## Louisiana Board of Pharmacy



3388 Brentwood Drive Baton Rouge, Louisiana 70809-1700 Telephone 225.925.6496 ~ E-mail: <u>info@pharmacy.la.gov</u>



**NOTICE IS HEREBY GIVEN** that a meeting of the Board has been ordered and called for 9:00 am on Thursday, February 17, 2022 at the Embassy Suites Hotel, located at 4914 Constitution Avenue in Baton Rouge, Louisiana 70808, for the purpose to wit:

## AGENDA

NOTE: This agenda is tentative until 24 hours in advance of the meeting, at which time the most recent revision becomes official. Revised 02-03-2022

- 1. Call to Order
- 2. Invocation & Pledge of Allegiance
- 3. Quorum Call
- 4. Call for Additional Agenda Items & Adoption of Agenda
- 5. Consideration of Draft Minutes from Previous Meeting November 17, 2021
- 6. <u>Report on Action Items</u>
- 7. Confirmation of Acts
- 8. Opportunity for Public Comment
- 9. Special Orders of the Day
  - A. Presentation of Pharmacist Gold Certificate
    - (1) PST.009745 ~ John Gabriel Biglane
- 10. Committee Reports
  - A. Finance Mr. Resweber
    - (1) Review of Interim Report for Fiscal Year 2021-2022
  - B. Application Review Mr. Robichaux
  - C. Reciprocity Dr. Cloud
  - D. Violations Mr. Valentine
    - (1) Consideration of Proposed Voluntary Consent Agreements
      - (a) Case No. 21-0216 ~ PHY.006832 Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 10558 [Leesville, LA]
        - +
      - (b) Case No. 21-0217 ~ PST.019325 Lynn Ann Johnson
      - (c) Case No. 21-0414 ~ PHY.006832 Louisiana CVS Pharmacy, LLC *d/b/a* CVS Pharmacy No. 10558 [Leesville, LA]
      - (d) Case No. 21-0179 ~ PHY.005773 Louisiana CVS Pharmacy. LLC d/b/a CVS Pharmacy No. 5331 [Shreveport, LA]
        - +
      - (e) Case No. 21-0229 ~ PST.020382 Ashley Elizabeth Reynolds
      - (f) Case No. 21-0397 ~ PHY.005790 Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 5345 [Minden, LA]
      - (g) Case No. 21-0124 ~ PHY.006582 Louisiana CVS Pharmacy, LLC *d/b/a* CVS Pharmacy No. 2597 [Chalmette, LA]

**NOTE:** Pursuant to the Open Meetings Law at R.S. 42:16, the Board may, upon 2/3 affirmative vote of those members present and voting, enter into executive session for the limited purposes of (1) discussion of the character, professional competence, or physical or mental health of a person, (2) strategy sessions or negotiations with respect to litigation, (3) discussions regarding the report, development, or course of action regarding security personnel, plans, or devices, including discussions concerning cybersecurity plans, financial security procedures, and assessment and implementation of any such plans or procedures, (4) investigative proceedings regarding allegations of misconduct, or other purposes itemized at La. R.S. 42:17. **NOTE:** In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to

