



Nevada State Board of Pharmacy

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August 22, 2016

AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, September 7, 2016 at 9:00 am. The meeting will continue, if necessary, on Thursday, September 8, 2016 at 9:00 am or until the Board concludes its business at the following location:

Hyatt Place
1790 E Plumb Lane
Reno, Nevada

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;

The Nevada State Board of Pharmacy may combine two or more agenda items for consideration; and

The Nevada State Board of Pharmacy may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Public comment is welcomed by the Board, but will be heard during the public comment item and may be limited to five minutes per person. The president may allow additional time to a given speaker as time allows and in his or her sole discretion.

Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126. Please be aware that after the quasi-judicial board or commission had rendered a decision in the contested case and assuming this happens before adjournment, then you may advise the board or commission that it may entertain public comment on the proceeding at that time.

◆ 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.

1. Public Comments and Discussion of and Deliberation Upon Those Comments: 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)
2. Approval of July 21-22, 2016, Minutes for Possible Action
3. Applications for Out-of-State Pharmacy – Non Appearance for Possible Action:
 - A. Allcare Pharmacy, Inc. – Worcester, MA
 - B. Global Medical Therapeutics – Salt Lake City, UT
 - C. Heritage Biologics, Inc. – Lee's Summit, MO
 - D. Paragon Healthcare Specialty – Dallas, TX
 - E. Pioneer Pharmaceuticals, LLC – Rosenberg, IL
 - F. Priority Care Pharmacy Services, LLC – Amory, MS
 - G. ProCare Pharmacy Care, LLC – Miramar, FL
 - H. Receipt Pharmacy #1 – Fort Worth, TX
 - I. TNH Pharmacy 2 – Van Nuys, CA
 - J. Wecare Pharmaceutical Services Inc. – San Bernardino, CA

Applications for Out-of-State Compounding Pharmacy – Non Appearance for Possible Action:

- K. Favre's Baytown Pharmacy – Bay St Louis, MO
- L. Hy-Vee Pharmacy Solutions – Omaha, NE
- M. Paragon Infusion Care, Inc. – Dallas, TX
- N. Portland Professional Pharmacy – Portland, OR
- O. Prescription Dispensing Laboratories, Inc. – Cedar Park, TX
- P. Propac Pharmacy – Vancouver, WA

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

- Q. Advanced Accelerator Applications USA, Inc. – Millburn, NJ
- R. Aesculap, Inc. – Hazelwood, MO
- S. Aesculap Implant Systems, Inc. – Hazelwood, MO
- T. Attain Med, Inc. – Atlanta, GA
- U. Bloodworth Wholesale Drugs – Tifton, GA
- V. Blu Pharmaceuticals – Franklin, KY
- W. JCB Laboratories, LLC – Wichita, KS
- X. Kenco Logistic Services, LLC – Chattanooga, TN
- Y. Kuehne + Nagel Inc. – Indianapolis, IN
- Z. Larken Laboratories, Inc. – Canton, MS

- AA. Merit Medical Systems, Inc. – Chester, VA
- BB. Midwest Veterinary Supply, Inc. – Dallas, TX
- CC. Reliable Pharmaceutical Returns, LLC – Nashville, TN
- DD. Smith Medical Partners, LLC – Carol Stream, IL
- EE. Ster Rx LLC – Plattsburg, NY
- FF. Technomed, Inc. – Ramsey, NJ
- GG. Unit Dose Solutions, Inc. – Morrisville, NC

Applications for Out-of-State Medical, Devices, Equipment and Gases – Non Appearance for Possible Action:

- HH. DJO, LLC – Plainfield, IN
- II. Ortho Tek, Inc. – Des Moines, IA
- JJ. Owens & Minor Distribution Inc. – Carol Stream, IL
- KK. Respironics, Inc. – Mt. Pleasant, PA
- LL. Respironics Logistics Services, LLC – Mt. Pleasant, PA

Applications for Nevada Pharmacy – Non Appearance for Possible Action:

- MM. ER at the Lakes, a Department of Southern Hills Hospital and Medical Center – Las Vegas
- NN. Vesper Specialty Pharmacy LLC – Las Vegas

◆ REGULAR AGENDA ◆

- 4. Discipline for Possible 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, Zachary Hansen, R.Ph (16-044-RPH-N)
- B. Donates Pranskevicius, PT (16-037-PR-N)

- 5. Applications for Controlled Substance License – Appearance for Possible Action:

