



NEVADA STATE BOARD OF PHARMACY

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• Web Page: bop.nv.gov

MINUTES

July 19-20, 2017

BOARD MEETING

Hilton Garden Inn
7830 S Las Vegas Boulevard
Las Vegas, Nevada

Board Members Present:

Leo Basch	Kevin Desmond	Jason Penrod	Melissa Shake
Robert Sullivan	Kirk Wentworth	Darla Zarley	

Board Staff Present:

Dave Wuest	Paul Edwards	Shirley Hunting	Brett Kandt
Joe Dodge	Dena McClish	Kenneth Scheuber	Sophia Long
Kristopher Mangosing			

Board Staff Absent:

Larry Pinson

President Basch read the mission statement of the Nevada State Board of Pharmacy to reiterate the Board's duty to carry out and enforce the provisions of Nevada law to protect the health, safety and welfare of the public.

1. Public Comment July 19, 2017, 9:00 AM

There was no public comment.

2. Approval of May 31 and June 1, 2017 Minutes

Ms. Shake requested a correction on Item 4I on p.11. She stated that Kevin Desmond recused from participation in that matter and should not be listed as voting during the Motion.

Ms. Shake also requested a correction on Item 16 on p.19 to add, “Mr. Wuest explained that Board Staff was contacted by a veterinarian requesting that the Board consider removing human chorionic gonadotropin for use in animals from Schedule III.”

Mr. Wentworth requested a correction on Items 4 A & B to include that Melissa Shake seconded the Motion and that the Motion passed unanimously.

Board Action:

Motion: Kevin Desmond moved to approve the May 31 and June 1, 2017, Meeting Minutes with the corrections as noted.

Second: Darla Zarley

Action: Passed unanimously

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

- A. C3 Pharmacy – St George, UT
- B. 4M Pharmacy, Inc. – Pasadena, CA
- C. 96th Street Rx Corp – New York, NY
- D. AccuServ Pharmacy – North Huntingdon, PA
- E. Acutus Rx, LLC – Hicksville, NY
- F. All Med Pharmacy – Deerfield Beach, FL
- G. Ardon Health, LLC – Portland, OR
- H. Avella Patient Access Program, Inc. – Lake Mary, FL
- I. Beemans Redlands Pharmacy – Redlands, CA
- J. Blondell Rx Corp – Bronx, NY
- K. Cancer Specialty Pharmacy – Omaha, NE
- L. Canyon Medical Pharmacy, Inc. – Centennial, CO
- M. Caprock Pharmacy – Lubbock, TX
- N. CareZone Pharmacy LLC – Nashville, TN
- O. Coastline Pharmacy LLC – Jupiter, FL
- P. Express Scripts Specialty Distribution Services, Inc. – St. Louis, MO
- Q. Fertility Pharmacy of America, LP – Nashville, TN
- R. HiCare Pharmacy LLC – Houston, TX
- S. Intermountain Specialty Pharmacy – Taylorsville, UT
- T. MailMyPrescriptions.com – Boca Raton, FL
- U. Medcart Specialty Pharmacy – Livonia, MI
- V. MedScript Long Term Care Pharmacy – Noblesville, IN
- W. New Era Pharmacy, LLC – Portland, OR
- X. Pharmacena Labs LLC – Carie Place, NY
- Y. PharmaCord – Louisville, KY
- Z. Southwest Community Pharmacy – Houston, TX
- AA. Stapley Pharmacy Enterprise – Enterprise, UT
- BB. Young at Heart Pharmacy – Indianapolis, IN

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

- CC. Absolute Wellness Pharmacy – Woodland Hills, CA
- DD. Advanced Pharmacy Services – Stafford, TX
- EE. Foundation Care, LLC – Earth City, MO
- FF. Innovative Pharmacy Solutions – Anoka, MN