**NOTE:** In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.* 

Board Meeting February 17, 2022 Page 2 of 4

- 10. Committee Reports
  - D. Violations Mr. Valentine
    - (1) Consideration of Proposed Voluntary Consent Agreements (cont.)
      - (h) Case No. 21-0188 ~ PHY.005939 Louisiana CVS Pharmacy, LLC d/b/a CVS Pharmacy No. 5442 [Destrehan, LA]
      - (i) Case No. 21-0402 ~ PHY.006759 Louisiana CVS Pharmacy, LLC *d/b/a* CVS Pharmacy No. 10219 [West Monroe, LA]
      - (j) Case No. 21-0152 ~ PHY.008107 Pharmaceutical Specialties, LLC *d/b/a* Pharmaceutical Specialties [Baton Rouge, LA]
      - (k) Case No. 21-0153 ~ PST.016141 Michael Marist Bourg
      - (I) Case No. 21-0388 ~ PST.009412-G John Joseph Costanza
      - (m) Case No. 21-0378 ~ PHY.005545 Walgreen La. Co. Inc. *d/b/a* Walgreen Pharmacy No. 09526 [Pineville, LA]
  - E. Impairment Ms. Hall
    - (1) Consideration of Committee Recommendations re Applications
  - F. Reinstatement Mr. Cassidy
    - (1) Consideration of Committee Recommendations re Applications
  - G. Tripartite Dr. Strong
  - H. Regulation Revision Mr. Indovina
    - (1) Consideration of <u>Legislative Proposal 2022-A ~ CDS Schedule</u> <u>Update (Draft #1)</u>
    - (2) Consideration of <u>Legislative Proposal 2022-B ~ Collaborative Practice</u> (Draft #1)
    - (3) Consideration of <u>Legislative Proposal 2022-C ~ Statewide Protocols</u> for Patient Care Services (Draft #4)
    - (4) Consideration of <u>Legislative Proposal 2022-D ~ Pharmacy Benefit</u> <u>Managers (Draft #1)</u>
    - (5) Consideration of <u>Legislative Proposal 2022-E ~ PMP Audit Trail for</u> <u>Medicaid (Draft #1)</u>
    - (6) Consideration of <u>Legislative Proposal 2022-F ~ Pharmacy Permit</u> <u>Display (Draft #1)</u>
    - (7) Consideration of <u>Legislative Proposal 2022-G ~ Pharmacist License</u> Reciprocity (Draft #1)
    - (8) Consideration of <u>Legislative Proposal 2022-H ~ Immunizations</u> (Draft #2)
    - (9) Consideration of <u>Regulatory Proposal 2022-A ~ Marijuana</u> <u>Pharmacies (Draft #3)</u>
    - (10) Consideration of <u>Regulatory Proposal 2022-B ~ Nonresident</u> <u>Pharmacies (Draft #2)</u>

**NOTE:** Pursuant to the Open Meetings Law at R.S. 42:16, the Board may, upon 2/3 affirmative vote of those members present and voting, enter into executive session for the limited purposes of (1) discussion of the character, professional competence, or physical or mental health of a person, (2) strategy sessions or negotiations with respect to litigation, (3) discussions regarding the report, development, or course of action regarding security personnel, plans, or devices, including discussions concerning cybersecurity plans, financial security procedures, and assessment and implementation of any such plans or procedures, (4) investigative proceedings regarding allegations of misconduct, or other purposes itemized at La. R.S. 42:17.

**NOTE:** In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.* 

Board Meeting February 17, 2022 Page 3 of 4

- 10. Committee Reports
  - H. Regulation Revision Mr. Indovina (cont.)
    - (11) Consideration of <u>Regulatory Proposal 2022-D ~ Licensing of</u> <u>Dependents of Healthcare Professionals (Draft #1)</u>
    - (12) Consideration of <u>Regulatory Proposal 2022-E ~ Pharmacy Benefit</u> <u>Managers (Draft #1)</u>
    - (13) Consideration of <u>Regulatory Proposal 2022-F ~ Transfer of</u> <u>Prescription Information (Draft #2)</u>
    - (14) Consideration of <u>Regulatory Proposal 2022-G ~ Pharmacy</u> <u>Operations (Draft #2)</u>
    - (15) Consideration of <u>Proposed New PPM.I.A.36 ~ Laboratory Testing by</u> <u>Pharmacies (Draft #1)</u>
  - I. Executive Mr. McKay
    - (1) Consideration of Proposed Revision of PPM.I.D.28 ~ COVID-19 Public Health Emergency: Guidance to Licensees re PREP Act Declaration by HHS
    - (2) <u>Review of Interim Policies</u> (I.D.1 through I.D.30)
    - (3) Consideration of <u>Proposed Revision of PPM.III.B.1 ~ Application for</u> New Pharmacist License by Examination or Score Transfer
    - (4) Consideration of <u>Proposed Revision of PPM.III.B.2 ~ Application for</u> <u>New Pharmacist License by Reciprocity or License Transfer</u>
    - (5) Consideration of <u>Proposed Revision of PPM.III.B.6 ~ Application for</u> <u>New Resident Pharmacy Permit</u>
    - (6) Consideration of <u>Proposed Revision of PPM.III.B.7 ~ Application for</u> <u>New Nonresident Pharmacy Permit</u>
    - (7) Consideration of <u>Proposed New PPM.III.B.8 ~ Application for New</u> <u>Pharmacy Benefit Manager (PBM) Permit</u>
    - (8) Consideration of <u>Proposed Revision of PPM.III.F ~ Attachment of</u> <u>Disciplinary Action to Credentials</u>
    - (9) Consideration of <u>Proposed Revision of PPM.III.J ~ Criminal</u> <u>Background Checks</u>
    - (10) Consideration of Bank Resolution for Executive Director-Designate
    - (11)Consideration of <u>Request</u> for Rescission/Removal of Previous Board Order, Refund of Assessment Paid & Removal of National Practitioner Data Bank (NPDB) Report re Case No. 12-0285 ~ Sterling Associates, Inc. *d/b/a* Sterling Pharmacy (PHY.004944) [Ruston, LA]
- 11. Staff Reports