- A. Ronald H. Foote, MD
- B. Michael J. Yudez, DO

- 6. Application for Physician Assistant to Prescribe – Appearance for Possible Action:

Russell P. Johnson, PA

7. Discussion and possible action on Strategic Pharmaceutical Solutions' proposed Settlement Agreement in the matters of *Strategic Pharmaceutical Solutions Inc. v. Nevada State Board of Pharmacy*, D. Nev., Case No. 16-cv-171, and *Nevada State Board of Pharmacy v. Strategic Pharmaceutical Solutions Inc.*, Nev. 2d Jud. Dist. Ct., Case No. CV16-00560. Please note that during this agenda item the Board may adjourn the meeting and exclude the public for an attorney-client conference on existing litigation pursuant to NRS 241.015(3)(b)(2); however, any action will be taken in an open meeting. (For Possible Action)
8. Applications for Out-of-State Pharmacy – Appearance for Possible Action:
 - A. California Specialty Pharmacy – Whittier, CA
 - B. Talon Compounding – San Antonio, TX
 - C. US Compounding – Conway, AR
9. Applications for Nevada Medical, Devices, Equipment and Gases – Appearance for Possible Action:
 - A. HDG Medical LLC – Las Vegas
 - B. Helix Medical Equipment Inc. – Las Vegas
10. Application for Nevada Pharmacy – Appearance for Possible Action:

Santa Maria Pharmacy – Las Vegas
11. Application for Nevada Wholesaler – Appearance for Possible Action:

MidWest Veterinary Supply, Inc. – Las Vegas
12. Approval of 2017 Board Meeting Dates for Possible Action
13. Executive Secretary Report for Possible Discussion:
 - A. Financial Report
 1. Audit
 - B. Temporary Licenses
 - C. Staff Activities
 1. Speaking Engagements:

Q & B Meeting
 2. Governor's Drug Summit Meeting
 3. FDA Meeting
 - D. Reports to Board:
 1. Collaborative Efforts:

BOME; DEA; FBI; NSBN
 2. Tribal Health
 3. Biennial Report
 - E. Board Related News
 - F. Activities Report

◇ WORKSHOP for Possible Action ◇

Thursday, September 8, 2016– 9:00 am

14. Notice of Intent to Act Upon a Regulation for Possible Action:

A. Amendment of Nevada Administrative Code (NAC) 639.7102 Use of computer system for issuance and transmission of prescription The regulation currently allows the Board to approve a computer system for issuance and transmission of a prescription to a pharmacy only if the computer system limits access to the prescribing practitioner. The proposed amendment would allow the Board to approve computer systems that allow prescribers to designate delegates who have the authority to access the system to perform prescription–related functions on the practitioner’s behalf.

B. Amendment of Nevada Administrative Code (NAC) 639.7105 Electronic transmission of prescription The regulation currently requires that only a practitioner may access a computer system used for issuance and transmission of a prescription to a pharmacy. The proposed amendment would allow a practitioner to authorize delegates to access such a computer system to perform prescription–related functions on the practitioner’s behalf.

C. Amendment of Nevada Administrative Code (NAC) 453.510 Schedule I The proposed amendment will add MAB-CHMINACA, AB-FUBINACA and ADB-PINACA to the controlled substances listed in Schedule 1, and provides for other matters properly related thereto.

D. Amendment of Nevada Administrative Code (NAC) 453.540 Schedule IV The proposed amendment will add Eluxadoline to the controlled substances listed in Schedule IV, and provides for other matters properly related thereto.

E. Amendment of Nevada Administrative Code (NAC) 453.550 Schedule V The proposed amendment will add Brivaracetam to the controlled substances listed in Schedule IV, and provides for other matters properly related thereto

15. Date and Location of Next Scheduled Board Meeting:

October 12-13, 2016 – Las Vegas, Nevada

16. Public Comments and Discussion of and Deliberation Upon Those Comments: 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)

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 Shirley Hunting at (775) 850-1440, as soon as possible.

Anyone desiring supporting materials or additional information regarding the meeting is invited to call Shirley Hunting at (775) 850-1440 or email at shunting@pharmacy.nv.gov.

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 www.notice.nv.gov and bop.nv.gov:

Elko County Courthouse – Elko
Washoe County Courthouse – Reno

Nevada Board of Pharmacy – Reno & Las Vegas
Mineral County Courthouse – Hawthorne