

LOUISIANA BOARD OF DRUG AND DEVICE DISTRIBUTORS
Board Meeting – Budgetary
MINUTES
December 19, 2023

ATTENDANCE:

Members Present:

James Delatte- Vice-Chairman, Trion Horgan- Secretary/Treasurer, Chad Gielen- Compliance Officer, Darrick LeBeouf- Board Member, Scott Irelan- Board Member, Nicholas Latino- Board Member, and Cindy Luton- Board Member

Members Absent:

Michael Davis- Chairman

Office Staff Present:

George Lovecchio- Executive Director, and Kimberly Barbier- Executive Assistant

Contract Team Present:

John Becknell- General Legal Counsel, and Celia Cangelosi- Legal Counsel/Hearing Prosecutor

Guests:

Terri Clark- Cangelosi Legal Office

I. Call to Order

The meeting was called to order by James Delatte, Board Vice-Chairman, on Tuesday, December 19, 2023, at approximately 9:35 am. The meeting was held at the Board's administrative office located at 12091 Bricksome Avenue, Suite B, Baton Rouge, Louisiana.

II. Roll Call and Introduction of Guests

Roll call was taken by Trion Horgan, Board Secretary-Treasurer, with the above noted results. The members in attendance constituted a quorum. James Delatte, Vice-Chairman, will preside over the meeting in the absence of the Chairman, Michael Davis.

III. Call for Additional Agenda Items (Discussion at Agenda Item X)

Mr. Delatte called for any additional items to be added to the agenda. No items were presented to be added.

IV. Compliance Matters

A. Constant Agreement, Docket DA230029

Celia Cangelosi presented general information regarding the compliance process for disciplinary action cases.

Chad Gielen presented disciplinary case DA230029 relative to Ervin and Associates, LLC, Louisiana license 10312. Mr. Gielen presented a consent agreement which had been accepted and executed by the respondent, Ervin and Associates. No executive session was held. **Motion was made to accept and approve the consent agreement for disciplinary case DA230020, Ervin and Associates, LLC, Louisiana license 10312 as offered and presented; moved by Darrick LeBeouf and seconded by Nicholas Latino; the motion passed by voice vote- FOR: Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: Trion Horgan; RECUSED: Chad Gielen.**

B. Hearing, Docket 2023DA0028

Ms. Cangelosi, Prosecuting Counsel, presented disciplinary case docket 2023DA0028. Ms. Cangelosi noted that a request for continuance had been received from the respondent. No executive session was held. **Motion was made to accept the request for continuance of the hearing for disciplinary case 2023DA0028 as requested by the respondent and to reschedule the hearing for the next Board meeting tentatively set for March 12, 2024; moved by Trion Horgan and seconded by Darrick LeBeouf; the motion passed by voice vote- FOR: Trion Horgan, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: Chad Gielen.**

Ms. Cangelosi and Terri Clark exited the meeting after agenda item IV.B. at approximately 9:55 am.

V. Approval of Meeting Minutes - September 12, 2023

Mr. Delatte presented draft minutes of the September 12, 2023 Board meeting. Individual review of the presented minutes was held. **Motion was made to dispense with full reading of the minutes and approve the minutes as presented; moved by Chad Gielen and seconded by Scott Irelan; the motion passed by voice vote- FOR: Trion Horgan, Chad Gielen, Darrick LeBeouf,**

Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.

VI. Financial Matters

A. Budgets

1. Current FY2024- To Date Review and Proposed Amendments

Mr. Lovecchio presented proposed amendments to the current fiscal year 2024 budget for the period covering July 1, 2023 through June 30, 2024. General review and discussion was held.

Motion was made to approve the proposed amendments to fiscal year 2024 budget for the period covering July 1, 2023 through June 30, 2024 as presented; moved by Trion Horgan and seconded by Cindy Luton; the motion passed by voice vote- FOR: Trion Horgan, Chad Gielen, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.

2. Upcoming FY2025- Proposed

Mr. Lovecchio presented a proposed budget for upcoming fiscal year 2025 for the period covering July 1, 2024 through June 30, 2025. General review and discussion of the proposed budget information was held. **Motion was made to approve and adopt the proposed budget for upcoming fiscal year 2025 covering the period of July 1, 2024 through June 30, 2025 as presented; moved by Darrick LeBeouf and seconded by Nicholas Latino; the motion passed by voice vote- FOR: Trion Horgan, Chad Gielen, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.**

B. Financial Statements

1. September 2023

Mr. Lovecchio presented the financial transaction list and balance reports for the month of September 2023. General review of the information presented was held. No formal action was taken on this agenda item.

2. October 2023

Mr. Lovecchio presented the financial transaction list and balance reports for the month of October 2023. General review of the

information presented was held. No formal action was taken on this agenda item.

3. November 2023

Mr. Lovecchio presented the financial transaction list and balance reports for the month of November 2023. General review of the information presented was held. No formal action was taken on this agenda item.

General discussion was held regarding the annual renewal process. No formal action was taken.

C. FY2024 To Date Review

Mr. Lovecchio presented the profit/loss report on budget versus actuals for the current fiscal year 2024 to date covering the period of July 1 through November 30, 2023. Review and general discussion of the report was held. No formal action was taken on this agenda item.

