

11. Request for Reinstatement of Pharmaceutical Technician License – Appearance for Possible Action:

Kenya M. Peoples

Kenya Peoples appeared and was sworn by President Basch prior to answering questions or offering testimony.

Ms. Peoples stated that she appeared before the Board to request the reinstatement of her pharmaceutical technician license.

Ms. Peoples explained that in August 2014, her Pharmaceutical Technician's registration was revoked due to her diverting controlled substances, namely alprazolam 2 mg. Ms. Peoples stated that she diverted the controlled substances because an acquaintance threatened her and her family's safety if she did not divert alprazolam for them.

The Board questioned Ms. Peoples regarding her current employment and how she would respond if put in the same situation today.

The Board offered Ms. Peoples the option to table her request for a later date.

The Board expressed concern regarding the severity of Ms. Peoples offense.

The Board tabled Ms. Peoples' request for reinstatement of Pharmaceutical Technician License at her request.

12. Appearance Request for Possible Action:

Genda Zareei

This matter was continued to the March 2016 Board meeting.

13. Application by Examination for Pharmacist License – Appearance:

Ronald H. Engberson

Ronald Engberson appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Engberson explained that he is applying for a pharmacist license by examination. He stated that he practiced as a pharmacist in Alaska for 4 years. He stated that he has a disciplinary action against his license in Alaska for filling his own controlled substance prescriptions. Mr. Engberson added that he has since surrendered his pharmacist license in Alaska and has applied for a pharmacist license in Texas as well as Nevada.

The Board questioned Mr. Engberson regarding his disciplinary action and recovery.

The Board recommended Mr. Engberson contact Mr. Espadero to be evaluated by PRN-PRN.

Mr. Engberson requested the Board table his Application by Examination for Pharmacist License.

14. Application for Controlled Substance License – Appearance for Possible Action:

Mohamed O. Saleh, MD

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

Mr. Pinson reminded the Board that Dr. Saleh had applied for a Nevada controlled substance license in the past. His application was denied due to violations in Florida including an arrest by the DEA for prescribing without a license.

The Board questioned Dr. Saleh regarding his arrest and the current status of his license with the Nevada State Board of Medical Examiners.

Dr. Saleh answered questions the Board's satisfaction.

Board discussion ensued regarding whether or not Dr. Saleh required the ability to prescribe for all schedules of controlled medication or not. Dr. Saleh stated that his specialty was in detox medications and he may need to occasionally write for controlled substances.

Board Action:

Motion: Jason Penrod moved to approve Mohamed Saleh's Application for Controlled Substance License with the restriction of only Controlled Substances Schedule III to V. Mohamed Saleh shall provide a copy of the Nevada State Board of Medical Examiner's Preceptor report for Board Staff's evaluation, and shall inform the Board of any changes in employment or location within 10 days of such changes.

Second: Tallie Pederson

Action: Passed Unanimously

15. Discussion and Determination – Appearance for Possible Action:

BriovaRx of Nevada, LLC and Tel-Drug, Inc. – Ed Rickert & John Jones

Edward Rickert, Quarles & Brady, John Jones, Optum Rx, Charlotte Bois, pharmacy manager at BriovaRx and Jeff Nielsen, Chief Pharmacist Tel-Drug Pharmacy appeared.

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane – Reno, NV 89509

APPLICATION BY EXAMINATION AS A PHARMACIST

If you are requesting examination eligibility for initial licensure and/or you don't meet the requirements for reciprocity.

Total Fee: \$330.00 (non-refundable, money order only, no cash)

Complete Name (no abbreviations):

First: Ronald Middle: Henry Last: Engberson

Mailing Address: 6750 Crooked Tree Cir

City: Anchorage State: AK Zip Code: 99507

Telephone: _____ E-mail Address: _____

Date of Birth: _____ Place of Birth: Driggs Idaho

Social Security Number: _____ (Required) Sex: M or F

College of Pharmacy Information

Graduation Date: 5/15/2008

Degree Received: PharmD BS in Pharmacy Other (check one)

Name of Pharmacy School: Idaho State University

Location of School: Pocatello Idaho

If you are a **foreign graduate** you must attach a copy of your FPGE certificate to THIS APPLICATION. You also need to complete the college of pharmacy information

Other states where you are (or were) licensed as a pharmacist or print "none"

State	Lic #	Is the license active?	State	Lic #	Is the license active?
<u>AK</u>	<u>1778</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>
_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Attach separate sheet if necessary

A licensee is not personally required to have a Nevada State Business License, however, if you have one, please provide the number: _____

Yes No

Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or physical condition that would impair your ability to perform the essential functions of your license?........

