

August 19, 2009

AGENDA

◆ PUBLIC NOTICE ◆

NEVADA STATE BOARD OF PHARMACY

BOARD MEETING

at the

Airport Plaza Hotel
1981 Terminal Way
Reno

Wednesday, September 2, 2009 – 9:00 am

Thursday, September 3, 2009 – 9:00 am

Please Note: The Nevada State Board of Pharmacy may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

Public comment is welcomed by the Board, but will be heard only when that item on the agenda is reached and will be limited to five minutes per person. The president may allow additional time to a given speaker as time allows and in his sole discretion.

◆ CONSENT AGENDA ◆

The Consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

September 2009 Board Meeting Agenda

- * 1. [Approval of July 15-16, 2009, Minutes](#)
 - * 2. [Applications for Out-of-State](#) MDEG – Non Appearance:
 - A. Carefusion Corporation – Tucker, GA
 - B. Choice Medical, Inc. – Knoxville, TN
 - C. Eye Response Technologies, Inc. – Charlottesville, VA
 - D. Hoveround Corporation – Sarasota, FL
 - E. Kinex Medical Company, LLC – Waukesha, WI
 - F. Liberator Medical Supply Inc. – Stuart, FL
 - G. Thrifty Medical Supply, Inc. – San Leandro, CA
- Applications for Out-of-State Pharmacy – Non Appearance:
- H. Aapex Community Pharmacy – Houston, TX
 - I. Care Plus CVS/pharmacy #2801 – West Hollywood, CA
 - J. Care Plus CVS/pharmacy #2915 – Honolulu, HI
 - K. Care Plus CVS/pharmacy #3129 – Phoenix, AZ
 - L. Covance Specialty Pharmacy – Lakeland, FL
 - M. Omnicare Clinical Intervention – Oklahoma City, OK
 - N. One Stop Pharmacy Inc. LLC – St Petersburg, FL
 - O. PVPL Pharmacy – Omaha, NE
 - P. Reliance Meds – Ft Myers, FL
 - Q. Southern Desert Pharmacy – Prescott, AZ
 - R. Tropical Pharmacy – Sunrise, FL
- Applications for Out-of-State Wholesaler – Non Appearance:
- S. Abbott Laboratories Inc. – Dallas, TX
 - T. Ameridose, LLC – Westborough, MA
 - U. AxoGen Corporation – Alachua, FL
 - V. Cadista Pharmaceuticals, Inc. – Salisbury, MD
 - W. Diamond Pharmacy Services – Kolter, PA
 - X. Dusa Pharmaceuticals, Inc. – Wilmington, MA
 - Y. Far West Returns, Inc. – Paradise, CA
 - Z. Healthfirst Corporation – Mountlake Terrace, WA
 - AA. Just Packaging, Inc. – South Plainfield, NJ
 - BB. Lannett Company Inc. – Philadelphia, PA
 - CC. McKesson Specialty Distribution LLC – Fairfield, OH
 - DD. McKesson Specialty Distribution LLC – Memphis, TN
 - EE. McKesson Specialty Distribution LLC – Suwanee, GA
 - FF. McKesson Specialty Distribution LLC – West Sacramento, CA
 - GG. Xttrium Laboratories, Inc. – Chicago, IL

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Applications for Nevada MDEG – Non Appearance:

- HH. AmPro Orthotics & Prosthetics Inc. – Las Vegas
- II. Family Pharmacy – Pahrump

Applications for Nevada Pharmacy – Non Appearance:

- JJ. CVS/pharmacy #6625 – Reno
- KK. Golden Health Pharmacy – Elko
- LL. St Mary's Outpatient Surgery Center at Galena LLC – Reno
- MM. Target Pharmacy T-2568 – Henderson

◆ REGULAR AGENDA ◆

* 3. [Applications for Out-of-State Pharmacy – Appearance](#)

- A. Drug Crafters – Frisco, TX
- B. Royal Palm Compounding Pharmacy LLC – Wellington, FL

* 4. [Disciplinary Actions: Note](#) – The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of any of the below named parties.