D. Annual Financial Attestation - FY 2023

Mr. Lovecchio presented the annual financial attestation (audit) report prepared by an independent accountant through the Office of Legislative Auditor. General review and discussion of the report was held. No formal action was taken on this agenda item.

Mr. Delatte called for a short break at approximately 10:30 am. The Board returned to open meeting at approximately 10:40 am.

VII. Service Contracts - Cooperative Endeavor Agreement, NADDI

John Becknell presented a proposed Cooperative Endeavor Agreement between the Board and the National Association of Drug Diversion Investigators (NADDI) relative to the Board again sponsoring the registration of law enforcement officials, government employees, and individuals who are the approved designated responsible party of current licensees to attend NADDI's education and training classes covering several pharmaceutical based topics. General discussion was held. **Motion was made to approve the Cooperative Endeavor Agreement between the Louisiana Board of Drug and Device Distributors and the National Association of Drug Diversion Investigators (NADDI) for the period between March 1, 2024 through June 30, 2024 to pay NADDI the cost of registration fees for qualified attendees to the education and training classes offered during NADDI's 2024 Louisiana Chapter Conference not to exceed \$6,500; moved by Chad Gielen and seconded by Darrick LeBeouf; the motion passed by voice vote- FOR: Trion Horgan, Chad**

Gielen, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.

VIII. New Business

A. Check Amount Limit Requiring Two Signatures

Mr. Lovecchio presented that the current check amount limit requiring two signatures on the check is for checks in the amount of \$10,000 and above as approved by the Board in September 2013. Mr. Lovecchio made note that some of the Board's standard monthly payables are steadily rising towards this current check limit amount. General discussion was held as to whether or not the Board would want to raise this limit amount and to what amount. **Motion was made to approve raising the limit for Board checks written requiring two signatures to \$15,000 and above; moved by Chad Gielen and seconded by Nicholas Latino; the motion passed by voice vote- FOR: Trion Horgan, Chad Gielen, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.**

B. Service Charge for Electronic Fee Payments

Mr. Lovecchio presented the topic relative to charging a fee for use of electronic fee payment processor. General discussion was held. Mr. Lovecchio, Ms. Barbier, and Mr. Becknell was instructed to research and present information for charging the user a convenience fee for use of the electronic fee payment process at the next Board meeting.

IX. Old Business

A. Assessment of Drug and Device Regulations

Mr. Becknell presented a general review of new and expected upcoming federal regulation changes. General discussion was held. This issue will continue to be monitored and reported to the Board when information is available. Mr. Becknell went on to discuss agenda item XI.B.

B. Committe Reports- FDA National Standards, Licensure of Wholesalers and 3PLPs

Mr. Becknell discussed information found regarding DSCSA federal guidelines and codes possibly not being available until 2025. It was noted that the review committee created at the June 2023 meeting has not yet met due to no new federal information being released.

C. Compliance Management (Program) Update

Mr. Lovecchio presented information regarding the compliance management program. General review and discussion of the presented information was held. No formal action was taken on this agenda item.

D. Suspicious/Excessive Orders Tracking Platform Update

Mr. Lovecchio presented an update of the AIDE platform for tracking suspicious/excessive orders. Statistical data was presented on the information currently entered in the AIDE platform. General review and discussion of the information presented was held. No formal action was taken on this agenda item.

X. Approved Additional Agenda Items (from Agenda Item III)

No additional agenda items were added at agenda item III for discussion.

XI. Licensure Matters- New Licenses Issued

Ms. Barbier presented a list of new licenses issued since the September 12, 2023 Board meeting. Ms. Barbier noted that there were approximately 53 new licenses issued; approximately 28 licenses issued were first time license issues. Individual review of the list was had. No formal action was taken on this agenda item.

XII. Board Meeting

A. Proposed Meeting Dates for Year 2024

Ms. Barbier presented a list of proposed tentative Board meeting dates in 2024. No formal action was taken on this agenda item.

B. Confirmation of Next Board Meeting

Mr. Delatte noted that the next meeting of the members of the Louisiana Board of Drug and Device Distributors is tentatively set for Tuesday, March 12, 2024. No formal action was taken on this agenda item.

XIII. Adjournment

There being no further business before the Board. **Motion was made to adjourn the meeting; moved by Trion Horgan and seconded by Scott Irelan; the motion passed by voice vote- FOR: Trion Horgan, Chad Gielen, Darrick LeBeouf, Scott Irelan, Nicholas Latino, Cindy Luton, James Delatte; AGAINST: None; ABSENT: Michael Davis; ABSTAINED: None; RECUSED: None.**

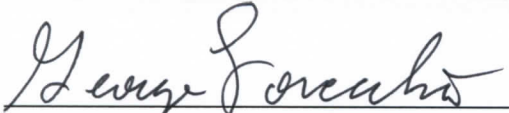
The meeting was adjourned at approximately 11:30 am.

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Approved and accepted by the full Board - Date: 3/19/24



James Delatte, Board Vice-Chairman



George Lovecchio, Executive Director