Delatte, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 7 – Policy and Procedures

a. Sexual Harassment

Ms. Barbier presented a proposed policy with regards to prohibition of any and all harassment, sexual harassment, and discrimination or intimidation applying to all employees and members of the Board. General discussion was held. **Motion was made by Mr. Dickson to approve the policy for prohibiting any and all harassment, sexual harassment, and discrimination or intimidation to apply to all employees and members of the Board as presented, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 8 – Professional Services

a. Contracts

i. Inspection Services – Danny Andrus (continuation of services)

Mr. Lovecchio presented a proposed contact with Danny Andrus for continuation of services to provide in-state facility inspections. General discussion was held. **Motion was made by Mr. Dugas to approve the presented contract for inspection services to be provided by Danny Andrus for the term covering July 1, 2017 through June 30, 2018 at a maximum fee not to exceed \$28,000, seconded by Mr. Brooks, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

Mr. Broadus requested that Mr. Lovecchio invite both of the contracted inspectors to the next Board meeting to be introduced to the Board.

ii. Legal Services- Updates

Mr. Lovecchio informed the Board that the contract with Shows, Cali, and Walsh for continuation of legal services for statutory and regulatory review and regulatory advice to the Board was not approved/rejected by the Attorney General's office.

Mr. Lovecchio also informed the Board that the contract with Ms. Cangelosi for continuation of her services providing general legal counsel to the Board was also not approved/rejected by the Attorney General's office. Mr. Lovecchio noted that Ms. Cangelosi's contract has been resubmitted to the Attorney General's office for reconsideration; as of the date of the Board meeting no word has come from the Attorney General's office with regards to the reconsideration request. General discussion was held. Mr. Lovecchio was directed to continue working towards attaining the approval of Ms. Cangelosi's contract.

Mr. Lovecchio presented a proposed contract with The Becknell Law Firm to provide statutory and regulatory review and advice on changes/amendments and consulting and advice on regulatory issued to the Board. Mr. Lovecchio gave a brief account of the firm's qualifications. Mr. Lovecchio introduced Mr. John Becknell to speak to the Board and answer any questions. **Motion was made by Mr. Gielen to approve the presented contract with The Becknell Law Firm to provide legal services pertaining to statutory/regulatory review and advice for changes and consulting and advice on regulatory matters to the Board; contract term for July 1, 2017 through June 30, 2018 at a maximum fee not to exceed \$25,000, seconded by Mr. Brooks, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

A resolution attesting the Board's requirement for counsel for consulting and advice on regulatory matters and statutory /regulatory review. **Motion was made by Mr. Brooks to retain the contract services of The Becknell Law Firm, APLC, as legal counsel and to submit the proposed contract and resolution to the Louisiana Attorney General for approval, seconded by Mr. Dugas, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 9 – New Business

a. FBI Audit for Non-Criminal Justice Information Technology Security

Ms. Barbier presented a review of the meeting with representatives from the Federal Bureau of Investigation (FBI) with regards to audit of the Board's procedures involving information technology security for criminal history records (background) checks. Ms. Barbier noted that the audit found the Board should have policies for some aspects of criminal history records check information security. The new policies are to be presented to the Board at the next board meeting.

b. Division of Archives – Records Manager Designation

Ms. Barbier presented the form for designation of the agency's records (management) designee. This designee has been Mr. Lovecchio in the past. **Motion was made by Mr. Dickson to designate Mr. Lovecchio as the Board's Records (management)**

Designee to the Division of Archives, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. DeLatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.

[Mr. Broadus called for a short break after agenda item 9.b. at approximately 11:00 am; the Board returned to regular session at approximately 11:12 am and continued with agenda item 10.a.]

AGENDA ITEM 10 - Old Business

a. Legislature - Review and Update

Mr. Lovecchio presented the completed templet that was submitted with regards to requirements in Senate Resolution 10 of 2017 First Extraordinary Legislative Session requesting licensing Board's under Department of Health and Hospitals to identify cash and cash equivalent year-end balances for transfer into the state's general fund. Board members reviewed the templet and Ms. Cangelosi provided general information and answered questions regarding the templet and resolution requirements.

Mr. Lovecchio presented an update on Senate Bill 75 of the 2017 Regular Legislative Session relative to licensing Boards under Department of Health and Hospitals. Mr. Becknell addressed the Board regarding SB 75. No formal action was taken.

The Board called for a committee - Mr. Brooks and Mr. DeLatte - to work with Mr. Lovecchio to review the Board's financial accounts and work up a plan for tracking moneys allocated to general operating 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. The Committee is to report to the Board at the next Board meeting.

AGENDA ITEM 11 - Licensing Matters

a. New Licenses Issued

Ms. Barbier presented a list of approximately 88 new Louisiana distributor licenses issued by the Board office on behalf of the Board since the December 2016 Board meeting. Approximately 54 of the new licenses issued represent first-time Louisiana licensure. No formal action was taken on this agenda item.

AGENDA ITEM 12 - Additional Agenda Items Properly Brought Before the Board (approved in agenda item 4)

1. Employee Performance Review

Motion was made by Mr. Dickson to enter into executive session for discussion of employee performance review for George Lovecchio, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr.

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

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

The annual review of Mr. Lovecchio's work performance was discussed in executive session. Mr. Broadus will proceed with the performance review and complete the review form for discussion of the results of the review with Mr. Lovecchio. **Motion was made by Mr. Dickson that Mr. Broadus will proceed with the annual performance review for Mr. Lovecchio and there is to be no financial merit given at this time due to Executive Order JBE 16-32 of July 1, 2016, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 13 – Employee Matters

a. Recognition and Rewards – Annual Report

Ms. Barbier presented an annual report of recognition rewards awarded during fiscal year 2017 for review by the Board. The report is required to be submitted annually to the Department of Civil Service. No formal action was taken on this agenda item.

AGENDA ITEM 14 – Board Issues

a. Annual Election of Officers

Motion was made by Mr. Dugas to ratify the current officers for continued service – Mr. Broadus, Chairman; Mr. Davis, Vice-Chairman; Mr. Brooks, Secretary-Treasurer; and Mr. Gielen, Compliance Officer, seconded by Mr. DeLatte, and passed by voice vote - FOR: Mr. Brooks, Mr. Dugas, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Davis; ABSTAINED: None; RECUSED: None.

b. Confirmation of Next Board Meeting Date

The next Board meeting is tentatively set for Tuesday, August 22, 2017.

AGENDA ITEM 15 – Adjournment

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

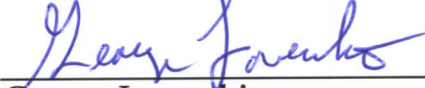
The meeting adjourned at approximately 12:05 pm.

Approved and accepted by the full Board -

Date: August 22, 2017



Michael Davis
Board Vice-Chairman



George Lovecchio
Executive Director