

Michael L. Peters, Esquire

Law Offices of
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December 18, 2017

emails: lpinson@pharmacy.nv.gov, pedwards@pharmacy.nv.gov

Nevada State Board of Pharmacy
431 West Plumb Lane
Reno, Nevada 89509

Attention: General Counsel and Executive Director
Regarding: Sunrise Pharmacy
Subject: Request for Lavatory Variance

Dear Mr. Edwards and Mr. Pinson,

This letter is in response to Mr. Edwards' letter dated December 14, 2017 in which he indicated our request for lavatory variance will be presented to the board. Included in Attachment One is Sunrise Pharmacy's formal request. Attachment Two is a similar request by Professional Rx Pharmacy.

A) Background-

Although located side by side, Professional Rx and Sunrise Pharmacy are situated in two different spaces and suite numbers. Professional Rx Pharmacy's suite number is 120, and Sunrise Pharmacy's suite number is 102. See attachments Three and Four, showing post remodel set up.

Before the remodel, internally there were two common doors. One door was completely eliminated in the remodel. The second door involves the current bathroom variance request. The shared bathroom has been secured, at the inspector's instruction, with only limited access to the two pharmacies and solely for the shared bathroom purpose.

Each suite receives separate power bills (it has been that way for years) from NV Energy.

Other than for incidental storage, since Professional RX has opened, the pharmacy has never used suite 102's space.

Suites 120 and 102 are identified as separate properties in the lease.

Each suite has a separate entrance, located at opposite ends of the property, and is accessed by totally different roadways.

Professional Rx Pharmacy was approved by the Nevada State Board of Pharmacy for use of suite 120 only, not suite 102.

Thus, it is requested that this variance request proceed under NAC 639.530 only, and not NAC 639.535.

B) Request for Waiver-

As pointed out in Attachment One, proper steps have been taken to ensure that, other than sharing the bathroom, "...no unauthorized contact nor security problems will occur between the two pharmacies." Mr. Siedlinger required such safeguards to ensure the two pharmacies were kept separate.

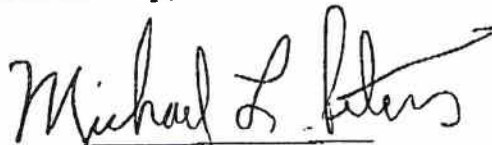
There are three ways which to resolve Sunrise Pharmacy's request for this variance-

1. Approve our current set up in which we have two separate locked and secured properties in place which prevents employees going from one pharmacy to the other, except for the shared bathroom use. This is the preferred request by Sunrise Pharmacy to be granted by the Nevada State Board of Pharmacy.
2. Totally block off the remaining common access door as described above, and permit the Sunrise Pharmacy's employees to use the complex bathroom which is located no more than 50 feet from Sunrise's entrance. This option would also be acceptable to Sunrise Pharmacy, but not preferred.
3. Require the installation of a full bathroom in Sunrise Pharmacy. It is requested this option not be required as it would be costly and unnecessary to maintain the security,

separation and integrity of the two pharmacies. Such requirement would also significantly decrease the workspace available to Sunrise Pharmacy and negatively impact the workflow set-up for the processing of prescriptions.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Michael L. Peters". The signature is written in dark ink and has a long, sweeping horizontal stroke at the end.

Michael L. Peters,
Owner of Sunrise Pharmacy

ATTACHMENT 1

mike@michaelpeterslaw.com

From: mike@michaelpeterslaw.com
Sent: Friday, December 8, 2017 2:02 PM
To: 'lpinson@pharmacy.nv.gov'
Subject: Bathroom Variance Request for Sunrise Pharmacy
Attachments: Letter to Larry Pinson from Sunrise Pharmacy12082017.pdf

Mr. Pinson; State Inspector, Ray Seidlinger, instructed us to send you a letter requesting a shared bathroom use variance be granted for Sunrise Pharmacy and Professional Rx Pharmacy. See attached request. The pharmacies are connected to each other by a common wall and a bathroom. Proper steps have been taken to insure that other than sharing a bathroom no unauthorized contact nor security problems will occur between the two pharmacies. Mr. Seidlinger, required that such safeguards be put in place during his recent inspection and we have complied.

