



LOUISIANA BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Multiple Declarations of Emergency Remain in Effect (21-10-680)

Governor John Bel Edwards issued his initial declaration of emergency for the coronavirus disease 2019 (COVID-19) public health emergency on March 11, 2020; it has been renewed continuously and remains in effect at press time. The Louisiana Board of Pharmacy has issued multiple guidance documents, which have included multiple waivers and exemptions from certain rules. Some of those exemptions have expired, some have been terminated, and some remain in effect. The Board established a [COVID-19 web page](#) on the Board's website at www.pharmacy.la.gov, now located under the State of Emergency tab in the upper left corner of the home page. The status of all the interim policies is available on this web page.

Governor Edwards issued his initial declaration of emergency for the severe weather associated with **Hurricane Laura** on August 21, 2020; it has been renewed continuously and remains in effect at press time. The Board established a [Hurricane Laura web page](#) on its website, located under the State of Emergency tab in the upper left corner of the home page. The posted guidance documents and other resources include information on dispensing of emergency prescriptions, assessment of medication integrity in storm-damaged pharmacies, disposal of contaminated medical waste and hazardous waste, and reporting of theft or loss of controlled substances (CS).

Governor Edwards issued his initial declaration of emergency for the severe weather associated with **Hurricane Delta** on October 6, 2020; it has been renewed continuously and remains in effect at press time. The Board established a [Hurricane Delta web page](#) on its website, located under the State of Emergency tab in the upper left corner of the home page.

Governor Edwards issued his initial declaration of emergency for the severe weather associated with **Hurricane Ida** on August 26, 2021; it has been renewed and remains in effect at press time. The Board has established a [Hurricane Ida web page](#) on its website, located under the State of Emergency tab in the upper left corner of the home page. The Board posted and distributed a [guidance document](#) on September 3 with information concerning the dispensing of emergency prescriptions, assessment of medication integrity in storm-damaged pharmacies, disposal of contaminated medical waste and hazardous waste, and reporting of theft or loss of CS. At the request of the Board, the National Association of Boards of Pharmacy®

reinstated its **Emergency Passport Program** to facilitate pharmacy personnel seeking to travel to the state and render disaster assistance. These passports will be valid for a limited period of time.

The declarations of emergency previously issued for the severe weather associated with Hurricane Sally, Tropical Storm Beta, Hurricane Zeta, and Tropical Storm Claudette have all been terminated.

Renewal Time for Pharmacists and Pharmacies (21-10-681)

The renewal cycle for pharmacist licenses, pharmacy permits, and controlled dangerous substance (CDS) licenses for pharmacies will open on November 1, 2021. Just prior to that date you should receive a reminder notice from the Board office; the mailer will remind you of the three options you have to renew your credentials:

1. Visit the Board's website at www.pharmacy.la.gov and renew your credentials online using the username and password printed on the reminder notice and a credit card for payment of the fee;
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, to the Board office; or
3. Send a written request to the Board office (mail or email) with your name, credential number, and mailing address, requesting the Board to mail an application form to you.

Any address changes received at the Board office after Friday, October 15, 2021, will not be reflected on your renewal reminder. In the event that the postal service fails to deliver your reminder mailer by November 15, 2021, then it becomes your responsibility to retrieve an application form on the Board's website or renew your credentials online. As a reminder, credentials are now virtual, meaning no paper form exists for the Board to mail to you. You can check the status of your license at any time on the Board's website.

The online renewal module on the Board's website is programmed to automatically activate at 12:01 AM on November 1, 2021, and to automatically deactivate at midnight on December 31, 2021. While the Board makes every effort to maintain the online convenience during the renewal cycle, the Board's internet service provider may experience weather-related or other unforeseen technical difficulties from time to time. Such service disruptions have already happened more than once during the many years the Board has been offering the online option, including the final day of the renewal cycle. You have 60 days to renew your credential, and it is your choice as to when you complete that duty. In the event that 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 credential in a timely manner. The Board does not waive the penalty fee in that situation. Why take a chance? Please do not wait until the last minute of the last day.

