

LOUISIANA BOARD OF DRUG AND DEVICE DISTRIBUTORS

Board Meeting

MINUTES

March 25, 2020

AGENDA ITEM 1 - Call to Order

The meeting was called to order by Robert Broadus, Chairman, at approximately 10:10 am. The meeting was held via telecommunication conference call as provided for by Executive Proclamation JBE 2020-30 regarding the public health emergency for COVID-19.

AGENDA ITEM 2 - Roll Call and Introduction of Guests

It was noted by Mr. Broadus that those members in attendance via conference call were Mr. Broadus, Michael Davis, Chad Gielen, Jacob Dickson, Jim Delatte, and Trion Horgan. Those members absent were Randall Brooks; there is one vacant Board seat. Also present 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 guests noted in attendance.

AGENDA ITEM 3 - Call for Additional Agenda Items *[for discussion in Agenda Item 11]*

a. Unclassified Employee Compensation offered by Mr. Broadus.

Motion was made by Mr. Delatte to approve the addition of agenda item(s) as noted to be discussed during item 11 of the meeting agenda, seconded by Mr. Dickson, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Trion; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 4 - Disciplinary and Enforcement

a. Disciplinary Case No. 2019003

Mr. Gielen presented a consent agreement executed for disciplinary case number 2019003 with Regional Health Services LLC dba Regional Healthcare, Alexandria LA, Louisiana license number 8435. General review of the case was presented. **Motion was made by Mr. Dickson to accept and approve the consent agreement as executed and presented, seconded by Mr. Delatte, and passed by voice vote - FOR: Mr. Davis, Mr. Dickson, Mr. Delatte, Mr. Trion, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: Mr. Gielen.**

AGENDA ITEM 5 - Service Contracts

a. Facility Inspections (South), John Liggiio, Renewal of Services

Mr. Lovecchio presented the contract to renew facility inspection services as currently provided by John Liggiio. General discussion was held. **Motion was made by Mr. Davis to accept and approve the contract with John Liggiio to continue providing**

inspection services for the period of April 1, 2020 through March 31, 2021 (one-year) for the maximum contract amount of \$22,000, seconded by Mr. Delatte, and passed by voice vote – FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

b. Accounting Services, Ouida Nugent- Nugent Accounting Services, Renewal of Services

Mr. Lovecchio presented the contract to renew accounting services as currently provided by Ouida Nugent. General discussion was held. **Motion was made by Mr. Davis to accept and approve the contract with Ouida Nugent- Nugent Accounting Services to continue providing accounting services for the two-year period of July 1, 2020 through June 30, 2022 for the maximum contract amount of \$6,000, seconded by Mr. Gielen, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.**

c. Facility Inspection (North), Danny Andrus, Renewal of Services

Mr. Lovecchio presented the contract to renew facility inspection services as currently provided by Danny Andrus. General discussion was held. **Motion was made by Mr. Dickson to accept and approve the contract with Danny Andrus to continue providing facility inspection services for the period of July 1, 2020 through June 30, 2021 (one-year) for the maximum contract amount of \$30,000, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.**

d. Legal Services, The Becknell Law Firm, Renewal of Services

Mr. Lovecchio presented the contract to renew legal services as currently provided by The Becknell Law Firm. General discussion was held. **Motion was made by Mr. Delatte to accept and approve the contract with The Becknell Law Firm to continue providing legal services for the period of July 1, 2020 through June 30, 2021 (one-year) for the maximum contract amount of \$25,000, seconded by Mr. Davis, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None. Motion was made by Mr. Gielen to approve a resolution to retain the contract services of The Becknell Law Firm as regulatory legal counsel and to submit the contract and resolution to the Louisiana Attorney General for approval, seconded by Mr. Horgan, and passed by voice vote- FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.**

e. Legal Services, Celia Cangelosi-Attorney, Renewal of Services

Mr. Lovecchio presented the contract to renew legal services as currently provided by Celia Cangelosi, Attorney. General discussion was held. **Motion was made by Mr.**

Davis to accept and approve the contract with Celia Cangelosi, Attorney to continue providing legal services for the period of July 1, 2020 through June 30, 2021 (one-year) for the maximum contract amount of \$12,000, seconded by Mr. Delatte, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None. Motion was made by Mr. Davis to approve a resolution to retain the contract services of Celia Cangelosi, Attorney as legal counsel and to submit the contract and resolution to the Louisiana Attorney General for approval, seconded by Mr. Dickson, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, Mr. Horgan, and Mr. Broadus; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 6 - Approval of Meeting Minutes

a. The minutes of the December 10, 2019 Board meeting were presented. Motion was made by Mr. Davis to dispense with full reading of the minutes and to accept and approve the minutes of the December 10, 2019 Board meeting as presented, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 7 - Financial Matters

a. Annual Financial Attestation- Fiscal Year 2020

Mr. Lovecchio presented for review and approval the questionnaire required for the upcoming annual attestation for fiscal year 2020 of the Board's financials. Motion was made by Mr. Dickson to approve and adopt the presented questionnaire for the upcoming financial attestation for fiscal year 2020 (ending June 30, 2020) for required signatures, seconded by Mr. Horgan, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None. Motion was made by Mr. Dickson to approve and adopt a resolution for the approval and adoption of the attestation questionnaire with regards to the upcoming financial attestation of Board's financial statement as of June 30, 2020, seconded by Mr. Davis, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

