



# Louisiana Board of Pharmacy

*Published to promote compliance of pharmacy and drug law*

3388 Brentwood Drive • Baton Rouge, LA 70809-1700 • [www.pharmacy.la.gov](http://www.pharmacy.la.gov)

## **Renewal of Pharmacy Technician Certificates (18-04-568)**

The renewal cycle for pharmacy technicians will open on May 1, 2018, and conclude on June 30. The Louisiana Board of Pharmacy no longer mails renewal application forms; instead, the Board office will mail a renewal reminder mailer just prior to May 1. The mailer will remind you of the three options you have to renew your certificate:

1. Visit the Board's website at [www.pharmacy.la.gov](http://www.pharmacy.la.gov) and renew your certificate online using a credit card;
2. Visit the same website to download and print an application form, then complete and mail the application form with the appropriate fee using a check or money order; or
3. Send a written request to the Board office (mail, fax, or email) with your name, certificate number, and current mailing address, requesting the Board to mail a paper application form to you.

Any address changes received at the Board office after April 20, 2018, will not be reflected on your renewal reminder mailer. In the event the postal service fails to deliver your renewal reminder mailer by May 15, 2018, it then becomes your responsibility to obtain an application form or renew your certificate online. Certificates renewed online will be mailed within one or two business days; certificates renewed using paper application forms will be mailed within two to four weeks, depending on the volume of paper application forms received for processing.

The online renewal function of the website is programmed to activate at 12:01 AM on May 1 and to deactivate at midnight on June 30, 2018. While the Board makes every effort to maintain this online convenience during the renewal cycle, the Board's service provider may experience weather-related or other unforeseen technical difficulties from time to time. You have 60 days to renew your certificate, and it is your choice as to when to complete that duty. If you choose to wait until the last day and the website is not available, then you will be responsible for the consequences of your failure to renew your certificate in a timely manner. The Board does not waive late fees in that situation. Why take a chance? Please do not wait until the last minute of the last day.

All technician certificates expire on June 30 regardless of the date of issue. You may not practice with an expired certificate. The fee for the timely renewal of an active certificate is \$50. For the first 30 days past the expiration date, the renewal of an expired certificate will incur an additional \$25 penalty fee, for a total fee of \$75. Applications received in the Board office more than 30 days after

the expiration date will incur an additional \$200 reinstatement fee, for a total fee of \$275. Applications bearing a postal service mark of July 1 or later must be accompanied by the additional fee(s) or the application package will be returned to the sender unprocessed. If it is important for you to know if or when the Board receives your paper application form, the Board suggests you use the mail tracking service of your choice. With more than 7,000 pharmacy technician certificates to be renewed, Board staff will not be able to respond to your request to confirm mail deliveries.

## **Renewal of Other Credentials (18-04-569)**

In addition to the pharmacy technician cycle, the Board will be renewing other credentials this spring and summer. Of these credentials, approximately:

- ◆ 500 automated medication system (AMS) registrations expire June 30;
- ◆ 450 emergency drug kit (EDK) permits expire June 30;
- ◆ 9,000 controlled dangerous substance (CDS) licenses for facilities and practitioners expire between May 1 and July 31; and
- ◆ 600 durable medical equipment (DME) permits expire August 31.

The AMS, EDK, and CDS credentials must be renewed using paper application forms. The Board will mail those pre-printed application forms just prior to May 1, and timely renewals must be accomplished on or before the expiration date; penalties will apply to the renewal of expired credentials.

The DME permits may be renewed either online or using paper application forms. The Board will mail the renewal reminder mailer just prior to July 1, and timely renewals must be accomplished on or before August 31; penalties will apply to the renewal of expired credentials.

## **Questions on Renewal Applications (18-04-570)**

Application forms for the renewal of pharmacy permits, pharmacist licenses, and pharmacy technicians contain a series of questions requesting information concerning any legal issues or disciplinary actions taken against the applicant since the previous renewal. For each of those application forms, the instructions request two documents in the event of an affirmative answer: a certified copy of the decision document from the court or law enforcement agency, as well as the applicant's personal letter of explanation.

Two of these questions are commonly misinterpreted. The first question requests whether the applicant has been arrested, charged, arraigned, indicted, or convicted, or whether the applicant has been

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# National Pharmacy Compliance News

April 2018



**NABPF**  
National Association of Boards  
of Pharmacy Foundation

The applicability of articles in the *National Pharmacy Compliance News* to a particular state or jurisdiction can only be ascertained by examining the law of such state or jurisdiction.

