



LOUISIANA BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Board Elects Officers for Calendar Year 2023 (23-01-726)

During their November 16, 2022 meeting, the Louisiana Board of Pharmacy members conducted their annual election of officers, with the following results:

- President – Marty R. McKay, from Woodworth, LA, in District 8;
- First Vice President – Jacqueline L. Hall, from New Orleans, LA, in District 2;
- Second Vice President – Rhonny K. Valentine, from Natchitoches, LA, in District 4;
- Third Vice President – Don L. Resweber, from St Martinville, LA, public member; and
- Secretary – Richard M. Indovina, Jr, from River Ridge, LA, in District 1.

Board Meeting Dates for Calendar Year 2023 (23-01-727)

The Board has announced the following tentative meeting dates for calendar year 2023:

February 14-16, May 23-25, August 15-17, and November 14-16, all of which are planned to take place at the Board office in Baton Rouge, LA.

Pharmacy Technicians – Please Act Now to Prepare for Automated Audit of CPE Records During the Upcoming Renewal Cycle (23-01-728)

The Board’s rules for pharmacy technicians stipulate compliance with continuing pharmacy education (CPE) requirements as a prerequisite for the renewal of pharmacy technician

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certificates. To improve the Board's ability to ensure the continued competency of pharmacy technicians credentialed by the Board, staff collaborated with the National Association of Boards of Pharmacy® (NABP®) to develop an automated audit of CPE records during the renewal process.

The Board's rules for pharmacy technicians require them to maintain their CPE records using CPE Monitor®, a service offered by NABP free of charge to pharmacy technicians, and further, to make those CPE records available to the Board by recording their Louisiana credential number within their NABP e-Profile account. Beginning with the 2023-2024 renewal cycle for pharmacy technicians in May, the Board will include an automated audit of the applicant's CPE records on CPE Monitor during the online renewal process.

Upon verification of compliance with CPE requirements by CPE Monitor, the applicant will be permitted to complete the renewal process. In the event that compliance cannot be verified by CPE Monitor, the renewal process will be terminated, and the applicant will be invited to return to complete the renewal process when their records on CPE Monitor can substantiate their compliance with CPE requirements. Applicants using a paper application form should be prepared to include a copy of their CPE Monitor transcript demonstrating compliance with the CPE requirements.

The Board encourages pharmacy technicians to verify their CPE records in their CPE Monitor account prior to the beginning of the renewal cycle. In addition, pharmacy technicians should be aware of administrative policies from the Accreditation Council for Pharmacy Education (ACPE) that require ACPE-accredited providers of CPE programs to report their program participant records to ACPE no later than 60 days after completion of the program. While some providers submit such reports within days following a program, the Board also knows that some providers may take several weeks to submit such reports. In the event your CPE Monitor account does not contain the records that you believe should be there, the Board encourages you to contact the CPE provider. Board staff will not be able to assist you with such inquiries.

Rulemaking Activity of the Board – How to Follow the Progress (23-01-729)

The progress of the Board's regulatory and legislative activity can be monitored on the Board's Rulemaking Activity section of its [website](#). Here you will find links to the Regulatory Proposals, Regulatory Projects, and Legislative Proposals pages.

The Regulatory Proposals web page contains items developed by the Board's Regulation Revision Committee for submission to the full Board. The status of each proposal is recorded on this web page. In the event the Board approves a proposal for rulemaking, the proposal is converted to a regulatory project.

The Regulatory Projects web page contains items that began as proposals and were approved by the Board to begin the rulemaking process. The status of each project in the rulemaking process is recorded on this web page.

The Legislative Proposals web page contains items developed by the Board's Regulation Revision Committee for submission to the full Board. The status of each proposal is recorded on this web page.

Board approval is required to authorize the filing of legislative proposals. The progress of legislative measures may be monitored at the legislative [website](#).

Spotlight on Compliance (23-01-730)

The Board's pharmacist compliance officers have teamed up to provide information on subjects commonly discussed with licensees.

The first "Spotlight on Compliance" article addresses the confusion that many licensees encounter when attempting to find a law or regulation in the Board's law book, *Louisiana Board of Pharmacy Laws and Rules*. The law book is available on the Board's [website](#) by selecting Laws & Regulations under the Resources tab.