1. Been charged, arrested or convicted of a felony or misdemeanor in any state?........

2. Been the subject of a board citation or an administrative action whether completed or pending in any state?........

3. Had your license subjected to any discipline for violation of pharmacy or drug laws in any state?.......

If you marked **YES** to any of the numbered questions (1-3) above, include the following information & provide an **explanation & documentation**:

Board Administrative Action:	State	Date:	Case #:
	AK	4 / 2 / 2012	2012-00301

Criminal Action:	State	Date:	Case #:	County	Court
	AK	03 / 11 / 2013	3AN-12-13617	Anchorage	Superior Court Anchorage AK

FEDERALLY MANDATED REQUIREMENTS

In response to Federally mandated requirements, the Nevada Legislature and Attorney General require that we include this questions as part of all applications.

4. Are you the subject of a court order for the support of a child?.....Yes No

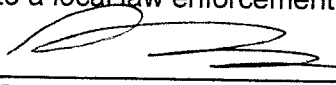
4a. If you marked Yes, to the question 4, are you in compliance with the court order?.....Yes No

I have read all questions, answers and statements and know the contents thereof. I hereby certify, under penalty of perjury, that the information furnished on this application are true, accurate and correct. I hereby authorize the Nevada State Board of Pharmacy, it's agents, servants and employees, to conduct any investigation(s) of my business, professional, social and moral background, qualification and reputation, as it may deem necessary, proper or desirable.

No liability of any sort or kind shall attach to the said Nevada State Board of Pharmacy, it's members, servants or employees because or by reason of the use of the authorization.

I attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

I understand that Nevada law requires a licensed pharmacist who, in their professional or occupational capacity, comes to know or has reasonable cause to believe, a child has been abused/neglected, to report the abuse/neglect to an agency which provides child welfare services or to a local law enforcement agency.



 Original Signature, no copies or stamps accepted

Date 9/17/2015

Board Use Only			
Processed: <u>10-15</u>	Amount: <u>\$350.00</u>	Entity #: <u>90220</u>	
Laws _____	NAPLEX _____	MPJE _____	

Date: 09/17/2015

The Board of Pharmacy
431 W. Plumb Lane
Reno, NV 89509

Board of Pharmacy,

I am writing you today to request the reinstatement of my pharmacy license. I voluntarily surrendered it almost three years ago while under investigation for filling my own prescriptions. I pled guilty and was sentenced to two years of probation and was given a suspended imposition of sentence. The conviction was set aside upon my completion of my probation on March 10th of 2015. My lawyer, Kevin Fitzgerald, is going to send a letter outlining the legal aspects of this request.

I understand the seriousness of my actions and the damage it caused my family, my profession and myself. When the article came out in the Anchorage Daily News, it caused great embarrassment and shame. My actions caused great detriment to myself and those around me. As a result of losing my license, I was unemployed for eight months, had to file bankruptcy, lost the house we loved, and I had to give our vehicles back to the bank. I also lost my membership in my church and was disfellowshipped for almost two years. My wife and daughters left me for a period of nine months while I worked out my issues. This was a very hard time, but it made me think on what I wanted and what I hold most dear to me. I will never again do something that would bring so much pain and embarrassment to my family.

I finally found a job working at Pacific Tile in Anchorage running the warehouse and selling tile. It's not what I want to do or enjoy doing but it is honest employment that helps to pay the bills. I have worked there for a little over two years. I have tried to stay current with pharmacy by reading online articles on drug topics. I miss being a Pharmacist. I loved helping people with their concerns, and I hope it is something I can do again.

I saw a counselor for three months, and it helped me to figure out my actions. I am narcotic-free and only take Gabapentin and Advil for the pinched nerve in my back. I am willing to comply with any restrictions and/or requirements that you would require to move forward.

Thank you for taking the time to reconsider my reinstatement of my license.