## ***FDA Requires Labeling Update on Opioid-Containing Cough and Cold Medicines***

In January 2018, Food and Drug Administration (FDA) announced that the agency is requiring safety labeling changes to limit the use of prescription opioid cough and cold medicines containing codeine or hydrocodone in children younger than 18 years old because the serious risks of these medicines outweigh their potential benefits in this population. After safety labeling changes are made, these products will no longer be indicated for use to treat cough in any pediatric population and will be labeled for use only in adults aged 18 years and older. In addition, labeling for the medications will be updated with additional safety information for adult use. This update will include an expanded Boxed Warning notifying consumers about the risks of misuse, abuse, addiction, overdose and death, and slowed or difficult breathing that can result from exposure to codeine or hydrocodone. Additional information is available in FDA's news release at [www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm592109.htm](http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm592109.htm).

## ***Latest NDTA Shows Opioids Pose Significant Impact to Public Health***

Drug Enforcement Administration (DEA) indicates a significant shift in the overall drug threat reported by law enforcement over the last 10 years with opioids (including controlled prescription drugs, fentanyl and other synthetic opioids, and heroin) reaching epidemic levels and impacting significant portions of the United States. According to the *2017 National Drug Threat Assessment (NDTA)* report, every year since 2001, controlled prescription drugs, specifically opioid analgesics, have been linked to the largest number of overdose deaths of any illicit drug class, outpacing those for cocaine and heroin combined.

From 2007 to 2010, responses to the National Drug Threat Survey indicate cocaine was the greatest national drug threat, followed by a significant decline as the heroin threat increased between 2010 and 2016, eventually becoming the greatest national drug threat in 2015.

Illicit fentanyl and other synthetic opioids, primarily sourced from China and Mexico and shipped directly to the US or trafficked overland via Mexico and Canada, are contributing factors in the current synthetic opioid overdose epidemic. Traffickers in the US usually mix fentanyl into heroin products and sometimes other illicit

drugs or press it into counterfeit prescription pills, often without users' awareness, which leads to overdose incidents, notes the *2017 NDTA*. To access the *2017 NDTA*, visit [www.dea.gov/divisions/hq/2017/hq102317.shtml](http://www.dea.gov/divisions/hq/2017/hq102317.shtml).

## ***FDA Recognizes Eight European Drug Regulatory Authorities Capable of Conducting Inspections***

FDA has determined it will recognize eight European drug regulatory authorities as capable of conducting inspections of manufacturing facilities that meet FDA requirements. The eight regulatory authorities found to be capable are those located in Austria, Croatia, France, Italy, Malta, Spain, Sweden, and the United Kingdom. This achievement marks an important milestone to successful implementation and operationalization of the amended Pharmaceutical Annex to the 1998 US-European Union (EU) Mutual Recognition Agreement, which enables US and EU regulators to utilize each other's good manufacturing practice inspections of pharmaceutical manufacturing facilities. "By partnering with these countries, we can create greater efficiencies and better fulfill our public health goals, relying on the expertise of our colleagues and refocusing our resources on inspections in higher risk countries," said FDA Commissioner Scott Gottlieb, MD, in a news release located at [www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm583057.htm](http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm583057.htm).

## ***Incorrect Use of Insulin Pens at Home Can Cause Severe Hyperglycemia***

The National Coordinating Council for Medication Error Reporting and Prevention has issued an alert on the incorrect use of insulin pens at home causing severe hyperglycemia in patients, including one reported fatality. The Institute for Safe Medication Practices National Medication Errors Reporting Program has received several reports of patients who failed to remove the inner cover of standard insulin pen needles prior to administering insulin. In the latest such event, a patient with type 1 diabetes did not know to remove the standard needle cover and was unaware she was using the pen incorrectly and had not been receiving any of the insulin doses; the patient developed diabetic ketoacidosis as a result and died.

Since insulin pens may differ between pens with automatic needle retraction devices and those with standard needle covers that require manual removal before administering insulin, it is imperative that removal of

needle covers be explained to patients who are issued standard insulin pens during their diabetes education. Pharmacists should verify that a patient understands the appropriate administration technique whenever pens and insulin needles are dispensed, notes the alert, which can be viewed at [www.nccmerp.org/sites/default/files/nan-20171012.pdf](http://www.nccmerp.org/sites/default/files/nan-20171012.pdf).