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

- GG. Adare Pharmaceuticals Inc. – Vandalia, OH
- HH. Aralex Pharmaceuticals US Inc. – Princeton, NJ
- II. Athenex Pharma Solutions, LLC – Clarence, NY
- JJ. Catalent CTS, LLC – Kansas City, MO
- KK. Catalent Pharma Solutions, LLC – Philadelphia, PA
- LL. Denton Pharma, Inc. – North Blenheim, NY
- MM. DHL Supply Chain (USA) – Stone Mountain, GA
- NN. Dispensary of Hope, LLC – Nashville, TN
- OO. FedEx Supply Chain, Inc. – Olive Branch, MS
- PP. Foundation Care, LLC – Earth City, MO
- QQ. GE Healthcare, Inc. – Marlborough, MA
- RR. Glenmark Pharmaceuticals Inc. USA – Mahwah, NJ
- SS. Gordon Laboratories – Upper Darby, PA
- TT. Halton Laboratories LLC – Princeton, NJ
- UU. Hema Biologics, LLC – Louisville, KY
- VV. ICU Medical Sales, Inc. – Santa Fe Springs, CA
- WW. Independent Pharmacy Distributor LLC – Lexington, NC
- XX. Medline Industries, Inc. – Lacey, WA
- YY. Pharmsource, LLC – Brunswick, GA
- ZZ. Prescription Supply, Inc. – Northwood, OH
- AAA. Posey Products LLC – Elk Grove Village, CA
- BBB. Posey Products LLC – Arcadia, CA
- CCC. Proficient RX LP – Thousand Oaks, CA
- DDD. Rising Pharmaceuticals, Inc. – Somerset, NJ
- EEE. Sirtex Wilmington LLC – Wilmington, MA
- FFF. The Hibbert Group – Trenton, NJ
- GGG. Vitruvias Therapeutics, LLC – Auburn, AL

Applications for Out-of-State Medical, Devices, Equipment and Gases – None Appearance:

- HHH. Advance Diabetic Supply, Inc. – Overland Park, KS
- III. Better Living Now, Inc. – Hauppauge, NY
- JJJ. Document Support Solutions, LLC – Phoenix, AZ
- KKK. Foundation Care, LLC – Earth City, MO
- LLL. Freedom Medical Services Inc. – Boca Raton, FL
- MMM. Geneva Woods Health Supplies – Vancouver, WA
- NNN. Matheson Tri-Gas, Inc. – Richmond, CA
- OOO. Matheson Tri-Gas, Inc. – Waverly, NE
- PPP. Right Track Wellness – Vista, CA

QQQ. SyMed, Inc. – Chicago, IL

Applications for Nevada Pharmacy – Non Appearance:

RRR. A1C Pharmacy – Las Vegas

SSS. All in One Pharmacy – Reno

TTT. CVS/pharmacy #10861 – Las Vegas

UUU. Dignity Health – St. Rose Dominican Sahara Campus – Las Vegas

VVV. Green Valley Pharmacy – Henderson

WWW. Sunrise Pharmacy – Las Vegas

XXX. Wal-Mart Pharmacy 10-2483 – Las Vegas

Jason Penrod recused from participation regarding Item XXX due to his employment with Wal-Mart.

Board discussion ensued regarding the services provided by Items W and AA.

Board Action:

Motion: Jason Penrod moved to approve the Consent Agenda with the exception of Items W, AA and XXX.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to approve Items W and AA pending Board Staff's review of the pharmacies' services provided and verification that their appropriate Applications are complete.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Kirk Wentworth moved to approve Item XXX.

Second: Melissa Shake

Action: Passed unanimously

4. Discipline

A. Hakeem Sanchez-Bravo

(16-080-PTT-S)

B. Shelley Verma, R.Ph

(16-080-RPH-A-S)

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|----|------------------------|------------------|
| C. | Walgreens #03845 | (16-080-PH-A-S) |
| D. | Rachael McDonald, R.Ph | (16-080-RPH-B-S) |
| E. | Walgreens #04086 | (16-080-PH-B-S) |
| F. | Suzette Jacobs, R.Ph | (16-080-RPH-C-S) |
| G. | Walgreens #15035 | (16-080-PH-C-S) |
| H. | Walgreens Co. | (16-080-PH-D-S) |

Melissa Shake recused from participation in this matter due to her employment with Walgreens.