Sincerely,

Ron Engberson

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
 THIRD JUDICIAL DISTRICT AT THIRD JUDICIAL DISTRICT

SCANNED

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
)
)
 Ronald H. Engberson,)
)
 DOB: 07/07/1970)
)
 ATN: 113990877)
)
)
 Defendant.)

RECEIVED
 Ingaldson, Maassen & Fitzgerald, PC

MAR 14 2013

File No. 3456-1 Cal: _____
 Approved for File: _____

 Court No. 3AN-12-13617 Cr.

**JUDGMENT AND ORDER SUSPENDING IMPOSITION OF SENTENCE
 AND PROVIDING FOR PROBATION**

The defendant has been convicted upon his plea of:

COUNT	DATE OF OFFENSE	OFFENSE (including CTN)	STATUTE VIOLATED	DV Offense Per AS18.66.990(3)&(5) (Yes or No)
I	1/25/09 through 3/2/12	Forgery in the Second Degree - 001	AS 11.46.505	No

and all other charges are dismissed.

Defendant came before this court on the effective date (see last page), with counsel and an Assistant District Attorney present. It appearing to the satisfaction of this court that the ends of justice and the best interests of the public will be served thereby,

IT IS ORDERED that the sentencing of the defendant is suspended for a period of 2 years and the defendant is placed on probation to the Department of Corrections under the conditions of probation listed below.

IT IS FURTHER ORDERED that the defendant pay restitution as stated in the Restitution Judgment and that defendant apply for an Alaska Permanent Fund Dividend

every year in which defendant is a resident eligible for a dividend until the restitution is paid in full. The Restitution Judgment will continue to be civilly enforceable after the period of probation expires and after any set-aside of the conviction in this case. Criminal Rule 32.6(I).

POLICE TRAINING SURCHARGE. IT IS ORDERED that defendant pay to the court the following surcharge pursuant to AS 12.55.039 within 10 days:

<u>Count</u>	<u>Surcharge Amount</u>
I	\$100.00

JAIL SURCHARGE. IT IS ORDERED that defendant immediately pay a correctional facilities surcharge of \$200 with \$100 suspended to the Department of Law Collections Unit, 1031 West 4th Avenue, Suite 200, Anchorage AK 99501. AS 12.55.041.

SPECIAL CONDITIONS OF PROBATION – IMPRISONMENT

Defendant shall serve the following term(s) of imprisonment: None.

Defendant agrees to remand at the Change of Plea hearing.

GENERAL CONDITIONS OF PROBATION

1. Comply with all direct court orders listed above by the deadlines stated.
2. Report to the Department of Corrections Probation Office on the next business day following the date of sentencing; or, if time is to be served immediately after sentencing, then report to the Department of Corrections Probation Office on the next business day following release from an institution.
3. Secure the prior written permission of a probation officer of the Department of Corrections before changing employment or residence or leaving the *region of residence* to which assigned.
4. Make a reasonable effort to secure and maintain steady employment. Should you become unemployed, notify a probation officer of the Department of Corrections as soon as possible.
5. Report in person between the first day and the tenth day of each month, or as otherwise directed, to your assigned office of the Department of Corrections. Complete in full a written report when your probation officer is out of the office to insure credit for that visit. You may not report by mail unless you secure prior permission to do so from your probation officer.

6. At no time have under your control a concealed weapon, a firearm, or a switchblade or gravity knife.
7. Do not knowingly associate with a person who is on probation or parole or a person who has a record of a felony conviction unless prior written permission to do so has been granted by a probation officer of the Department of Corrections.
8. Make a reasonable effort to support your legal dependents.
9. Do not consume intoxicating liquor to excess.
10. Comply with all municipal, state and federal laws.
11. Report all purchases, sales and trades of motor vehicles belonging to you, together with current motor vehicle license numbers for those vehicles, to your probation officer.
12. Upon the request of a probation officer, submit to a search of your person, personal property, residence or any vehicle in which you may be found for the presence of .
13. Abide by any special instructions given by the Court or any of its duly authorized officers, including probation officers of the Department of Corrections.