J.

- Executive Director/Designate Mr. Fontenot
  - (1) Quarterly Report of Prescription Monitoring Program (PMP)

**NOTE:** Pursuant to the Open Meetings Law at R.S. 42:16, the Board may, upon 2/3 affirmative vote of those members present and voting, enter into executive session for the limited purposes of (1) discussion of the character, professional competence, or physical or mental health of a person, (2) strategy sessions or negotiations with respect to litigation, (3) discussions regarding the report, development, or course of action regarding security personnel, plans, or devices, including discussions concerning cybersecurity plans, financial security procedures, and assessment and implementation of any such plans or procedures, (4) investigative proceedings regarding allegations of misconduct, or other purposes itemized at La. R.S. 42:17.

**NOTE:** In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.* 

Board Meeting February 17, 2022 Page 4 of 4

- 11. Staff Reports
  - J. Executive Director/Designate Mr. Fontenot (cont.)
    - (2) Consideration of Requests for Waivers from PMP Reporting Requirement
  - K. General Counsel Mr. Finalet
    - (1) Consideration of Proposed Voluntary Consent Agreements & Surrenders
      - (a) Case No. 21-0442 ~ PTC.029876 Melinda Gail Roberts
      - (b) Case No. 21-0443 ~ CPT.009422 Jennifer Lauren Pilgrim
      - (c) Case No. 21-0448 ~ PST.019568 Kelly Corpstein Todd
      - (d) Case No. 21-0299 ~ CPT.014001 Antoinette Tyquedallyn Brown
      - (e) Case No. 21-0440 ~ PST.023276 John Peter Sullivan
      - (f) Case No. 21-0460 ~ PTC.029185 Alexis Rochelle Verdin
      - (g) Case No. 22-0026 ~ PHY.007958 Ron Group, LLC *d/b/a* Blue Sky Specialty Pharmacy [Mount Pleasant, SC]
      - (h) Case No. 22-0005 ~ PHY.007762 Optime Care, Inc. d/b/a Optime Care [Earth City, MO]
  - L. Executive Director Mr. Broussard
- 12. Announcements
- 13. Adjourn

**NOTE:** Pursuant to the Open Meetings Law at R.S. 42:16, the Board may, upon 2/3 affirmative vote of those members present and voting, enter into executive session for the limited purposes of (1) discussion of the character, professional competence, or physical or mental health of a person, (2) strategy sessions or negotiations with respect to litigation, (3) discussions regarding the report, development, or course of action regarding security personnel, plans, or devices, including discussions concerning cybersecurity plans, financial security procedures, and assessment and implementation of any such plans or procedures, (4) investigative proceedings regarding allegations of misconduct, or other purposes itemized at La. R.S. 42:17.

NOTE: In compliance with Act 256 of the 2019 Louisiana Legislature, the Board gives public notice that any information submitted to the Board may become public record unless specifically exempted by the Public Records Law, R.S. 44:1 *et seq.*