Darla Zarley disclosed that Ms. Verma and Ms. Jacobs were former students, but stated that she could participate in this matter fairly and without bias.

Shelley Verma, Rachel McDonald and Holly Prievo, Healthcare Supervisor Walgreens, appeared and were sworn by President Basch prior to answering questions or offering testimony.

William Stilling was present as counsel representing Ms. Verma, Ms. McDonald, Ms. Jacobs and Walgreens.

Mr. Stilling explained that Ms. Jacobs lives out of state and was unable to attend the hearing.

Mr. Sanchez-Bravo was not present.

Mr. Edwards moved to have Exhibits 1- 4 admitted into the record.

Mr. Stilling moved to have Exhibits A and B entered into the record.

President Basch admitted Exhibits 1- 4 and A and B into the record.

Mr. Edwards explained that Mr. Sanchez-Bravo's Pharmaceutical Technician Trainee registration was valid at Walgreens #4790 and had expired on October 31, 2016. In November 2016, Mr. Sanchez-Bravo contacted the Board Office regarding the renewal of his registration. During that discussion, Mr. Sanchez-Bravo indicated that he had been working at Walgreens Pharmacy #03845 for the prior four months. Mr. Edwards stated that records provided to the Board Investigator by Jaclyn Latteri, Walgreens' District Manager, show that between April 2016 and November 2016, Mr. Sanchez-Bravo worked as a pharmaceutical technician in training at three different Walgreens where he did not have a valid registration. The records show he worked unregistered at those locations for 140 days.

Mr. Edwards reviewed the Exhibits with the Board. He presented Mr. Sanchez-Bravo's Notice of Intended Action and Accusation, sent by certified mail. Mr. Edwards explained that Mr. Sanchez-Bravo's Notice of Intended Action and Accusation was sent to his last address of record, but was returned as unclaimed. Mr. Edwards also presented a written statement from Ms. Latteri confirming that Mr. Sanchez-Bravo worked unlicensed as a pharmaceutical technician in training for 140 days.

Board Action:

Motion: Jason Penrod moved to find that based on the evidence presented, Board Staff properly attempted service by mailing the Notice of Intended Action and Accusation to Mr. Sanchez-Bravo.

Second: Darla Zarley

Action: Passed unanimously

Mr. Edwards requested permission to move forward with the default proceedings based on the evidence provided.

President Basch approved.

Board Action:

Motion: Jason Penrod moved to find Hakeem Sanchez-Bravo guilty of the First Cause of Action.

Second: Darla Zarley

Action: Passed unanimously

Mr. Edwards explained that the remaining Respondents have agreed to Stipulated Facts and requested the Board's permission to have Mr. Kandt read the facts into the record.

President Basch allowed Mr. Kandt to read the Stipulated Facts into the record.

Mr. Kandt read that based on the records provided by the Walgreens Pharmacies, Mr. Sanchez-Bravo worked 1 day at Walgreens #15035 for pharmacist manager Ms. Jacobs, 4 days at Walgreens #04086 for pharmacist manager Ms. McDonald and 135 days at Walgreens #03845 for pharmacist manager Ms. Verma without a valid registration.

Mr. Edwards stated that the Stipulated Facts support findings of guilt on all 7 Causes of Action.

Mr. Stilling stated that Walgreens does have policies and procedures in place to prevent employees from working unlicensed. He explained that this error occurred due to miscommunication between the different pharmacies. Mr. Stilling disagreed with the 7th Cause of Action accusing Walgreens Co. of being repeatedly negligent in its registration verification process. He explained that many of those cases occurred in 2007 and since that time there have been changes to policies and procedures to correct those issues.

Mr. Stilling questioned Ms. Verma regarding how Mr. Sanchez-Bravo came to work at her store. Ms. Verma explained that Mr. Sanchez-Bravo was a "designated hitter," an employee of Walgreens who works in another department, but is trained to perform clerical duties in the pharmacy if needed. Ms. Verma stated that Mr. Sanchez-Bravo would fill in at the pharmacy when she was short staffed. She explained that she instructed Mr. Sanchez-Bravo to contact

Board Staff to make sure he was properly licensed as a pharmaceutical technician trainee at that location. Ms. Verma described the changes she has made in her practice to prevent future similar errors.