The law book, as stated in the title, contains laws and rules. Laws are passed by the state legislature; rules are made by the Board through the rulemaking process. The laws are listed first and are titled Louisiana Revised Statutes (LA RS). For example, Titles 3–Agriculture and Forestry, 37–Professions and Occupations, 40–Public Health and Safety, 49–State Administration, and 51–Trade and Commerce are contained in LA RS. The rules (also called regulations) are listed and are titled Louisiana Administrative Code (LAC). For example, Title 46–Professional and Occupational Standards is in the LAC.

Many, but not all, topics are found under both laws and rules. For instance, the Uniform Controlled Dangerous Substances Law is Part X of LA RS Title 40. The rules for Controlled Dangerous Substances are found in LAC Title 46, Chapter 27. When looking for a certain topic, be sure to look in both laws and rules.

The online version of the law book is a searchable document. After pressing "Control+F," type the word or phrase into the search field and press "Enter." This will indicate each time that word or phrase appears in the law book. Use the up and down arrows to navigate through the search results. At times, a single word will be helpful; at other times, a search for a phrase will be necessary. Currently, a search for "rest" will yield 251 results; however, a search for "break" yields five results, and a search for "rest break" yields one result. While searching for a topic, it is usually best to also search for similar words. If the search is for the laws and rules addressing administration of immunizations, searches for "immunization," "medication administration," and "administering medication" would prove helpful.

Licensees are encouraged to download the current version of the law book from the Board's website. In the event of a disruption in internet service, it is best to have the document available offline. However, it is important to realize that the complete law book is updated periodically and is current as of the date published. Any changes since that publication date would be found on the Board's website, below the link for the complete book. The individual parts and chapters are listed with the latest revision date noted beside the name of the chapter. Information found in the downloaded version may be checked for changes against the same section using the link to the individual chapter.

Louisiana Board of Pharmacy Laws and Rules is an authoritative source for answers to all questions relating to Louisiana pharmacy matters. Being familiar with, and being able to find, the laws and rules that regulate the pharmacy profession is a key part to ensuring compliance with those laws and rules.

Disciplinary and Other Licensure Actions (23-01-731)

During its November 16, 2022 meeting, the Board took action in the following matters:

George Joseph Hebert, III, dba Hebert's Pharmacy (Breaux Bridge, LA) (PHY.002260): For its failure to report 228 eligible prescription transactions to the prescription monitoring program (PMP), the Board assessed a fine of \$3,000 plus administrative and investigative costs.

Christopher Regis Robin (PST.016333): For his accountability as pharmacist-in-charge (PIC) of a permit that failed to report 228 eligible prescription transactions to the PMP, the Board issued a letter of warning plus administrative costs.

Layton Pharmacy, LLC, dba Layton Pharmacy (Covington, LA) (PHY.007079): For allowing an uncredentialed person to assist in the practice of pharmacy, the Board assessed a fine of \$2,500 plus administrative and investigative costs.

Walgreen Louisiana Co, Inc, dba Walgreen Pharmacy No. 15109 (Jefferson, LA) (PHY.006580): For permitting a pharmacy technician candidate with an expired credential to practice from March 3, 2022, to May 3, 2022, the Board assessed a fine of \$2,500 plus administrative and investigative costs.

Walgreen Louisiana Co, Inc, dba Walgreen Pharmacy No. 09526 (Pineville, LA) (PHY.005545): For its ongoing failure to provide adequate security for its controlled substances (CS), failure to conduct an inventory following a loss, and for its accountability for the loss of approximately 563 alprazolam tablets, the Board assessed a fine of \$35,000 plus administrative and investigative costs.

Natalia McCarty (PST.018145): For her failure to conform to the minimal standards of acceptable and prevailing pharmacy practice, whether or not actual injury to a patient occurred, the Board issued a letter of reprimand; and further, assessed a fine of \$2,500 plus administrative and investigative costs.

