



# Nevada State Board of Pharmacy

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## BOARD MEETING

at the

Las Vegas Chamber of Commerce  
6671 Las Vegas Blvd South  
Las Vegas

January 11 and 12, 2011

The meeting was called to order at 9:00 a.m. by Beth Foster, Board President.

### Board Members Present:

Keith Macdonald	Beth Foster	Kirk Wentworth
Russell Smith	Jody Lewis	Kam Gandhi
Cheryl Blomstrom		

### Board Members Absent:

### Board Staff Present:

Larry Pinson	Jeri Walter	Carolyn Cramer	Rose Marie Reynolds
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## CONSENT AGENDA

1. Approval of December 1-2, 2010, Minutes
2. Applications for Out-of-State MDEG – Non Appearance:
  - A. Apria Healthcare, Inc. – Riverside, CA
  - B. Diabetic Specialist Only Corp – Deerfield Beach, FL
  - C. Direct Diabetic Source, Inc. – Sunrise, FL
  - D. Innovative Neurotronics, Inc. – Austin, TX
  - E. Foundation Care LLC – Earth City, MO
  - F. Lincare Inc. – Clearwater, FL
  - G. Med-Care Diabetic & Medical Supplies Inc. – Boca Raton, FL
  - H. Patient's Choice LLC – Arlington Heights, IL
  - I. Prairie Medical LLC – Boise, ID
  - J. United Seating and Mobility, LLC – Phoenix, AZ
  - K. WBC Group LLC – Dinsmore, FL

Applications for Out-of-State Pharmacy – Non Appearance:

- L. American Pharmacy Solutions – Pensacola, FL
- M. Catalyst Mail – Columbus, OH
- N. CDF Rx – Plano, TX
- O. Greater Sacramento Pharmacy – Sacramento, CA
- P. JAT Pharmacy, LLC – Sun Prairie, WI
- Q. Med-Care Diabetic & Medical Supplies Inc. – Boca Raton, FL
- R. Medication Review Inc. – Spokane, WA
- S. Orsini Pharmaceutical Services Inc. – Elk Grove Village, IL
- T. Revival Animal Health – Orange City, IA
- U. Watts Clinic Pharmacy – Brea, CA

Applications for Out-of-State Wholesaler – Non Appearance:

- V. Alimera Sciences, Inc. – Alpharetta, GA
- W. DIK Drug Company Inc. – Burr Ridge, IL
- X. Exel Inc. – Mooresville, IN
- Y. Medicis Body Aesthetics, Inc. – Bothwell, WA
- Z. UPS Supply Chain Solutions, Inc. – Mira Loma, CA

Application for Nevada Pharmacy – Non Appearance

- AA. Advanced Care Rx Pharmacy 2 – Las Vegas

Discussion:

The consent agenda applications and supporting documents were reviewed.

Board Action:

Motion: Keith Macdonald found the consent agenda application information to be accurate and complete and moved for approval.

Second: Kam Gandhi

Action: Passed Unanimously.

Discussion:

Motion: Keith Macdonald found the minutes accurate and complete and moved for approval.

Second: Kirk Wentworth

Action: Passed Unanimously.

## REGULAR AGENDA

### 3. Disciplinary Actions:

- A. Jennifer Chan, R.Ph (09-102-RPH-S)
- B. Walgreens #04855 (09-102-PH-S)

NOTE: Russ Smith recused from participation in this case as he is employed by Walgreens.

Rob Graham was present to represent Jennifer Chan and Walgreens #04855.

Jennifer Chan appeared and was sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer advised the Board that the respondents were not contesting the charges as filed in the Notice of Intended Action and Accusation.

Ms. Cramer presented eleven Exhibits. They were admitted and accepted into the record.

Fred Ackermann, Board investigator, appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Ackermann described his duties as the Board's investigator. He also described the circumstances of the complaint. Ms. Cramer asked Mr. Ackermann to identify each of the eleven Exhibits for the record.

Lei Lani Chang appeared and was sworn by President Foster prior to answering questions or offering testimony.