Mr. Stilling questioned Ms. McDonald regarding how Mr. Sanchez-Bravo came to work at her store. Ms. McDonald stated that her normal pharmacy technician called out sick. She emailed out to see if there was someone available to work at her store. Mr. Sanchez-Bravo was available to work. Ms. McDonald admitted that she did not verify his license at that time.

Mr. Edwards asked Ms. McDonald to clarify what occurred when the pharmacy technician called in sick. Ms. McDonald explained that she contacted other stores to see if anyone could work at her location. She assumed Mr. Bravo was a properly licensed technician. She added that because he wasn't familiar with the store work flow, he was stationed at the cashier's station, but could not confirm if he performed pharmacy technician duties.

Mr. Stilling called Ms. Prieto as a witness. Ms. Prieto reviewed Exhibits A and B. She discussed Walgreens policies on maintaining pharmacy technician/trainees' licenses, the quarterly compliance audit and the "WOLF" system.

Ms. Prieto answered the Board's questions regarding the Walgreen's policy and training modules.

Mr. Stilling agreed to stipulate to guilt on Causes of Action 2, 3, 4, 5 and 6. He contested the 7th Cause of Action regarding repeated negligence and restated that many of the errors occurred in 2007 and that policies and procedures have been implemented to correct those errors.

Board Action:

Motion: Jason Penrod moved to accept Shelley Verma's Stipulation of Guilt on Causes of Action 2 and 5.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to accept Rachel McDonald's Stipulation of Guilt on Causes of Action 3 and 5.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to accept Suzette Jacobs' Stipulation of Guilt on Causes of Action 4 and 5.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to accept Walgreens Pharmacy #03845, Walgreens Pharmacy #04086 and Walgreens Pharmacy #15035's' Stipulation of Guilt on Cause of Action 6.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to accept the Stipulated Facts as presented.

Second: Darla Zarley

Action: Passed unanimously

After further discussion Mr. Edwards requested to withdraw the 7th Cause of Action regarding Walgreen's Co.

Board discussion ensued regarding penalties for the Respondents.

Board Action:

Motion: Jason Penrod moved that Hakeem Sanchez-Bravo shall receive a Letter of Reprimand, shall pay a fine of \$200.00, shall complete an additional 2 CEU on the topics of ethics and Nevada law and shall appear before the Board if he applies for reinstatement of his pharmaceutical technician trainee registration or any other license with the Board.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved that Shelley Verma shall receive a Letter of Reprimand, shall pay a fine of \$500.00 and shall complete an additional 3 CEU on the topics of ethics, managing pharmacist responsibilities and Nevada law.

Second: Kirk Wentworth

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved that Rachel McDonald shall receive a Letter of Reprimand, shall pay a fine of \$160.00 and shall complete an additional 3 CEU on the topics of ethics, managing pharmacist responsibilities and Nevada law.

Second: Robert Sullivan

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved that Suzette Jacobs shall receive a Letter of Reprimand, shall pay a fine of \$40.00 and shall complete an additional 3 CEU on the topics of ethics, managing pharmacist responsibilities and Nevada law.

Second: Robert Sullivan

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved that the Walgreens Stores shall pay a fine of \$500.00 per store and shall pay a combined administrative fee of \$1,500.00.

Second: Robert Sullivan

Action: Passed unanimously

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| I. | Manuelita Pavon-Penalosa, R.Ph | (16-072-RPH-S) |
| J. | Gary Kinsey, PTT | (16-072-PTT-S) |
| K. | Walgreens #10783 | (16-072-PH-S) |

Manuelita Pavon-Penalosa and Gary Kinsey appeared and were sworn by President Basch prior to answering questions or offering testimony.

William Stilling was present as counsel representing the Respondents.

Mr. Edwards explained that the Respondents have agreed to Stipulated Facts and requested the Board's permission to have Mr. Kandt read the facts into the record.

President Basch allowed Mr. Kandt to read the Stipulated Facts into the record.