### **FDA Advises on Opioid Addiction Medications and Benzodiazepines**

Opioid addiction medications – buprenorphine and methadone – should not be withheld from patients taking benzodiazepines or other drugs that depress the central nervous system (CNS), advises FDA. The combined use of these drugs increases the risk of serious side effects; however, the harm caused by untreated opioid addiction usually outweighs these risks. Careful medication management by health care providers can reduce these risks, notes a safety alert. FDA is requiring this information to be added to the buprenorphine and methadone drug labels along with detailed recommendations for minimizing the use of medication-assisted treatment drugs and benzodiazepines together.

Health care providers should take several actions and precautions and should develop a treatment plan when buprenorphine or methadone is used in combination with benzodiazepines or other CNS depressants. Additional information may be found at [www.fda.gov/Drugs/DrugSafety/ucm575307.htm](http://www.fda.gov/Drugs/DrugSafety/ucm575307.htm).

### **Only About 3% of Pharmacies and Other Entities Voluntarily Maintain a Prescription Drug Disposal Bin, GAO Reports**

In response to the US Senate Judiciary Committee's request to review DEA's requirements for authorized collectors of prescription drugs and participation rates, the US Government Accountability Office (GAO) found that only about 3% of pharmacies and other entities eligible to collect unused prescription drugs for disposal have volunteered to do so. As of April 2017, 2,233 of the 89,550 eligible entities had registered with DEA to use disposal bins to collect unused prescription drugs. The majority of the authorized collectors were pharmacies, followed by hospitals or clinics. Factors that affected voluntary participation in maintaining disposal bins for the public included cost, uncertainty of proper implementation, and participation in other drug disposal efforts.

GAO found that participation rates varied by state. Connecticut, Missouri, and Maine had the lowest participation rates as of April 2017. North Dakota had the highest participation rate, followed by Alaska. The report, *Preventing Drug Abuse: Low Participation by Pharmacies and Other Entities as Voluntary Collectors of Unused*

*Prescription Drugs*, is located on the GAO website at [www.gao.gov/products/GAO-18-25](http://www.gao.gov/products/GAO-18-25).

### **One in Five Drivers Uses a Prescription Drug That Can Impair Driving Despite Receiving Warnings**

A new study that analyzes data from the National Roadside Survey of Alcohol and Drug Use, 2013-2014, found that one in five drivers has taken prescription drugs that could impair driving despite having been warned about the risks. The authors of the study, "Receipt of Warnings Regarding Potentially Impairing Prescription Medications and Associated Risk Perceptions in a National Sample of U.S. Drivers," indicate that of the 7,405 random drivers who completed the prescription drug portion of the survey, almost 20% reported recent use (within the past two days) of a potentially impairing prescription drug.

Compared to people who were prescribed antidepressants (62.6%) and stimulants (57.7%), those who were prescribed sedatives (85.8%) and narcotics (85.1%) were most likely to report receiving warnings about the potential of these drugs to affect driving from their health care provider, pharmacy staff, or medication label.

Several European countries have introduced color-coded categories (ie, no, minor, moderate, and major influence on driving) to drug labeling to increase patient safety. Beyond labeling, the authors of the study note it is important that health care providers consistently communicate with patients about their medications' driving-related risks. The study was published online in the *Journal of Studies on Alcohol and Drugs* on October 31, 2017, and can be found at <https://doi.org/10.15288/jsad.2017.78.805>.

### **PTCB CPhT Program Earns Accreditation From the American National Standards Institute**

The Pharmacy Technician Certification Board's (PTCB's) Certified Pharmacy Technician (CPhT) Program has earned accreditation from the American National Standards Institute (ANSI) Personnel Certification Accreditation Program through December 2022. ANSI is the first personnel certification accreditation body in the US to meet internationally accepted practices for accreditation. "We were the first pharmacy technician certification program to receive accreditation by the National Commission for Certifying Agencies (NCCA) in 2006, and now we are the first and only program to achieve ANSI accreditation," said PTCB Executive Director and Chief Executive Officer William Schimmel in a news release. More details are available in PTCB's December 18, 2017 news release, which can be found in the News Room section of [www.ptcb.org](http://www.ptcb.org).



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issued a citation or summons, or whether the applicant has pled guilty, no contest, nolo contendere, or any similar plea, or whether the applicant has been sentenced or pardoned for any criminal offense, including misdemeanors and felonies, in any court in any local, state, or federal jurisdiction. The instructions note that the only offenses not required to be reported are minor traffic violations such as speeding or parking tickets. The common mistake on this question is not reporting an arrest. It does not matter whether the charges were not prosecuted, nor does it matter whether any prior convictions have been expunged. The question asks whether or not the action occurred; if it did, an affirmative reply is required. The applicant's personal letter of explanation is the vehicle to inform the Board of the outcome of the incident.