Ms. Chang explained that she was trying to get pregnant and her physician prescribed 10 dosage units of medroxyprogesterone acetate 10 mg. tablets, the generic for Provera, to regulate her menstrual cycle. Ms. Chang's prescription was called into Walgreens #04855 on or about August 28, 2010 and picked up the same day. Ms. Chang stated that she took all of the medication she was given however she did not have a menstrual cycle. She indicated that she experienced dizziness, headaches and a feeling of being unbalanced. Ms. Chang testified that she went back to the pharmacy to discuss these symptoms with the pharmacist. She took the prescription package in and showed it to the pharmacist on duty and asked if this was the generic for Provera. It was discovered at that time that Ms. Chang had taken 21 dosage units of generic prednisone, not Provera.

Carolyn Cramer advised that she had no more witnesses to call.

Rob Graham advised the Board and Ms. Chang that Walgreens has used this as a learning experience and has taken steps to ensure this type of mistake will not happen again. He also indicated that Ms. Chan has changed her pharmacy practice.

Mr. Graham asked Ms. Chan to address the Board.

Ms. Chan apologized to the Board and to Ms. Chang for making this error and causing Ms. Chang to experience these adverse effects. Ms. Chan reviewed the steps she has taken to improve her pharmacy practice after this unfortunate incident. Ms. Chan indicated that she has taken continuing education courses on error prevention and is more astute when making medication selections from drop-down screens. Ms. Chan stated that she reviews each segment of a word at input to ensure correct processing and it has helped her focus.

Ms. Cramer gave closing statements and recommendations. She recommended the Your Success Rx program and fees and costs for Ms. Chan. Considering the circumstances of this matter, she recommended a letter of reprimand for Walgreens #04855.

Mr. Graham gave closing statements and concurred with Ms. Cramer's recommendations.

The Board discussed the issues of this matter. Keith Macdonald indicated that he did not think the Your Success Rx program was appropriate in this case since Ms. Chan had already taken error prevention CE and changed her pharmacy practices. He felt the punishment was too severe and expensive.

Cheryl Blomstrom indicated that she felt comfortable with the changes Ms. Chan has already made. She feels that Ms. Chan has been very proactive and that the Your Success Rx program was not necessary.

Board Action:

Motion: Kam Gandhi moved to find Ms. Chan guilty of the First Cause of Action.

Second: Cheryl Blomstrom

Action: Passed Unanimously

Motion: Cheryl Blomstrom moved penalize Ms. Chan with the fees and costs in this matter.

Second: Kam Gandhi

Action: Passed Unanimously

Motion: Kam Gandhi moved to find Walgreens #04855 guilty of the Second Cause of Action.

Second: Cheryl Blomstrom

Action: Passed Unanimously

Motion: Cheryl Blomstrom moved issue a letter of reprimand to Walgreens #04855.

Second: Kam Gandhi

Action: Passed Unanimously

C. Maryanne D. Phillips, MD (10-086-CS-S)

Maryanne Phillips and Juselle Muro appeared and were sworn by President Foster prior to answering questions or offering testimony.

Dr. Phillips was represented by Alan Mulliner

Carolyn Cramer advised the Board that they had come to a stipulated agreement. Dr. Phillips admits guilt on the First Cause of Action and Board staff is dismissing the Second and Third Causes of Action. In exchange for this concession, Dr. Phillips will cancel her controlled substance registration with our Board and relinquish her DEA license effective March 1, 2011. Dr. Phillips will then apply for a new DEA license and controlled substance registration. Dr. Phillips will be on two years' probation beginning on the date of the Order. The terms and conditions of the probation will be for Dr. Phillips to pull Task Force profiles on all of her patients to ensure that she is not feeding a drug seeker's habit. Dr. Phillips will be required to maintain records showing a diagnosis for each patient. Dr. Phillips will maintain a physical office where she practices with a telephone dedicated to her practice. Dr. Phillips will be the only person to write controlled substance prescriptions in her practice. Pharmacists will speak directly with her only if there is a question on a prescription.

Ms. Cramer advised the Board that they can accept the stipulated agreement in its entirety or if they reject any part of the agreement, she and Mr. Mulliner are prepared to go to hearing.