Mr. Kandt read, that in September 2016, complainant S.R. filed a complaint with the Board Office on behalf of his daughter M.R. S.R. alleges that Walgreens filled and dispensed the incorrect strength of Fentanyl patches for his daughter's prescription. S.R. discovered the error before a patch was applied and M.R. suffered no negative impact from the error. M.R.'s physician prescribed Fentanyl Patches 12 mcg/hour with instructions to apply one patch every 72 hours. The prescription was tendered by M.R.'s aunt to Walgreens on September 16, 2016, where Ms. Pavon-Penalosa entered the data into the Walgreen's computer system. During data entry, Ms. Pavon-Penalosa typed the prescription for Fentanyl Patches 100 mcg/hour, rather than Fentanyl 12 mcg/hour as prescribed. Ms. Pavon-Penalosa performed Data Entry Verification and Data Product Review, during which she overrode three DUR warnings in one second. Walgreens records show that Ms. Pavon-Penalosa filled the prescription. Those records were incorrect as Mr. Kinsey actually filled the prescription. In a written statement Mr. Kinsey admits to violating Walgreen's policy by filling the prescription under Ms. Pavon-Penalosa's credentials. Ms. Pavon-Penalosa failed to detect the error during the final product verification.

Mr. Edwards stressed the severity of this case and discussed the potential harm or death of the patient if the patient's family did not catch the error.

Mr. Stilling agreed that a serious error was made, and explained that Ms. Pavon-Penalosa was familiar with the patient's health condition and was attempting to get the prescription to her quickly when the error occurred.

Mr. Edwards called Scott Reudy, patient's father, as a witness.

Mr. Reudy appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Reudy described M.R.'s accident and the injuries she sustained to the Board. He explained how his wife caught the error and requested the Board revoke the licenses of all parties involved in the error. Mr. Reudy also updated the Board on M.R.'s recovery.

Mr. Stilling apologized to Mr. Reudy on behalf of the Respondents.

Ms. Pavon-Penalosa expressed gratitude that her error was caught and that M.R. was not harmed by her mistake. She apologized for her error and explained that in her attempt to quickly fill the prescription for M.R., she neglected to properly verify the prescription.

Mr. Stilling questioned Ms. Pavon-Penalosa regarding her past work experience and had her describe the events that occurred while filling this prescription. Ms. Pavon-Penalosa explained that she rushed through the prescription filling process.

Mr. Edwards questioned Ms. Pavon-Penalosa as to why Mr. Kinsey was filling prescriptions under her credentials. Ms. Pavon-Penalosa explained that she had logged onto that work station earlier in the day and did not log off before moving to another station.

The Board questioned Ms. Pavon-Penalosa regarding why she did not catch the error, her practice in regards to checking DUR warnings and her counselling.

The Board expressed concern regarding Ms. Pavon-Penalosa's focus on speed over safety and accuracy.

Mr. Stilling called Mr. Kinsey as a witness.

Mr. Stilling questioned Mr. Kinsey regarding working under another employee's credentials. Mr. Kinsey stated that it is not common practice to work under another employee's credentials, but in this case, he did it to save time.

Board discussion ensued regarding withdrawing Causes of Action 4 and 5, and editing Cause of Action 3 to include Mr. Kinsey.

Mr. Stilling agreed to stipulate to guilt on all Causes of Action included the Third Cause of Action as amended.

Board Action:

Motion: Jason Penrod moved to accept the Stipulation of guilt on Causes of Action 1, 2, 3 as amended, 6 and 7.

Second: Darla Zarley

Action: Passed unanimously

Board discussion ensued regarding potential penalties for the Respondents.

Board Action:

Motion: Jason Penrod moved that Gary Kinsey shall receive a Letter of Reprimand, shall re-take the Walgreens training modules on the prescription filling process within 30 days, and shall attend 2 of the next 3 Las Vegas Board Meetings on the discipline day.