AGENDA ITEM 8 - New Business

a. Records Management Designee, Division of Archives

Mr. Broadus presented the form to designate a records officer to act as liaison to the Division of Archives-Records Management and History on matters related to records management for the Board for the upcoming fiscal year 2021 (effective July 1, 2020). Motion was made by Mr. Horgan to designate and approve Mr. Lovecchio to act as the Board's liaison to the Division of Archives-Records Management and History, seconded by Mr. Davis, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.

b. State Legislature 2020 Regular Session Review

Mr. Becknell and Mr. Delatte presented a review of the Legislative 2020 Regular Session through the time the Legislative session was closed early due to the issuance of the executive proclamation for the public health emergency for COVID-19; including an overview of HB 91- Sunset Program- recreation of Department of Health and HB 579- providing for the defense and indemnification of public officials and employees. General discussion was held regarding the current public health emergency; COVID-19; Board office responses; and work of the Board office and personnel. No formal action was taken on these issues.

AGENDA ITEM 9 – Policy and Procedures

a. Disaster Preparation and Response

Mr. Lovecchio gave an overview of some of the actions he and the office staff have taken in the Board's administrative office to combat the COVID-19 health crisis – expediting application review and issuance of new licenses, expediting any late renewals, implementing rotation team work schedules and providing secure remote/"work-at-home" access to vital board data, implementing a COVID-19 page on the Board's website which includes an emergency hot-line for distributors, notices about COVID-19 and emergency health proclamations, also, resource links for state and federal agencies, working with state and federal agencies to management drug shortages and helping with personal protection equipment shortages.

Mr. Lovecchio presented the Board's current policy/procedure for *Disaster Preparation and Response* which included a proposed section on a general contingency plan based on the work the Board office has already put into place as a guide for future crisis events. General discussion was held. **Motion was made by Mr. Delatte to approve the changes proposed for the *Disaster Preparation and Response* policy/procedure as presented, seconded by Mr. Davis, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 10 - Old Business

a. Self-Evaluation Report (SER) Preparation Update

Mr. Lovecchio presented a brief general review of the progress of the consultant working with the Board office on preliminary preparation for any future requirement for Board information such as the SER. Mr. Lovecchio asked to defer further detailed review of this item to a future meeting. Mr. Broadus, Mr. Gielen, and Mr. Lovecchio gave general updates of their attendance at a CLEAR sponsored conference finding it a very good experience with plenty of information provided and networking opportunities. It was recommended that other member might attend a CLEAR conference in the future. No formal action was taken on these issues.

b. Opioid Awareness Programs, CEA with NADDI

Mr. Lovecchio announced that all National Association of Drug Diversion Investigators (NADDI) programs have been postponed through July 2020 due to the current national health emergency; currently the NADDI training program scheduled for September 2020 is still scheduled. Mr. Becknell noted that the Cooperative Endeavor Agreement (CEA) between the Board and NADDI has been approved by the State's contract management department. The CEA is effective for April 1, 2020 for the Board to work with NADDI to provide for drug diversion training for law enforcement and educational materials on opioid awareness to the public. Mr. Lovecchio noted that as a member of the local regional NADDI Board he is looking forward to working through NADDI in helping to educate law enforcement on drug diversion and the public on opioid awareness. No formal action was taken on this issue.

AGENDA ITEM 11 - Additional Agenda Items Properly Brought Before the Board as Approved in Agenda Item 3

a. Unclassified Employee Compensation

Mr. Broadus presented that the members, after review of Mr. Lovecchio's work performance, propose to increase the current salary of George Lovecchio, Executive Director. **Motion was made by Mr. Gielen to increase the annual salary of George Lovecchio, Executive Director, by five percent (5%) effective April 1, 2020, seconded by Mr. Delatte, and passed by voice vote - FOR: Mr. Davis, Mr. Gielen, Mr. Dickson, Mr. Delatte, and Mr. Horgan; AGAINST: None; ABSENT: Mr. Brooks; ABSTAINED: None; RECUSED: None.**

AGENDA ITEM 12 - Board Issues

a. Confirmation of Next Board Meeting

Mr. Lovecchio noted the next scheduled meeting for the Board is tentatively set for Tuesday, June 23, 2020.

AGENDA ITEM 13 - General Motion

There were no agenda items taken out of order.

General discussion was held regarding challenges of distribution during the crisis affecting licensees; making sure drugs, medical devices, and supplies get to the patients; delivery problems; allocation of products to patients and PPEs to medical care providers. No formal action was taken.

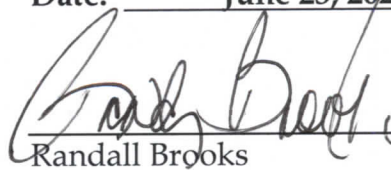
AGENDA ITEM 13 - Adjournment

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

The meeting adjourned at approximately 11:30 am.

Approved and accepted by the full Board -

Date: June 23, 2020



Randall Brooks
Board Secretary/Treasurer



George Lovechio
Executive Director