Board Action:

Motion: Keith Macdonald moved to accept the stipulated agreement as presented.

Second: Russ Smith

Action: Passed With One Negative Vote

D. Mohamed O. Saleh, MD

(10-089-S)

Mohamed Saleh appeared and was sworn by President Foster prior to answering questions or offering testimony.

Dr. Saleh asked for a continuance of this matter to a future Board meeting as his attorney was not able to be present. Dr. Saleh was asked who his attorney was and he said it was Gordon Silver. Carolyn Cramer advised the Board that Gordon Silver was a legal group, not an attorney. Dr. Saleh indicated that he just hired him and was not sure of his name but he could not produce a business card to help him with his memory. Dr. Saleh indicated that the attorney had an emergency this morning and could not attend this hearing with him.

Board Action:

Motion: Keith Macdonald moved to continue this matter provided Dr. Saleh disclose his attorney to Carolyn Cramer within ten days and not write any controlled substance prescriptions until this matter is settled.

Second: Kirk Wentworth

Action: Passed With 2 Negative Votes

E. Sonya Campbell, PT

(10-085-PT-S)

Sonya Campbell appeared and was sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer indicated that Ms. Campbell admits guilt as presented in the Notice of Intended Action and Accusation, however she is present to make a statement. Due to the circumstances of this matter, that Ms. Campbell confessed to stealing 36 to 38 bottles of controlled substances from her employing pharmacy, Ms. Cramer recommends revocation of her pharmaceutical technician registration.

Ms. Campbell testified that she had not stolen as many controlled substances as alleged. She indicated that she agreed to confess to the theft of that many to help CVS loss prevention close this case and in return for her confession they would not have her arrested.

Board Action:

Motion: Russ Smith moved to find Ms. Campbell guilty of the alleged violations.

Second: Kam Gandhi

Action: Passed Unanimously

Motion: Keith Macdonald moved to revoke Ms. Campbell's pharmaceutical technician registration.

Second: Russ Smith

Action: Passed Unanimously

F. Jonathan Greenough, PT (10-084-PT-S)

Carolyn Cramer advised the Board that Mr. Greenough was not present even though he received the Notice of Intended Action and Accusation as proved by signature on the Certified Mail Return Receipt. A letter advising Mr. Greenough of the time of his appearance was sent to the same address and had not been returned. These documents were admitted and accepted into evidence as Exhibit 1 and Exhibit 2, respectively.

Ms. Cramer advised the Board that an internal investigation was initiated because an employee of the pharmacy advised the managing pharmacist that they thought Mr. Greenough was stealing drugs from the pharmacy. A video camera was installed and pharmacy personnel reviewed the surveillance tapes which clearly show Mr. Greenough at the beginning of his shift with empty pockets and then later in his shift with bulging pockets. Pharmacy personnel confronted Mr. Greenough and he admitted in a written statement that he had taken Lortab for his personal use due to his addiction and mental health issues.

Board Action:

Motion: Keith Macdonald moved to find Mr. Greenough guilty of the alleged violations.

Second: Cheryl Blomstrom

Action: Passed Unanimously

Motion: Keith Macdonald moved to revoke Mr. Greenough's pharmaceutical technician registration.

Second: Cheryl Blomstrom

Action: Passed Unanimously

4. Application for Nevada Pharmacy – Appearance:

Precision Specialty Pharmacy – Las Vegas

No one appeared to represent Precision Specialty Pharmacy.

Board Action:

Motion: Keith Macdonald moved to continue Precision Specialty Pharmacy to the March Board meeting.

Second: Kam Gandhi

Action: Passed Unanimously

5. Applications for Nevada MDEG – Appearance:

A. Access Orthopedic, LLC – Las Vegas

Access Orthopedic withdrew their application and will reapply if they change their mind and would like to pursue a license in Nevada at a later date.

B. Essentials Medical Supply – Las Vegas

Bola Lee appeared and was sworn by President Foster prior to answering questions or offering testimony.

Ms. Lee gave a concise account of her experience in the Medical Devices Equipment and Gasses arena. Ms. Lee also gave a complete description of her business plan and how she intends to operate Essentials Medical Supply.