Second: Kevin Desmond

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved that Walgreens #10783 shall pay an administrative fee of \$1,500.00, shall certify in writing when Mr. Kinsey completes the Walgreens training modules, and shall create a training module, subject to Board Staff approval, detailing the facts and conclusions of this case with an emphasis on patient safety over prescription filling speed and efficiency. Walgreens shall require all Nevada Walgreens Pharmacy pharmacists and pharmacy technicians to complete the training module within 30 days.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved to suspend Manuelita Pavon-Penalosa's Pharmacist license. The suspension is stayed and her license is placed on probation for 1 year. During her probation she may not be a pharmacist in charge. Ms. Pavon-Penalosa shall complete an additional 3 CEU on error prevention and managing pharmacist responsibilities, and Ms. Pavon-Penalosa shall pay a \$1,000.00 fine.

Second: Jason Penrod

Action: Passed unanimously

L. Esther Kim, R.Ph (17-049-RPH-S)

Darla Zarley disclosed that Ms. Kim is a former student, but stated that she could participate in this matter fairly and without bias.

Melissa Shake disclosed that Ms. Kim is a former classmate, but stated that she could participate in this matter fairly and without bias.

Esther Kim appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt moved to have Exhibits 1- 4 admitted into the record.

Ms. Kim had no objections to the Exhibits.

President Basch admitted Exhibits 1- 4 into the record.

Mr. Kandt requested the Board's permission to have Mr. Edwards read the Stipulated Facts into the record. President Basch allowed Mr. Edwards to read the Stipulated Facts.

Mr. Edwards read the Stipulated Facts, that in June 2016, Board Staff received a renewal application for Ms. Kim's Nevada Pharmacist License. Ms. Kim disclosed on her application that since her last renewal, she had been the subject of an administrative action in California, where she admitted to violating statues and regulations relating to controlled substances, dangerous drugs and California pharmacy law. On June 30, 2016, Board staff renewed Ms. Kim's license after a thorough review of Ms. Kim's application and supporting documents.

Mr. Edwards read that in August 2014, the Board of Pharmacy, Department of Consumer Affairs, State of California (CA Board) filed an Accusation against Ms. Kim. That Accusation

alleged that Ms. Kim diverted controlled substances and dangerous drugs from a Walgreens Pharmacy in Big Bear Lake, California.

Ms. Kim admitted to diverting 900 Phentermine 37.5 mg tablets, 60 Alprazolam 1 mg tablets, 150 Zolpidem 10 mg tablets, 280 Vestura tablets, 360 Gabapentin 800 mg tablets, 200 Losartan 50 mg tablets, 300 Cymbalta 60 mg tablets and 200 Valacyclovir 1 gm tablets.

The CA Board charged Ms. Kim with five violations of California Law related to the unlawful procurement and possession of controlled substances and dangerous drugs. The CA Board adopted a Stipulated Settlement and Disciplinary Order (CA Settlement Agreement) which became effective on September 4, 2015. In the CA Settlement Agreement, Ms. Kim's California Pharmacy License was revoked. The revocation was stayed and placed on probation for five years with certain terms and conditions.

Section 11 of the CA Settlement Agreement gives Ms. Kim the option to surrender her license to the CA Board in lieu of on-going formal discipline. On or about December 30, 2016, Ms. Kim submitted an Application for Voluntary Surrender of Pharmacist/Intern License to the CA Board. The CA Board accepted Ms. Kim's request to surrender her license on January 5, 2017, and on April 11, 2017, Ms. Kim notified Board Staff that she surrendered her California Pharmacist License.

Mr. Kandt reviewed NAC 639.230 which states that if a pharmacist voluntarily surrenders his or her license to practice pharmacy in a another state pursuant to an agreement entered into by the pharmacist and the authorizing agency of that state relating to a disciplinary matter, the Board will initiate proceedings to revoke the certificate of registration of the pharmacist to practice in Nevada.

The Board questioned Ms. Kim regarding drug diversion, her restitution payed in California, why she surrendered her California License and her current employment.

Ms. Kim explained that she has payed full restitution in California. She discussed the events surrounding her motivation to divert drugs and stated that due to moving and working in Nevada she did not have time to complete the terms and conditions of her probation in California.

Board Action:

Motion: Jason Penrod moved to accept the Stipulated Facts as presented.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Kevin Desmond moved to find Esther Kim guilty of the First and Second Causes of Action.