In the event that you elect or you are required to use paper application forms, the Board suggests that you submit your completed application forms and fees to the Board office no later than December 1, 2021 – especially if you require a renewed license on or before January 1, 2022. Please do not forget to answer all the questions and sign and date the application form. If the forms are incomplete, or if there is no supporting documentation when required, then the Board may return your application form to you, resulting in a delay in the renewal of your credential.

As required by Act 298 of the 2015 Louisiana Legislature, the Board is required to assess the pharmacy education support (PES) fee of \$100 on the renewal of every pharmacist license and pharmacy permit issued by the Board. The law also provides an option for the pharmacist and pharmacy to decline to pay the fee. You will notice that the default position is for the fee to be included on your invoice; you must “opt out” if you wish to decline to pay the PES fee. If you forget to opt out and then pay the fee, the Board cannot issue a refund of the PES fee.

If it is important for you to know when your paper application forms are received at the Board office, the Board suggests that you use a mailing service with tracking options, eg, United States Postal Service, FedEx, DHL, or United Parcel Service. This year, the Board anticipates the renewal of approximately 12,000 credentials in this two-month renewal cycle. Because of the volume of mail, the Board may not be able to respond in a timely manner to requests for delivery confirmation.

- Current pharmacist licenses expire at midnight on December 31, 2021. There is no “grace period,” and a pharmacist shall not practice with an expired license.
- The fee for the timely renewal of a pharmacist license is \$100. Unless opted out, the PES fee of \$100 will be added to the total cost. The renewal of an expired license will incur a 50% penalty fee of \$50 for the first 30 days after the expiration date. If renewed more than 30 days after the expiration date, a \$200 reinstatement fee will be required in addition to the penalty fee.

Please remember the pharmacy permit and CDS license for the pharmacy are separate credentials and must be renewed on separate application forms. There is no change in the fee, and you may write one check for one or more credentials, but the application forms are separate. In the event that you send multiple applications with one check and there is a problem with one of the applications, then all of the applications covered by that check will be delayed until all of the applications paid for with that check can be processed. If renewing online, those credentials have separate application forms and are available for access at the same time. Both forms must be completed in order to renew both credentials. You may elect to renew and pay for them in separate transactions or, alternatively, you may place both applications on the same invoice prior to electronic payment.

- To qualify for the renewal of a pharmacy permit, the Board requires evidence of a recent satisfactory inspection dated within the two-year period prior to the date of the renewal application. If the Board does not have that inspection report, Board staff will pause the processing of the renewal application to contact the pharmacy and request a copy of that inspection report.
- Current pharmacy permits and CDS licenses for pharmacies expire at midnight on December 31, 2021. There is no “grace period,” and a pharmacy shall not operate with an expired permit or CDS license. Recent history reveals the usual fine for this violation is \$5,000 plus administrative costs.
- The fee for the timely renewal of a pharmacy permit is \$150, which includes the \$25 prescription monitoring program assessment. Unless opted out, the PES fee of \$100 will be

added to the total cost. The renewal of an expired permit will incur a 50% penalty fee of \$62.50 for the first 30 days after the expiration date. If renewed more than 30 days after the expiration date, a \$200 reinstatement fee will be required in addition to the penalty fee.

- The fee for the timely renewal of a CDS license for a pharmacy is \$25. The renewal of an expired CDS license for a pharmacy will incur a 50% penalty fee of \$12.50 for the first 30 days after the expiration date. If renewed more than 30 days after the expiration date, a \$200 reinstatement fee will be required in addition to the penalty fee.

Pharmacist Responsibility (21-10-682)

If you are the pharmacist-in-charge (PIC) of a pharmacy, it is your responsibility to ensure that all personnel you allow to perform professional functions in your pharmacy are properly credentialed with an active and current credential. If you are a staff pharmacist or a relief pharmacist, it is your responsibility to ensure that all personnel you allow to assist you in the pharmacy are properly credentialed with an active and current credential. Remember that you may verify the status of any credential on the Board's website.

In the event that a compliance officer discovers anyone performing professional functions without the necessary credentials, all of the pharmacists who are present, as well as the PIC, will be identified in the resulting investigative report filed by the compliance officer. Further, in the event of a formal inquiry by the Board, all pharmacists identified will bear the risk of potential disciplinary action for aiding and abetting the unlicensed practice of pharmacy.