Board Action:

Motion: Keith Macdonald moved to approve the application for Essentials Medical Supply.

Second: Jody Lewis

Action: Passed Unanimously

C. Key Medical – Reno

Robert Freeman, John Freeman and Shane Dyer appeared and were sworn by President Foster prior to answering questions or offering testimony.

They testified that they plan to provide sleep study products and respiratory equipment to patients. They currently work for Pulmonary Medicine Associates and their current employer encouraged them to open this facility. After discussion about the hours the facility administrator needed to be present, they determined how they would accommodate the Board's requirements. They were knowledgeable and described their business plan to the Board's satisfaction.

Board Action:

Motion: Kam Gandhi moved to approve the application for Key Medical.

Second: Kirk Wentworth

Action: Passed Unanimously

6. Applications for Out-of-State Pharmacy – Appearance:

A. Cardinal Health 414, LLC – Denver, CO

Mark Fredlander appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Fredlander described the facility as a nuclear pharmacy that provides radio pharmaceuticals for clinical trials. The products have a short life span and they will be flown in from their Colorado facility, picked up at the airport and delivered to the end user. Mr. Fredlander went into detail about the facility and products they provide.

Board Action:

Motion: Keith Macdonald moved to approve the application for Cardinal Health 414.

Second: Russ Smith

Action: Passed Unanimously

B. Park Pharmacy – Irvine, CA

Dennis Saadeh appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Saadeh described the circumstances of answering yes on his application for a pharmacy. He indicated that he is the owner of Park Pharmacy and was under a great deal of stress. He was arrested for driving under the influence of narcotics and was in possession of narcotics for which he had no prescription. Mr. Saadeh testified that his license is active and without restriction in California now. He indicated that he is not the pharmacist in charge and only works a couple of days a week. Mr. Saadeh described his business model to the Board's satisfaction.

Board Action:

Motion: Russ Smith moved to approve the application for Park Pharmacy.

Second: Kam Gandhi

Action: Passed Unanimously

7. Application for Out-of-State Wholesaler – Appearance:

PGxHealth, LLC – New Haven, CT

No one appeared to represent PGxHealth.

Board Action:

Motion: Keith Macdonald Moved to continue PGxHealth to the March Board meeting.

Second: Kam Gandhi

Action: Passed Unanimously

8. CVS Pharmacy Retail Settlements – Presentation:

Roger Morris

Mr. Morris cancelled his appearance.

9. Methamphetamine Initiative – Appearance:

- A. Jerry Seevers, Nevada Coordinator  
Rural Law Enforcement Methamphetamine Initiative
- B. Neil Rombardo, District Attorney, Carson City

Jerry Seevers, Neil Rombardo and Senator Sheila Leslie appeared before the Board and made a presentation regarding the need for scheduling ephedrine, pseudoephedrine and PSE products being obtained for the production of methamphetamine. Senator Leslie explained that meth use in Nevada is three times higher than the national average. It is estimated that 80% of the PSE purchased by smerfers is diverted to the black market for methamphetamine production. A cell of smerfers can produce four pounds of methamphetamine to be sold on the street. In 2010 Las Vegas pharmacies were burglarized and the only thing taken were the PSE products. Mr. Seevers and Mr. Rombardo presented slides showing statistics of the abuse and requested the Board of Pharmacy to make ephedrine, pseudoephedrine and PSE products to be prescription only medications.

Larry Pinson explained the difference between a dangerous drug and a scheduled drug. If we require it to be a dangerous drug requiring a prescription there would be no

way of tracking it. If we scheduled those products in Schedule IV the dispensing would be reported through the PMP and then could be easily tracked.

The consensus of the Board is to support the methamphetamine initiative and Senator Leslie's BDR.

10. PRN-PRN Presentation:

Larry Espadero

Larry Espadero, PRN-PRN monitor, and Gretta Woodington, PRN-PRN administrator, appeared before the Board and gave a presentation for the new Board members. They reviewed what a PRN-PRN contract consisted of, the responsibility of the PRN-PRN members, how the members were monitored and drug and alcohol tested. Ms. Woodington reviewed the financial aspect and how the Board's contribution to the program is spent. Mr. Espadero indicated that he had a counselor in the North that helped him with the monitoring process and he handled the South at Montevista Hospital where he is the director of their chemical dependency program. The Board had questions that both Mr. Espadero and Ms. Woodington answered to further enlighten the Board.

