



# LOUISIANA BOARD OF PHARMACY

*newsletter to promote pharmacy and drug law compliance*

## ***Board Elects Officers for Calendar Year 2024 (24-01-758)***

During their November 15, 2023 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 2024 (24-01-759)***

The Board has announced the following tentative meeting dates for calendar year 2024:

February 20-21, May 7-8, August 13-14, and November 19-20, all of which are planned to take place at the Board office in Baton Rouge, LA.

## ***Board Member Nomination Election (24-01-760)***

Appointments of members to the Board are made in accordance with Louisiana Revised Statute 37:1175, which provides that whenever a vacancy occurs among the members representing one of the eight pharmacy districts, the pharmacists who are bona fide residents of the district in which the vacancy occurs

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shall nominate from among their number a representative to the Board. Whenever that vacancy shall occur by reason of an expiring term, the nomination shall be made by mail at least 60 days in advance of the expiration date of the term.

The Board's secretary is responsible for mailing a ballot by United States Postal Service First-Class Mail to each pharmacist holding an active license and residing in the district in which the vacancy will occur, at the last known address as indicated in the Board's records. The pharmacist may participate in the nomination election by recording the name of their pharmacist nominee on the ballot, completing the signature slip, and mailing both items to the Board office in the manner indicated on the ballot. The nominee may be any pharmacist holding an active license and residing in the district; there are no term limits for members of the Board. The ballot or another enclosed communication will state the date, time, and place for counting ballots. At a gathering open to the public, the secretary and one or more persons designated by him will open and count the ballots. The secretary will then certify to the governor the names of the three nominees in each district receiving the highest number of votes. For each district in which the vacancy will occur, the governor may appoint one of those three nominees to the Board.

The terms of five current Board members will expire on June 30, 2024. The deadline for any address changes relative to this nomination election is February 16, 2024. The ballots with the necessary information will be mailed to the pharmacists in the respective pharmacy districts on or about March 13, 2024. The deadline for the return of the ballots to the Board office will be April 12, 2024. The ballots will be opened and counted at the Board office on or about April 17, 2024; the information about the exact time will be included with the ballot.

Board member terms that will expire on June 30, 2024, and their district information are as follows:

- **Blake P. Pitre:** Houma (District 3, composed of the parishes of Ascension, Assumption, Iberia, Iberville, Lafourche, St Charles, St James, St John the Baptist, St Martin, St Mary, Terrebonne, and West Baton Rouge).
- **Rhonny K. Valentine:** Natchitoches (District 4, composed of the parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Red River, Sabine, and Webster).
- **J. Robert Cloud:** West Monroe (District 5, composed of the parishes of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll, and Winn).
- **Kevin LaGrange:** Lafayette (District 7, composed of the parishes of Acadia, Calcasieu, Cameron, Jefferson Davis, Lafayette, and Vermilion).
- **Robert C. LeBas:** Opelousas (District 8, composed of the parishes of Allen, Avoyelles, Beauregard, Catahoula, Concordia, Evangeline, Grant, LaSalle, Pointe Coupee, Rapides, St Landry, and Vernon).

Should any pharmacist need a list of pharmacists in their own district for purposes related to this nomination election, the Board office will supply one complimentary list upon receipt of a written request by the pharmacist. The expiration date of the new appointees' terms will be June 30, 2030.

### **New Rules (24-01-761)**

The Board completed the rulemaking process for the following two regulatory projects with publication of the final rules in the October 20, 2023 edition of the *Louisiana Register*, with immediate effective dates. The Board distributed email notices regarding the progress of these regulatory projects in addition to maintaining the information on the "Regulatory Projects" page of the Board's website. Please refer to the "Regulatory Projects" page to view the status and details of all projects.

- Regulatory Project 2023-01 – Prescriptions
- Regulatory Project 2023-07 – Marijuana Pharmacy

### **Spotlight on Compliance (24-01-762)**

Compliance officers are often questioned about the proper filing and retention of prescription forms. Regulations addressing this topic are found in Louisiana Administrative Code (LAC) 46:LIII.1123 Records of Prescription Drug Orders and Chart Orders.

Regulations allow the use of an electronic imaging system to preserve written prescriptions and oral prescriptions that are transcribed into written form. However, certain requirements, found in LAC 46:LIII.1123.J, must be met to use an electronic imaging system. Included in those requirements is that the prescription is not for a controlled dangerous substance (CDS).

Prescriptions for CDS listed in Schedule II shall be filed separately from all other prescriptions. Per LAC 46:LIII.2747.B.7.d, "After dispensing a prescription for a [CDS] listed in Schedule II, the pharmacist shall cancel the prescription by defacing the prescription form and recording [his/her] name or initials on the form." An example of defacing the prescription form could include, but is not limited to, a single unobtrusive line from corner to corner, taking care not to render the face of the prescription illegible.