The second most common mistake relates to the question concerning civil or malpractice cases. The question asks whether the applicant has been named in such a case. Simply being named requires an affirmative answer. The applicant's personal letter of explanation is the vehicle to inform the Board of the outcome or status of the case.

Affirmative replies to these questions do not automatically result in disciplinary action by the Board. The Board considers each case on its own merits and takes an action it deems appropriate. For the majority of the disciplinary actions taken related to these matters, the issue that the applicant failed to disclose is not the reason for the Board's action; instead, the action is usually taken for the failure to disclose the information requested. When the applicant fails to disclose information specifically requested and the Board issues the renewal, the result is the acquisition of a permit, license, or certificate by fraud or misrepresentation. As indicated in the certification section at the end of every application, the applicant agrees that such an act by the applicant provides a basis for disciplinary action by the Board and could possibly result in the revocation or suspension of the credential.

The Board encourages your careful review of these questions when renewing your credential.

### **Disciplinary Actions (18-04-571)**

During its February 21-22, 2018 meeting and administrative hearing, the Board took action in the following matters:

**Ashley Renee Easter (PTC Applicant):** For her failure to disclose the entirety of her criminal history on her application for a pharmacy technician candidate (PTC) registration, the Board denied the application and refused to issue the credential.

**Kristian Raymond Hahn (PST.016625):** For his diversion of multiple controlled substances (CS) from his employer pharmacy, the Board assessed a fine of \$5,000 plus administrative and investigative costs; and further, directed the completion of at least five hours of continuing education relative to the proper use and management of CS prior to December 31, 2018.

**Abby Elizabeth Blanchard (CPT.013237):** In lieu of immediate administrative action, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the certificate for an indefinite period of time, effective December 5, 2017.

**Gregory Keith Miller (PST.013220):** For his dispensing of approximately 30 prescriptions without prescriber authorization and submitting fraudulent insurance claims, the Board suspended the license for five years and stayed the execution of the suspension, then placed the license on probation for five years, effective February 21, 2018, subject to certain terms enumerated

within the consent agreement; and further, assessed a fine of \$25,000 plus administrative and investigative costs.

**Noah's Pharmacy, LLC, dba Noah's Pharmacy (Brusly, LA) (PHY.006145):** For its failure to provide adequate security for the prescription department, for giving unrestricted access to the prescription department by its pharmacy technician staff, for its accountability for shortages of CS, and for permitting its pharmacy technicians to dispense prescriptions in the absence of a pharmacist, the Board suspended the permit for five years and stayed the execution of the suspension, then placed the permit on probation for five years, effective February 21, 2018, subject to certain terms enumerated within the consent agreement; and further, assessed a fine of \$25,000 plus administrative and investigative costs.

**Kimberly Juanita Murphy (PST.016122):** As the owner and pharmacist-in-charge (PIC) of Noah's Pharmacy in Brusly, for providing pharmacy keys and alarm codes to the prescription department by pharmacy technicians, for her accountability for shortages of CS, and for permitting pharmacy technicians to dispense prescriptions in the absence of a pharmacist, the Board suspended the license for five years and stayed the execution of the suspension, then placed the license on probation for five years, effective February 21, 2018, subject to certain terms enumerated within the consent agreement; and further, assessed a fine of \$5,000 plus administrative costs.

**Ruby Phan (CPT.011193):** For her practice as a pharmacy technician at Noah's Pharmacy in Brusly, for exceeding her scope of practice by dispensing prescriptions in the absence of a pharmacist, the Board suspended her certificate for an indefinite period of time, effective December 7, 2017.

**Christin Lynn Littlefield (CPT.011440):** In lieu of immediate administrative action on the allegation of her diversion of CS from her employer pharmacy, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the certificate for an indefinite period of time, effective December 7, 2017.

**United Apothecary, LLC, dba Renner Pharmacy (Richardson, TX) (PHY.007654):** For its operation of a pharmacy without a valid permit, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Gina Maria Picone (PST.016021):** The Board granted her 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 February 21, 2018, subject to certain terms enumerated in the consent agreement.

**Jason Warren Dupeire (PST.018298):** The Board granted his 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 February 21, 2018, subject to certain terms enumerated in the consent agreement.

**Mykia Shavon Hemphill (CPT.013040):** The Board granted her request for reinstatement of the previously suspended certificate, 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 certificate on probation for

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five years, effective February 21, 2018, subject to certain terms enumerated in the consent agreement.