11. Request for Pharmacist License – Reciprocity – Appearance:

Magdalene Ladas, R.Ph

Magdalene Ladas appeared and was sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer explained that Ms. Ladas was present to explain the circumstances regarding answering "I have" to the question "had a license suspended, revoked or surrendered or otherwise disciplined, including any action against my license that was not made public."

Ms. Ladas explained that in 2002 while she was in pharmacy school she was licensed as a pharmaceutical technician in Illinois and added controlled substance refills to prescriptions for someone because she was being threatened. Her license was suspended for 90 days and she was put on two years probation. She graduated from pharmacy school and was licensed in Illinois, and her probation transferred from her pharmaceutical technician license to her pharmacist license. She has no restrictions on her license in Illinois now and she is also licensed in Florida where she has never had discipline. Ms. Ladas explained that she would like to reciprocate to Nevada and asked for approval to continue with the process.

Board Action:

Motion: Kam Gandhi moved to approve the application for reciprocity for Ms. Ladas.

Second: Keith Macdonald

Action: Passed Unanimously

12. Requests for Pharmaceutical Technician in Training License – Appearance:

A. Brian Fello

Brian Fello appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Fello explained that he was using methamphetamine and expelled from Kaplan College where he was participating in the pharmaceutical technician program.

The Board advised Mr. Fello that they could not grant a pharmaceutical technician in training registration unless he was enrolled in a school or has a job where a managing pharmacist was willing to be responsible for his training. The Board suggested that he speak with the program director at Kaplan again and check into the PRN-PRN program for an evaluation.

B. Alexander G. Frankos

Alexander Frankos appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Frankos explained that he was a student at Anthem participating in their pharmaceutical technician program. He stated that there were three separate incidents with North Las Vegas Police Department that involved his possession and use of marijuana.

Board Action:

Motion: Kirk Wentworth moved to deny Mr. Frankos application for pharmaceutical technician in training.

Second: Cheryl Blomstrom

Action: Passed Unanimously

C. Crystal A. Gebhart

Carolyn Cramer advised the Board that Ms. Gebhart was present to provide the documents that they requested at a prior appearance.

Crystal Gebhart appeared and was sworn by President Foster prior to answering questions or offering testimony.

Ms. Gebhart provided documents to the Board showing that charges against her were dismissed as she had indicated to the Board when she first appeared.

Board Action:

Motion: Keith Macdonald moved to approve the application for pharmaceutical technician in training for Ms. Gebhart.

Second: Kam Gandhi

Action: Passed With One Negative Vote

D. Neil G. Larrabee

Carolyn Cramer advised the Board that Mr. Larrabee was not present even though he had been noticed appropriately. Mr. Larrabee was enrolled in the pharmaceutical technician program at Pima Medical Institute and had tested positive for marijuana in a random drug screening.

Board Action:

Motion: Russ Smith moved to deny the application for pharmaceutical technician in training for Neil Larrabee.

Second: Cheryl Blomstrom

Action: Passed Unanimously

E. Chase P. Wilson

Chase Wilson appeared and was sworn by President Foster prior to answering questions or offering testimony.

NOTE: Russ Smith recused from participation as he is also an employee of Walgreens.

Mr. Wilson explained that he had a small amount of marijuana and a pipe in his car in 2007 when he was stopped for a traffic violation. Mr. Wilson indicated that he has complied with all of the provisions that were required of him.

Board Action:

Motion: Kirk Wentworth moved to deny the pharmaceutical technician in training application for Mr. Wilson.

Second: Jody Lewis

Action: Passed Unanimously

13. Request for Dispensing Technician in Training License – Appearance:

Angie M. Cook

Carolyn Cramer advised the Board that Ms. Cook was not present even though she had been noticed appropriately. Ms. Cook indicated on her application for a dispensing technician in training license that she had been charged with possession of marijuana and paraphernalia in 1998.