Sincerely,
Michael Peters, Owner of Sunrise Pharmacy

Michael L. Peters, Esquire

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December 8, 2017

email: lpinson@pharmacy.Nv.gov

Nevada State Board of Pharmacy
431 West Plumb Lane
Reno, Nevada 89509

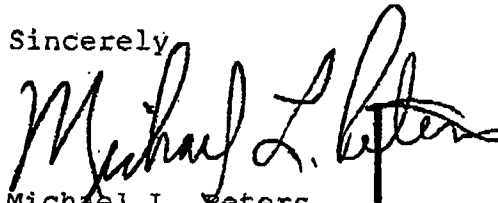
Attention: Larry Pinson Executive Secretary

Dear Mr. Pinson,

At the instruction of Nevada Board inspector,
Ray Seidlinger, Sunrise Pharmacy, located at 2560 E. Sunset Road,
Suite 102, Las Vegas, Nevada 89120, is writing to request a
variance for the bathroom area which we share with Professional
RX Pharmacy.

Thank you for your consideration.

Sincerely


Michael L. Peters,
Owner of Sunrise Pharmacy

ATTACHMENT 2

Professional Rx Pharmacy
2560 E Sunset Rd., Ste. 120
Las Vegas, NV 89120
P: (702)541-6023

12/08/2017

Nevada State Board of Pharmacy
431 West Plumb Ln.
Reno, Nevada 89509

Attn: Larry Pinson Executive Secretary

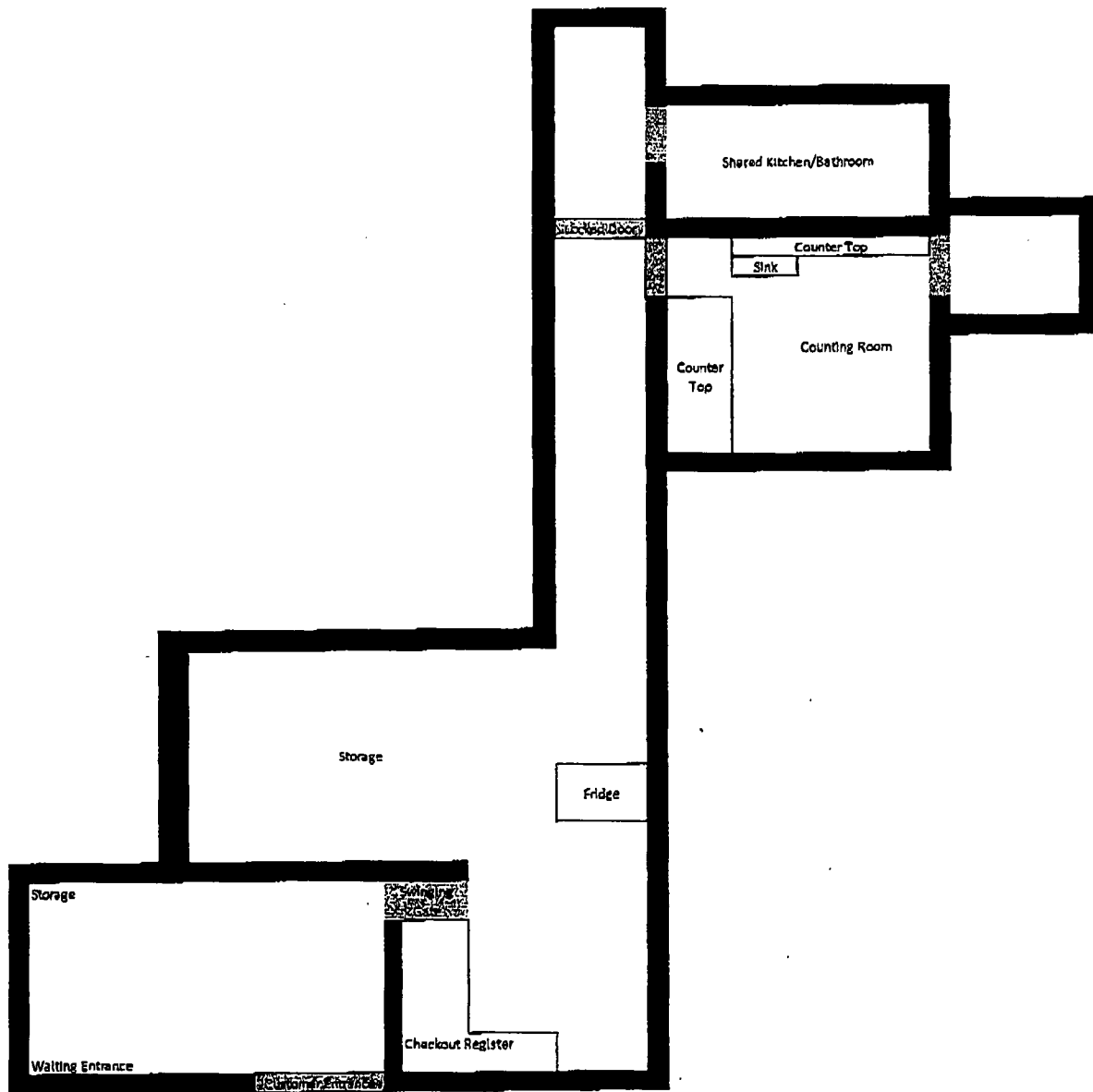
Dear Mr. Pinson,

At the instruction of Nevada Board Inspector, Ray Seidlinger, I am writing to request a variance waiver for the shared bathroom area between Professional Rx Pharmacy and Sunrise Pharmacy.