**Steven Walter Gough (PST.013199):** The Board granted his 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 February 21, 2018, subject to certain terms enumerated in the consent agreement.

**Morris Albert Lottinger, III (PST.013756):** The Board granted his request for reinstatement of the previously suspended license, then restored the license to active and unrestricted status.

**Bobby Trondell Thompson (PST.020854):** The Board granted his request for modification of previous orders, removed all probationary terms, and then restored the license to active and unrestricted status.

**Scotty Paul Broussard (PST.015681):** The Board denied his request for modification of previous orders.

**Benecard Central Fill of PA, LLC, dba Benecard Central Fill (Mechanicsburg, PA) (PHY.006167):** The Board granted its request for reinstatement of the previously suspended permit, then restored the permit to active and unrestricted status.

**Brittany Taylor Mize (CPT.009842):** In lieu of immediate administrative action on the allegation of her diversion of CS from her employer pharmacy, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the certificate for an indefinite period of time, effective November 16, 2017.

**Alton Joseph Trahan (PST.011192):** In lieu of immediate administrative action on the allegation of his diversion of CS from his employer pharmacy, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective December 27, 2017.

**Krystal Diayell Phillips (CPT.010601):** For her alleged diversion of CS from her employer pharmacy, the Board revoked her certificate, effective December 22, 2017; and further, permanently prohibited the acceptance of any future reinstatement application or any application for any credential issued by the Board.

**Larry Don Stephens (PST.017451):** In consideration of the probationary period imposed by the Tennessee Board of Pharmacy on his Tennessee pharmacist license, noting his conduct in that matter constitutes sufficient basis for action in Louisiana, the Louisiana Board suspended his Louisiana pharmacist license for six months plus 23 days and stayed the execution of the suspension, then placed his Louisiana pharmacist license on probation for six months plus 23 days, subject to certain terms enumerated within the consent agreement, noting the probationary period was to run concurrently with the probationary period imposed by the Tennessee Board; and further, assessed administrative costs.

**Lauren Moore Caldwell (PST.020057):** In lieu of immediate administrative action on the allegation of her diversion of CS from her employer pharmacy, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective January 5, 2018.

**Elise Rebecca Kelly (CPT.012814):** For her diversion of CS from her employer pharmacy, the Board revoked the certificate, effective February 5, 2018; and further, permanently prohibited the acceptance of any future reinstatement application.

**Charles Scott Weatherford (PST.015275):** In lieu of immediate administrative action, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time, effective January 22, 2018.

**Sherail Charmal McCray (SWP.000739):** Pursuant to the revocation of her Mississippi pharmacy technician credential by the Mississippi Board of Pharmacy, the Louisiana Board accepted the voluntary surrender of the credential, resulting in the active suspension of her special work permit for an indefinite period of time, effective February 8, 2018.

**K&B Louisiana Corporation dba Rite Aid Pharmacy No. 7336 (Monroe, LA) (PHY.001560):** For its failure to designate a replacement PIC in a timely manner, and for the continued operation of a pharmacy without a designated PIC for approximately 45 days, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Tyler Austin Davis (CPT.011784) – Formal Hearing:** For his failure to provide information relating to his arrest for diversion of CS from his employer pharmacy, the Board suspended the certificate for an indefinite period of time, effective February 22, 2018; and further, assessed a fine of \$500 plus administrative, investigative, and hearing costs; and further, conditioned the acceptance of any future reinstatement application upon the satisfaction of certain requirements identified in the hearing order.

During the same meeting, the Board issued a letter of warning to one pharmacy and a letter of reprimand to one pharmacist.

### **Calendar Notes (18-04-572)**

The Board office will be closed on May 28 in observance of Memorial Day and on July 4 in observance of Independence Day.

### **Special Note (18-04-573)**

The *Louisiana Board of Pharmacy Newsletter* is considered an official method of notification to pharmacies, pharmacists, pharmacy interns, pharmacy technicians, and pharmacy technician candidates credentialed by the Board. **These Newsletters will be used in administrative hearings as proof of notification.** Please read them carefully. The Board encourages you to keep them in the back of the *Louisiana Pharmacy Law Book* for future reference. Electronic copies dating back to 2000 are posted on the Board's website.

### **Louisiana Lagniappe (18-04-574)**

“Those interested in perpetuating present conditions are always in tears about the marvelous past that is about to disappear, without having as much as a smile for the young future.” – Simone de Beauvoir

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