Board Action:

Motion: Keith Macdonald moved to deny the application for dispensing technician in training license for Ms. Cook.

Second: Russ Smith

Action: Passed Unanimously

14. Request for Reinstatement of Pharmacist License – Appearance:

James Ammon

Mr. Ammon cancelled his appearance and will reschedule when it is more convenient for him.

15. Requests for Reinstatement of PT License – Appearance:

A. Mayra Arreola

Carolyn Cramer advised the Board that Ms. Arreola was not present even though she had been noticed appropriately. Ms. Arreola had requested reinstatement of her pharmaceutical technician registration.

Board Action:

Motion: Kam Gandhi moved to deny the request until Ms. Arreola appears.

Second: Russ Smith

Action: Passed Unanimously

B. Shamika Banks

Shamika Banks appeared and was sworn by President Foster prior to answering questions or offering testimony.

Ms. Banks stated that she was present to request reinstatement of her pharmaceutical technician registration. She indicated that she had gone to court and was put on two years' probation, remanded to a court ordered treatment program, including substance abuse classes. Ms. Banks indicated that she is currently working for Allstate Insurance as a file clerk.

The Board questioned Ms. Banks about the court ordered treatment program and was asked if she brought any documentation of her completion of the program and release from probation. Ms. Banks denied any substance abuse and seemed confused. She told the Board that she was dependent on hydrocodone but she wasn't any more. Ms. Banks was advised that she would need to appear before the Board at a later date and provide them with documentation of her court order and completion of the substance abuse program that she attended before they could make a decision on her reinstatement.

Board Action:

Motion: Kirk Wentworth moved to deny the request for reinstatement of Ms. Banks pharmaceutical technician registration.

Second: Kam Gandhi

Action: Passed Unanimously

16. Board Staff Report – Non Appearance:

Jiansheng Li

Larry Pinson advised the Board that he had denied Mr. Li's request to attend Board meetings in Texas rather than in Nevada because, after looking into the Texas procedures, he found that the Texas Board of Pharmacy does not conduct their disciplinary cases in a public forum. Since it was the Board's intent that Mr. Li witness disciplinary hearings, the Texas Board meetings would not be the appropriate venue.

Mr. Pinson reported that Mr. Li completed the Your Success Rx program with Katie Johnson. Ms. Johnson met in the Reno Board office with Mr. Pinson and they had a conference call with Mr. Li. Ms. Johnson advised that Mr. Li was cooperative and positive throughout the process. Mr. Li indicated that he found the Your Success Rx program helpful in his practice of pharmacy.

17. PT Advisory Board Report

Mr. Pinson advised the Board that the PT Advisory Board met on December 7, 2010. Various issues were discussed as follows:

1. Some of the committee members would like to see certification of pharmaceutical technicians in Nevada. Mr. Pinson indicated that NABP is looking at certification of technicians and suggested that we wait to see what they do before we go further with this issue.
2. Online pharmaceutical technician courses were discussed. Mr. Pinson indicated that there is a loophole that needs to be closed because a pharmaceutical technician can take a course online, register in another state, apply to Nevada as a pharmaceutical technician with a copy of the registration certificate they hold in another state and get a pharmaceutical technician registration in Nevada without ever setting foot in a pharmacy.
3. Discussion about VA trained pharmaceutical technicians was addressed. Our laws, as they stand now, allow military trained pharmaceutical technicians to register to practice in Nevada, however we do not acknowledge the training received from the VA. They are both federal agencies; the training is excellent; and the committee would like to change our current laws to include VA trained pharmaceutical technicians.
4. Pharmaceutical technician schools were discussed again. Larry Pinson advised the Board that he was going to send a letter to the schools asking them to have applicants in the pharmaceutical technician programs register with the Board of Pharmacy before they are accepted into school to ensure they qualify for a registration with the Board first.

18. General Counsel Report:

Recent Regulatory Activities and Litigation

A. Report on Governor's Working Group on Methamphetamine Use

B. Klasch v. Walgreens – Supreme Court Case

Carolyn Cramer provided a memorandum to the Board regarding the Sanchez v. Wal-Mart and the Klatch v. Walgreens cases showing the differences between the two.