Decisions From August 2021 Board Meeting (21-10-683)

During its August 18, 2021 meeting, the Board made several decisions concerning the items of business on its meeting agenda.

- The members approved the financial report for the previous Fiscal Year 2020-2021; and further, they approved certain budget amendments for the current FY 2021-2022.
- The members voted to update their guidance document relative to the Public Readiness and Emergency Preparedness Act to include additional amendments posted by the US Department of Health and Human Services.
- The members voted to rescind their interim policy relative to dispensing prescriptions for cannabidiol because that drug had recently been removed from the state list of CS.
- The members voted to issue a new interim policy relative to telehealth waivers for collaborative drug therapy management consultations.
- The members reconsidered their previous decision to begin the process to award the 10th and final marijuana pharmacy permit, and then deferred any further action on that plan until after January 1, 2023. Since the legislature made changes to the medical marijuana law that will impact market dynamics, and the issuance of the 10th and final marijuana pharmacy permit is

based on market dynamics, the one-year deferral is intended to let the market dictate the region that will host the 10th and final permit.

- The members approved a regulatory proposal to reduce the regulatory burden on hemp handlers seeking a state CDS license.
- The members approved a regulatory proposal to change the rule for medication administration to require pharmacy technicians to obtain the education and training necessary to administer medications; to remove the requirement for pharmacy personnel to obtain a separate medication administration registration from the Board; and to require pharmacy personnel to maintain their own records of education, training, and continuing competency and present those records to the Board when requested by the Board.
- The members received a notice of intent from the executive director to retire in the summer of 2022 and then selected the assistant executive director as the executive director-designate.

Disciplinary and Other Licensure Actions (21-10-684)

During its May 26, 2021 meeting, the Board took action on several items of business, including:

David Keith Chauvin, Jr (PST.016278): For his removal of the pharmacy's electronic prescription records and patient profiles upon his departure as PIC of Barker's Pharmacy in Plaquemine, LA, and the subsequent transfer of those electronic records to his own pharmacy, Lil Daves in Plaquemine, without authority, resulting in the breach of confidentiality of protected health information, the Board issued a letter of reprimand; and further, assessed a fine of \$10,000 plus administrative, investigative, and hearing costs.

Melior, Inc, dba Lil Daves (Plaquemine) (PHY.008099): For its possession of electronic prescription records and protected health information from Barker's Pharmacy without authority, the Board issued a letter of reprimand; and further, assessed a fine of \$10,000 plus administrative, investigative, and hearing costs.

During its August 18, 2021 meeting, the Board took action on several items of business, including:

Walgreen Louisiana Co, Inc, dba Walgreen Pharmacy No. 11830 (Marksville, LA) (PHY.006062): For its failure to notify the Board of a change in the PIC of the pharmacy for approximately 96 days, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

Walgreen Louisiana Co, Inc, dba Walgreen Pharmacy No. 06028 (Baton Rouge, LA) (PHY.004463): For its failure to notify the Board of a change in the PIC of the pharmacy for approximately 78 days, the Board assessed a fine of \$1,000 plus administrative and investigative costs.

Walgreen Louisiana Co, Inc, dba Walgreen Pharmacy No. 02012 (Alexandria, LA) (PHY.005354): For its failure to notify the Board of a change in the PIC of the pharmacy for approximately 74 days, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

Archway Apothecary, LLC, dba Archway Apothecary (Covington, LA) (PHY.007333): For its failure to comply with federal standards for the compounding of sterile preparations, the Board assessed a fine of \$25,000 plus administrative and investigative costs.

Earl Raymond Wilkes, Jr (PST.010160): For his failure to comply with federal standards for the compounding of sterile preparations while serving as the PIC of Archway Apothecary in Covington, the Board suspended the license for one year and stayed the execution of the suspension, then placed the license on probation for one year, effective August 18, 2021, subject to certain terms enumerated within the voluntary consent agreement.

Tamara Adams Veal (CPT.003942): For her written admission to the theft of lorazepam, phentermine, and butalbital/acetaminophen from her employer pharmacy, the Board revoked the certificate, effective July 8, 2021; and further, permanently prohibited the acceptance of any future application for the reinstatement of the certificate or for any other credential issued by the Board.