When filing prescription forms, the forms must be assembled and stored in prescription number sequence. Filing prescription forms only by date, not in numerical order, is not permissible.

Original hard copy prescription forms shall be retained in the prescription department and electronic forms shall be retained within the pharmacy information system for a minimum of two years following the most recent transaction. The regulations do not require electronic prescriptions to be printed.

When in doubt about the proper procedure for filing prescriptions or any regulation of pharmacy practice, please refer to *Louisiana Board of Pharmacy Laws and Rules*, commonly referred to as "The Law Book," which is available at [www.pharmacy.la.gov](http://www.pharmacy.la.gov). Under the Resources tab, select Laws & Regulations. The most up-to-date information is available using the links to each law (Revised Statute) and regulation (under the LAC).

## ***Disciplinary and Other Licensure Actions (24-01-763)***

During its November 15, 2023 meeting, the Board acted in the following matters:

**Wells Pharmacy Network, LLC, dba Wells Pharmacy Network (Ocala, FL) (PHY.006593):** For action taken by the Missouri Board of Pharmacy on or about January 20, 2023, the Board suspended the permit, suspended the suspension, and placed the permit on probation for the period of suspension beginning on November 15, 2023, and terminating on January 20, 2026, subject to conditions; and further, assessed administrative and investigative costs.

**Robert Carroll Denmon (PST.011505):** For allowing an individual with a suspended pharmacist license to practice pharmacy under his supervision, the Board issued a letter of warning; and further, assessed administrative costs.

**David Wayne Smith (PST.010499):** For allowing an individual with a suspended pharmacist license to practice pharmacy under his supervision, the Board issued a letter of reprimand; and further, assessed a fine of \$1,000 plus administrative costs.

**Express Pharmacy Solutions, LLC, dba Express Pharmacy Solutions (Metairie, LA) (PHY.006800):** For a transfer of ownership in 2018 without submitting the proper application for an inspection and new pharmacy credentials, the Board assessed a fine of \$25,000 plus administrative and investigative costs.

**Anita Renae Williams (CPT.006279):** For her failure to undergo an evaluation as directed by the Board, the Board revoked her credential; and further, prohibited her from applying or reapplying to practice or assist in the practice of pharmacy.

**Louisiana CVS Pharmacy, LLC, dba CVS Pharmacy No. 5276 (Alexandria, LA) (PHY.005765):** For its failure to designate a replacement pharmacist-in-charge (PIC) until 31 days after the previous PIC vacated that position, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Louisiana CVS Pharmacy, LLC, dba CVS Pharmacy No. 5306 (Marksville, LA) (PHY.005788):** For its failure to designate a replacement PIC until 47 days after the previous PIC vacated that position, the Board assessed a fine of \$10,000 plus administrative and investigative costs.

**Louisiana CVS Pharmacy, LLC, dba CVS Pharmacy No. 5511 (Lafayette, LA) (PHY.005844):** For its failure to notify the Board within 30 days of the prior PIC's departure date, the Board assessed a fine of \$30,000 plus administrative and investigative costs.

**Veneshia Devette Loucious (CPT.013802):** For her failure to disclose her September 2022 arrest on her renewal application for 2023-2024 despite specific questioning for such information, the Board issued a letter of reprimand; and further, assessed a fine of \$250 plus administrative costs.

**Jerry Wayne Haynes, Jr (PST.022370):** 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 August 23, 2023.

**Sharad Chandra Rai (PST.019797):** 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 November 15, 2023, subject to certain terms enumerated within the voluntary consent agreement.

**Melissa Williams Richardson (PST.016774):** Board granted her request for reinstatement of the previously suspended license, converted the duration of the suspensive period to a term of six months and stayed the execution of the suspension, then placed the license on probation for six months, effective November 15, 2023, subject to certain terms enumerated within the voluntary consent agreement.

**Patrick Joseph LaBorde (PST.024203):** 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 November 15, 2023, subject to certain terms enumerated within the voluntary consent agreement.

**Norman August Higginbotham (PST.015486):** 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 November 15, 2023, subject to certain terms enumerated within the voluntary consent agreement.

**Georgia Kovarcik Jones (PST.023655):** Board granted her 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 November 15, 2023, subject to certain terms enumerated within the voluntary consent agreement.

**John Scott Soileau (PST.014858):** Board granted his request for modification of previous orders by removing Articles 2-e, 2-k, and 2-l imposed from his May 26, 2021 Probation Board Order.

### **Calendar Notes (24-01-764)**

The Board office will be closed on:

- February 13 for Mardi Gras Day; and
- March 29 for Good Friday.

## **Special Note (24-01-765)**

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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