OTHER SPECIAL CONDITIONS OF PROBATION

- o Provide blood and oral samples for the DNA Registration System when requested to do so by a health care professional acting on behalf of the state and provide oral samples when requested by a correctional, probation, parole or peace officer. AS 12.55.100(d) and AS 44.41.035..
- o Submit, at any reasonable time, to search of your person, personal property, residence, business, vehicle, or any vehicle under which you have control, for the presence of any illegal drugs, drug paraphernalia, weapons, and/or stolen goods.
- o Forfeit to the investigating agency all items seized as evidence in this case.
- o Submit to the drawing of blood and the taking of fingerprints for the purpose of inclusion in the deoxyribonucleic (DNA) identification system established pursuant to AS 44.41.035.

THE PROBATION HEREBY ORDERED EXPIRES 2 years from date judgment is signed (see below).

Any appearance bond in this case is:

- exonerated
- exonerated when defendant reports as ordered to jail to serve the term of imprisonment
- was forfeited and any forfeited funds shall be applied to the restitution.

3/11/13
EFFECTIVE DATE

Michael J. Ryan
JUDGE OF THE SUPERIOR COURT

NOTICE TO DEFENDANT

You are advised that according to the law, the court may at any time revoke your probation for cause or modify the terms or conditions of your probation. You are subject to arrest by a probation officer with or without a warrant if the officer has cause to believe that you have violated a condition of your probation. You are further advised that it is your responsibility to make your probation officer aware of your adherence to all conditions of probation set forth above.

Sentence Appeal. If you are required to serve more than two years in jail, you may appeal this requirement to the court of appeals on the ground that it is excessive. Your appeal must be filed within 30 days of the date of distribution stated below. If you are required to serve two years or less in jail, you may seek review of this requirement by filing a petition for review in the supreme court. To do this, you must file a notice of intent to file a petition for sentence review within 10 days of the date of distribution stated below. See Appellate Rules 215 and 403(h) for more information on time limits, procedures and possible consequences of seeking review.

- REGISTRATION REQUIREMENTS.** Because you have been convicted of one of the offenses listed in AS 12.63.100, you must register as described in the attached form (CR-471, Sex Offender and Child Kidnapper Registration Requirements).

I certify that on 3/13/13
a copy of this judgment was sent to:

DA
 Defense Atty Fitzgerald
DOX

Sec./Clerk: av

I certify that on _____
a copy of this judgment was sent to:

DA Exhibit Clerk
 Def Atty _____ Adult Probation
 Deft thru _____ DPS - R&I - Anchorage
 Police/AST DPS - Fingerprint Section
 Jail DMV - Juneau (lic. action)
 VPSO/Village Council at _____
 Collections Unit for cost of imprisonment
 Clerk:

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 RONALD H. ENGBERSON,)
)
)
)
)
)
)
 Defendant.)

FILED IN OPEN COURT
3.11.13CW

WAIVER OF INDICTMENT

Court No. 3AN-12-13617 CR

I, the above-named defendant, am charged with violation of: AS 11.46.505, Forgery in the Second Degree. I am fully advised of the following:

1. Under the Alaska Constitution I have a right to have the above charge presented to a Grand Jury for review.
2. A Grand Jury consists of 12 to 18 citizens who hear evidence presented by the District Attorney through witnesses.
3. During the presentation of a case before the Grand Jury, only the District Attorney, a clerk, and the witness are present.
4. The Grand Jury can return an indictment against me only upon the concurrence of a majority of the total number of jurors and when all the evidence taken together, if unexplained or uncontradicted, would warrant a conviction of me at trial.
5. If the Grand Jury declines to indict me after reviewing the evidence, the effect is to dismiss the charge which was before them; and that charge may not be again submitted to the Grand Jury without a court order.
6. The effect of an indictment being returned by the Grand Jury is to place the charges against me before the Superior Court.

7. The effect of a Waiver of Indictment by me will be to allow the charges against me to be placed before the Superior Court without the Grand Jury having reviewed the evidence in my case.

I have received a copy of the Complaint or Information charging me with the offense referred to above and therefore I am familiar with the nature of the charges against me.

I have been advised by my attorney and the court of the nature of the charges against me and my right to indictment by Grand Jury. I have taken into consideration the information listed above. I hereby waive in open court prosecution by Indictment and consent to prosecution in Superior Court by information rather than indictment.