Brent Van Landry (PST.017440): Board granted his request for reinstatement of the previously suspended license, converted the duration of the suspensive period to a term of five years and stayed the execution of the suspension, then placed the license on probation for five years, effective August 18, 2021, subject to certain terms enumerated within the voluntary consent agreement; and further, assessed administrative costs.

Charles Scott Weatherford (PST.015275): Board granted his request for reinstatement of the previously suspended license, converted the duration of the suspensive period to a term of 10 years and stayed the execution of the suspension, then placed the license on probation for 10 years, effective August 18, 2021, subject to certain terms enumerated within the voluntary consent agreement; and further, assessed administrative costs.

Terry James Veillon, Jr (PST.018988): Board granted his request for modification of previous orders, removed all probationary terms that were scheduled to expire on September 6, 2023, then restored the license to active and unrestricted status.

Ginger Allen Coffey (PST.016606): Board granted her request for modification of previous orders, then removed Article 2-e from her August 2016 Probation Board Order, which had prevented her from accepting an appointment as the PIC of a pharmacy; however, all other terms and conditions shall remain in effect.

Pamela Karen Pollar (CPT.006138): Board granted her request for reinstatement of the lapsed certificate, contingent upon her completion of certain requirements identified within the hearing order no later than July 16, 2023.

John Thomas Copeland (PST.023812): For his failure to disclose the January 2010 action taken against his New York pharmacist license by the New York pharmacy regulatory authority on his January 2021 application for a Louisiana pharmacist license despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$1,000 plus administrative costs.

Kelly Marie Authement (CPT.012948): For her failure to disclose her July 2020 arrest on her June 2021 application for the renewal of her pharmacy technician certificate despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

Amanda Nicole Terrebonne (CPT.013598): For her failure to disclose her June 2020 arrest on her June 2021 application for the renewal of her pharmacy technician certificate despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

Yolanda Rashaye Mallet (CPT.012587): For her failure to disclose her July 2020 arrest on her June 2021 application for the renewal of her pharmacy technician certificate despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

Danielle Kristen Ducote (CPT.008404): For her failure to disclose her December 2019 arrest on her June 2020 application for the renewal of her pharmacy technician certificate despite specific questioning for such information, the Board suspended the certificate for an indefinite period of time; and further, assessed a fine of \$500 plus hearing, administrative, and investigative costs; and further, conditioned the acceptance of any future application upon the satisfaction of certain requirements identified within the hearing order.

Jenna Marie Graves (CPT.014230): For her failure to respond to the Board's request for information concerning her December 2020 arrest, the Board suspended the certificate for an indefinite period of time; and further, assessed a fine of \$500 plus hearing, administrative, and investigative costs; and further, conditioned the acceptance of any future application upon the satisfaction of certain requirements identified within the hearing order.

Brittney Nicole Artison (CPT.012037): For her written admission to the theft of prescription drugs and other merchandise from her employer pharmacy, the Board suspended the certificate for an indefinite period of time; and further, assessed a fine of \$500 plus hearing, administrative, and investigative costs; and further, conditioned the acceptance of any future application upon the satisfaction of certain requirements identified within the hearing order.

Karla Michelle Abbitt (SWP.000932): For her written admission to the theft of dextroamphetamine salts and lisdexamfetamine from her employer pharmacy, the Board suspended the special work permit for an indefinite period of time; and further, assessed a fine of \$500 plus hearing, administrative, and investigative costs; and further, conditioned the acceptance of any future application upon the satisfaction of certain requirements identified within the hearing order.

Calendar Notes (21-10-685)

The Board office will be closed on November 11 in observance of Veterans Day, November 25 for Thanksgiving Day, November 26 for Acadian Day, December 24 in observance of Christmas Day, and December 31 in observance of New Year's Day.

Special Note (21-10-686)

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. Electronic copies dating back to 1998 are posted on the Board's website.

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Louisiana Lagniappe (21-10-687)

"Respect for people is the cornerstone of communication and networking. Networking is an enrichment program, not an entitlement program." – Susan RoAne

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