19. Discussion and Determination:

A. Visual Security of a Mechanical Device

Keith Macdonald asked Board staff to put regulations into effect to allow visual security of mechanical devices. The Board approved the UMC mechanical device in the lobby of one of their outpatient facilities because it was within the pharmacy staff's sight. It was only filled when the facility was closed so the contents were always secure. The Board discussed various scenarios and determined that if another facility wanted to follow this model, they would make a determination on a case by case basis and did not want to change the regulations.

B. Drug Distribution Agents

Presently, the Board of Pharmacy does not have a licensing category for drug distribution agents. Basically they are brokers and never have possession of drugs. Presently we register them as wholesalers which really they are not. Oregon has passed regulations to recognize drug distribution agents and Larry Pinson suggested that we model language after their regulations. Board staff was directed to bring language forward to recognize drug distribution agents.

20. Executive Secretary Report:

A. Financial Report

Larry Pinson gave the financial report to the Board's satisfaction.

B. Temporary Licenses

One temporary license was granted since the last Board meeting.

C. Staff Activities

Larry Pinson announced that Fred Ackermann will be retiring. Mr. Pinson advised the Board that he plans to make some changes within the Board offices. He announced that the Task Force is being moved to Reno and will be housed in our office when the lease is up in Carson City. Lisa Adams will be stepping in when Joannee Quirk retires and Jeanine Davis will assist her. Ms. Davis will also be assisting Joe Depczynski with some of his investigations which should be a good fit considering her NDI background. Ray Seidlinger will be the office manager of the Las Vegas office when Mr. Ackermann retires and will only come up to Reno quarterly. Mr. Pinson will hire an investigator for the Las Vegas office to assist Danny Garcia with investigations.

1. PT Advisory Board (12/7)

The PT Advisory Board met on December 7<sup>th</sup>, 2010. See Item 17 for details.

D. Reports to Board

i. Refrigerator regulation

Mr. Pinson advised the Board that the refrigerator regulation was passed and became effective on December 16, 2010.

ii. Task Force Grant

Joannee Quirk was able to obtain another grant for the Task Force in the amount of \$400,000.00.

iii. NABP

1. PMP Hub

NABP is working on creating a Prescription Monitoring Program Hub so all states can exchange information. They asked, and we complied, for either Larry Pinson or Joanee Quirk to meet with them in Chicago to discuss the proposal. Ms. Quirk made the trip.

2. Intern Hours

Currently our statute requires 1500 intern hours, however 1740 intern hours will be the new standard. Since the 1500 hours is a requirement of statute we will need to address this issue through the legislature.

iv. Your Success Rx Report

1. Don's Pharmacy

Mr. Pinson reported that David Vasenden, owner of Don's Pharmacy, worked with Katie Johnson to create Policies and Procedures for the pharmacy with regard to the filling of one prescription from two stock bottles. Mr. Vasenden was very cooperative and dedicated time to the process. Mr. Vasenden has made changes to his computer system that will allow more than one bottle to be scanned on one prescription fill so that a repeat of the error that happened in his pharmacy will not happen again.

E. Board Related News

i. Gallop Poll

Mr. Pinson provided a copy of the latest Gallop Poll that showed pharmacists were ranked in the top three, just under military officers as being the most honest and ethical of all professions.

ii. Peoria, AZ Ordinance

A proposed dispensing ordinance for sales of Schedule II prescription drugs in Peoria was discussed. The concept would require pharmacies to submit a security plan to the police department and to have closed circuit cameras taking pictures of customers. The records would be kept for a specific period of time and available to law enforcement officers to inspect at will. Pharmacies would be required to verify the identification of the purchaser for every Schedule II product because of the growing problem with fraudulent prescriptions being passed in Arizona.

iii. USN Stats

The University of Southern Nevada is changing its name to Roseman University of Health Sciences to alleviate the confusion the "Southern Nevada" caused for a facility located in Utah.

F. Activities Report

21. Next Board Meeting:

March 2-3, 2011 – Reno, Nevada

22. Public Comments and Discussion of and Deliberation Upon Those Comments

There was no public comment.