MedRx Specialty Pharmacy, LLC, dba MedRx Pharmacy (Bossier City, LA) (PHY.007676): For its failure to assign a new PIC, open a minimum of 10 hours per week, and produce records requested by the Board or its agent within 72 hours of request, the Board permanently revoked the permit without opportunity for reinstatement.

Mansfield Drug Co, Inc, dba Mansfield Drug (Mansfield, LA) (CDS.045175-PHY): Pursuant to the surrender of the pharmacy's Drug Enforcement Administration registration, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the state CS license for an indefinite period of time commencing on August 18, 2022.

Lin Leung (PST.019612): For a disciplinary board order issued by the New York State Board of Pharmacy, the Board suspended his credential until June 20, 2024, in accordance with the period of

probation imposed by the New York State Board of Pharmacy, suspended the suspension and placed his credential on probation for the period of suspension subject to conditions; and further, assessed administrative costs.

Kristian Johnee Herrion (PTC.029530): For her admission to the theft of various CS from her employer, the Board revoked her credential; and further, prohibited her from applying or reapplying to practice or assist in the practice of pharmacy.

Miller Pharmacy Services, LLC, dba The Prescription Shoppe Pharmacy (Ruston, LA) (CDS.041738-PHY): The Board accepted the voluntary surrender of the credential, resulting in the active suspension of the state CS license for an indefinite period of time commencing on August 23, 2022.

Georgia Kovarcik Jones (PST.023655): In lieu of immediate administrative action on a pending matter, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time commencing on September 5, 2022.

Kimberly Desha Drake (CPT.015710): For her failure to disclose a June 2022 arrest on her renewal application for 2022-2023 despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

Courtney Elizabeth-Marie McNeal (PST.022118): In lieu of immediate administrative action on a pending matter, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time commencing on October 19, 2022.

Joshua Charles Ferdinand Miller (PST.018460): In lieu of immediate administrative action on a pending matter, the Board accepted the voluntary surrender of the credential, resulting in the active suspension of the license for an indefinite period of time commencing on November 7, 2022.

Dawne Chere Landry (PST.017223): In lieu of further administrative proceedings, the Board suspended her credential, suspended the period of suspension, and placed the license on probation for 10 years beginning November 16, 2022, subject to certain terms enumerated within the voluntary consent agreement.

Anh Thi Phuong Tran (PST.022162): In response to a request for reinstatement of her credential, the Board denied reinstatement; and further, prohibited application for reinstatement until she has no pending criminal matters, including any imposed Article 894 probationary period by the court, against her in any jurisdiction.

Jaime Lea Scallan (CPT.004572): Board granted her request for reinstatement of the lapsed pharmacy technician certificate, conditioned upon her satisfaction of the following requirements prior to November 16, 2024: (1) acquisition of at least 250 hours of updated practical experience under the authority of a special work permit subject to certain terms; and (2) acquisition of at least 10 hours of ACPE-accredited technician-specific CPE.

Lisa Mae Smith (CPT.009297): Board granted her request for reinstatement of the lapsed pharmacy technician certificate, conditioned upon her satisfaction of the following requirements prior to November 16, 2024: (1) acquisition of at least 250 hours of updated practical experience under the authority of a special work permit subject to certain terms; and (2) acquisition of at least 10 hours of ACPE-accredited technician-specific CPE.

Jaime Lynn Blanchard (CPT.001387): Board granted her request for reinstatement of the lapsed pharmacy technician certificate, conditioned upon her satisfaction of the following requirements prior to November 16, 2024: (1) acquisition of at least 250 hours of updated practical experience under the authority of a special work permit subject to certain terms; (2) acquisition of at least 10 hours of ACPE-accredited technician-specific CPE; and (3) successful completion of a Board-approved pharmacy technician examination (Pharmacy Technician Certification Exam administered by Pharmacy Technician Certification Board or, in the alternative, Exam for the Certification of Pharmacy Technicians administered by National Healthcareer Association).

Calendar Notes (23-01-732)

The Board office will be closed on February 21 for Mardi Gras Day and April 7 for Good Friday.

Special Note (23-01-733)

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 1999 are posted on the Board's website.

Louisiana Lagniappe (23-01-734)

"The best way to cheer yourself up is to cheer someone else up." – Mark Twain

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