3/11/13
Date
Clinton M. Carpio
Assistant District Attorney

[Signature]
Defendant's Signature
[Signature]
Counsel for Defendant

Clint Carpio 0812105
Type or Print Name Bar Number

[Signature]
Type or Print Name Bar Number

FINDING

After having personally inquired of the defendant in open court and of defendant's attorney, and having advised the defendant as to defendant's right to indictment by Grand Jury, I find that the defendant has made a voluntary, intelligent, and knowing waiver of defendant's right to indictment by Grand Jury.

3/11/13
Date

[Signature]
Superior Court Judge

MICHAEL R. SPAAN

Type or Print Name

I certify that on 3/13/13
a copy of this waiver was sent or given to:

Defense Counsel: Fitzgerald
Prosecutor: DAG
DOC

Clerk: AV

M. Richard Watson

NOV 30 2015

November 23, 2015

Nevada State Board of Pharmacy
Candy Nally, Licensing Specialist
431 Plumb Lane
Reno, Nevada 89509

RE: Ronald Engberson Character Endorsement

Dear Mrs. Nally:

I have known Ron Engberson for approximately 7 years, primarily as his ecclesiastical Bishop in the Church of Jesus Christ of Latter-day Saints. Together with his wife and two beautiful daughters, he has always been an extremely active and faithful member of our church, devoting much time and effort to helping and serving others both by way of assignment and by his own initiative. I worked with Ron and his family closely from the time he was terminated by his employer and through his indictment and conviction process in the years that followed.

At the time Ron was terminated from his employment as a Pharmacist, he voluntarily came forward and confessed his professional mistakes with much emotion and regret. He fully understood his actions were contrary to the teachings and principles of our church and that the resulting consequences were necessary to help him make amends. He was anxious to move forward in his life and humbly submitted himself to a formal church disciplinary council over which I presided. That council followed the outcome of his legal proceedings and resulted in a two-year repentance process involving significant restrictions related to his membership in the Church together with a charge to involve himself in specific activities to help him make restitution to society and the church, improve his resolve to never repeat such an offense and to find peace and forgiveness. He readily accepted this council and faithfully complied in every respect for the entire two-year period. Recently, his membership privileges were fully restored by church officials, an indication of his full repentance by our church standards.

During this time of great difficulty in his life he found employment in a local tile supply shop far below his intellectual ability and usual compensation. This resulted in significant financial hardship. He lost his home and suffered much but was blessed by the support of his loving wife, children, extended family and friends. We were pleased to help him and his family sustain life with food and basic supplies through our church resources in return for their help cleaning our church buildings. He worked hard, showed much gratitude and never complained or became bitter or angry.

What I observed in Ron throughout this ordeal was completely the opposite of what one might expect of someone who made such a professional mistake. He accepted and suffered the consequences with humility and grace. He was determined to re-earn the trust of others no matter how long it took. He was never reclusive or sought to hide from society to cover his

embarrassment or shame or seek relief from controlled substances, nor were these ever used by him prior to the incidents in question. The people who know him best readily forgave and helped him and he has clearly regained their complete trust. I consider this a remarkable achievement and have come to admire him greatly for how he worked through this period of great difficulty.

Perhaps no one can accurately predict whether someone will repeat a former mistake or not. Societal trends may not be positive. In my informed opinion both as a 30 year healthcare administrator and 5 ½ years as a Bishop, if anyone were unlikely to repeat such a mistake, it would be Ron Engberson. He has paid a heavy price and become an even better person as a result of his humility and faithful actions in the face of serious consequences.

I fully vouch for his character and endorse his professional reinstatement. I urge you and others involved in reviewing his application to take these facts into consideration and use compassion in rendering a decision; the same compassion all of us would hope for if we found ourselves in similar circumstances. He has a passion for his noble profession as a pharmacist. He labored hard to achieve his academic credentials at great personal expense. He loves serving people and hopes to continue doing so. At the same time, knowing Ron, he will gracefully accept and deal any decision and continue to move forward in his life.

May God bless and inspire you in your decision.

Kindest regards,

A handwritten signature in cursive script, appearing to read "M. Richard Watson". The signature is written in dark ink and has a long, sweeping horizontal line extending to the right.

M. Richard Watson,
CEO, Orthopedic Physicians Anchorage, Inc.
Former Bishop, The Church of Jesus Christ of Latter-day Saints