Thank you for your consideration,

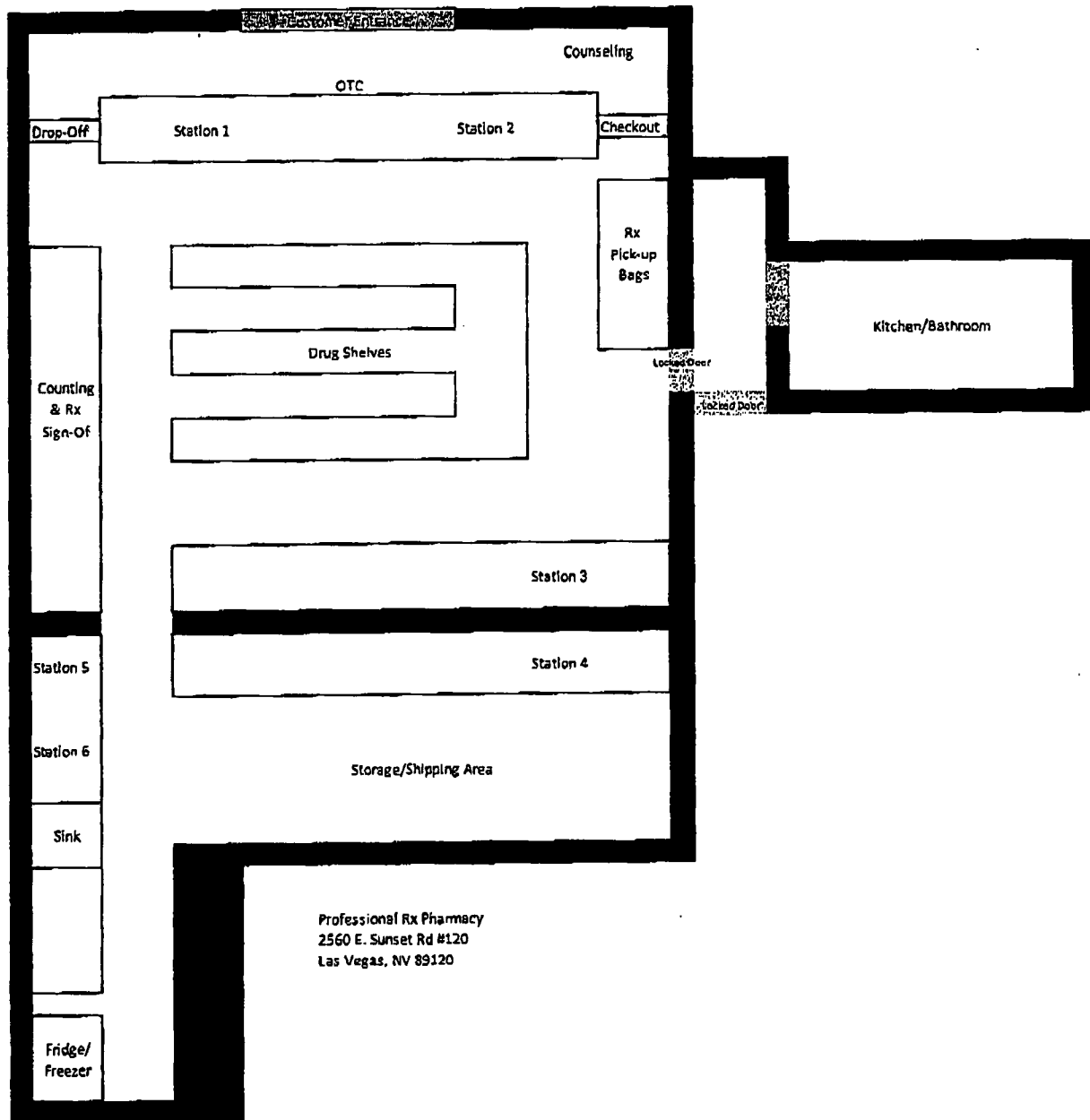
Michelle Badten RPh, PIC

ATTACHMENT 3



Sunrise Pharmacy
2560 E. Sunset Rd #102
Las Vegas, NV 89120

ATTACHMENT 4



Professional Rx Pharmacy
2560 E. Sunset Rd #120
Las Vegas, NV 89120