- A. Davidson Okpukpara, R.Ph (09-054-RPH-N)
- B. Scolari's Pharmacy #28 (09-054-PH-N)
- C. Christine Thurman, PT (09-037-PT-N)
- D. Heidi Miscovich, PT (08-087-PT-N)
- E. Constance Willman, R.Ph (09-010-RPH-N)

* 5. [Request for Pharmaceutical Technician in Training License – Appearance:](#)

- A. Jennifer O Chadleus
- B. Marcos Rodriguez

* 6. [Request for Advanced Practitioner of Nursing License – Appearance:](#)

Shannon Leasure, APN

* 7. Task Force Internevention Officer Report – Appearance:

Jenine Davis

* 8. [Discussion and Determinations:](#)

- A. NRS 639.230(1)
- B. "Physical Examination" of Patient Prior to Prescribing
- C. Advertising Practices

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* 9. General Counsel Report

*10. [Executive Secretary Report:](#)

- A. Financial Report
- B. Investment Report
- C. Temporary Licenses
 - 1. McKesson & H1N1 Vaccine Distribution
- D. Staff Activities
 - 1. Meetings
 - a. NACDS Pharmacy & Tech Conference (August)
 - b. CE
 - c. PT Advisory Committee (10/7)
 - d. CE Committee (10/8)
- E. Report to Board
 - 1. Task Force Meeting (8/28)
 - 2. Illegal surgery center follow-up
 - 3. ACPE site visit observer
- F. Board Related News
 - 1. California Nursing Board
- G. Activities Report

W O R K S H O P – Wednesday, September 2, 2009 – 9:00 am

*11. [Proposed Regulation Amendment Workshop](#) – The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations.

1. **Amendment of Nevada Administrative Code 453.550** Remove Buprenorphine from Schedule V
2. **Amendment of Nevada Administrative Code 453.530** Addition of Buprenorphine to Schedule III to Parallel Federal Law
3. **Amendment of Nevada Administrative Code 639.254** Add ICPT for acceptable in-service training for pharmaceutical technicians.
4. **Amendment of Nevada Administrative Code 639.220 Schedule of fees; penalty for late renewal; exemptions from certain fees.** Fee increase for pharmacists and pharmacist interns.
5. **Amendment of Nevada Administrative Code 639.870 Certificate of registration: Application; fee; period of validity; appearance before Board; collaborating physician; late renewal.** Delete consultant pharmacist requirement for Advanced Practitioner of Nursing.

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6. **Amendment of Nevada Administrative Code 639.272 Requirements for registration certificate.** Delete consultant pharmacist requirement for physician assistant.
7. **Amendment of Nevada Administrative Code AB213** Cancer Drug Donation Program.
8. **Amendment of Nevada Administrative Code SB197** Regulations for reissued drugs by nonprofit pharmacies.

PUBLIC HEARING – Wednesday, September 2, 2009– 9:00 am

*12. [Notice of Intent to Act Upon a Regulation:](#)

1. **Amendment of Nevada Administrative Code 453.530 Amendment of Schedule III.** This language removes references to over the counter products containing ephedrine, pseudoephedrine or phenylpropanolamine, their optical isomers, salts and salts of optical isomers. Also, some spelling corrections were made.
2. **Amendment of Nevada Administrative Code 639.6934 “Life Sustaining Equipment” defined.** This amendment removes the term “oxygen concentrator” from the definition of life sustain equipment to correct the existing language.
3. **Amendment of Nevada Administrative Code 639.254 Initial and biennial in-service training of pharmaceuticals working in or for a pharmacy; substitution of continuing education for in-service training.** This regulation amendment requires pharmaceutical technicians to obtain one hour of Nevada law by attending a program approved or presented by the Board that relates to the practice of pharmacy.
4. **Amendment of Nevada Administrative Code 639.528 Preparation and storage of food in prescription of pharmacy.** This regulation amendment prohibits food to be stored in a refrigerator that is used to store medicine in the pharmacy.
5. **Amendment of Nevada Administrative Code 639.694 MDEG Administrator required.** This regulation amendment clarifies the existing language and specifies the requirements for MDEG provider administrators. MDEG provider applicants will know in advance of a Board appearance if their administrators qualify to participate in that capacity.
6. **Amendment of Nevada Administrative Code 639.707 Counseling.** Changing the language in this regulation will allow the pharmacist to use his or her professional judgment in the depth of counseling a patient.

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13. Next Board Meeting:

October 14-15, 2009 – Las Vegas

*14. Public Comments and Discussion of and Deliberation Upon Those Comments

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. (NRS 241.020)

* Board action may be taken on these items.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Pharmacy, 431 W Plumb Lane, Reno, Nevada 89509, or call Jeri Walter at (775) 850-1440, as soon as possible.

Anyone desiring additional information regarding the meeting is invited to call the board office at (775) 850-1440.

Continuing Education credit of 4 hours, including 1 hour of law, will be given per day of Board meeting attendance. You are required to attend the board meeting for a full day to receive CE credit including the law credit.

This notice has been posted at the following locations and is available for viewing at bop.nv.gov:

Elko County Courthouse – Elko
Mineral County Courthouse – Hawthorne
Washoe County Courthouse – Reno
Nevada State Board of Pharmacy – Reno and Las Vegas