Second: Robert Sullivan

Action: Passed unanimously

Mr. Kandt stated that Board Staff recommends revocation of Ms. Kim's Nevada Pharmacist License.

Board discussion ensued regarding potential penalties for Ms. Kim.

Board Action:

Motion: Jason Penrod moved to immediately suspend Esther Kim's Nevada Pharmacist License. Ms. Kim shall be evaluated by PRN-PRN. If Ms. Kim's PRN-PRN evaluation is negative, then Ms. Kim must reappear before the Board. If Ms. Kim's PRN-PRN evaluation is positive, then Ms. Kim's Nevada Pharmacist License shall be placed on probation for 4 years. Ms. Kim shall not be a managing pharmacist or supervise Pharmacy Intern's during her probation. Ms. Kim must notify and receive approval from Board Staff to work in any Nevada Licensed facility. Ms. Kim shall complete a Board Staff approved ethics course and shall comply with all PRN-PRN conditions.

Second: Kirk Wentworth

Action: Passed unanimously

5. Discussion and Determination for Possible Action:

A. **The U.S. Pharmacopeial Convention (USP) has promulgated guidelines for Hazardous Drugs—Handling in Healthcare Settings known as USP 800.** Does the Board want to conduct a workshop to receive public comment on the need to amend existing regulations to conform to these guidelines?

Board discussion ensued regarding USP 800. The Board requested Board Staff to prepare language and bring this item back to Workshop.

B. **The following are laws that were passed or amended during the 2017 Legislative Session.** Does the Board want to conduct a workshop to receive public comment on the need to amend existing regulations to conform to these new laws?
Note – *Some of these Laws may mandate that the Board adopt new Regulations.*

1. SB 337 was passed and became law July 1, 2017. It relates to the collection of specimens and performance of certain lab tests by a registered pharmacist.
2. SB 131 was passed and became law July 1, 2017. It requires certain pharmacies to, upon request, provide a prescription reader or advice on obtaining a prescription reader.

Senator Mo Dennis stated the intent of the law is to make prescription readers available to visually impaired patients and people who care for visually impaired patients.

Liz MacMenamin, RAN, expressed concern that the language in the law may be interpreted to make prescription readers available to all patients instead of just visually impaired patients.

Board discussion ensued regarding potential regulation changes to define who may obtain a prescription reader, and potentially putting up notification in the pharmacies or adding records into the patient profile if a patient is visually impaired.

3. SB 260 was passed and became Law on July 1, 2017. It establishes requirements for engaging in the collaborative practice of pharmacy.

Public Comment July 19, 2017 5:00 P.M.

There was no public comment.

6. Applications for Nevada Pharmacy – Appearance for Possible Action:

- A. PAM Rehabilitation Hospital of Centennial Hills – Las Vegas

Adam Burick, Executive VP and CMO of Post Acute Medical, and Eric Shalita, managing pharmacist, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Dr. Burick explained that PAM Rehabilitation Hospital of Centennial Hills (PAM) is a 44 bed in-patient rehabilitation hospital that will service Centennial Hills Hospital patients.

The Board questioned Mr. Shalita regarding, his educational and work history, pharmacy policy and procedures regarding parenteral products, after-hours access and the layout of the pharmacy.

Mr. Shalita and Dr. Burick answered questions to the Board's satisfaction.

The Board recommended Mr. Shalita and Dr. Burick have Board Staff approve PAM's construction plans before they begin building.

Board Action:

Motion: Jason Penrod moved to approve PAM Rehabilitation Hospital of Centennial Hills' Application pending a positive inspection and receipt of a Letter of Authorization allowing Dr. Burick to speak on behalf of the company.

Second: Kevin Desmond

Action: Passed unanimously

B. Spring Valley Surgery Center – Las Vegas

Douglas Cammann, consultant pharmacist, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Cammann explained that Spring Valley Surgery Center's Application was marked in error and requested the Board modify the application to reflect that the pharmacy would not be providing any parenteral (outpatient) or outpatient/discharge services.

Board Action:

Motion: Kevin Desmond moved to approve Spring Valley Surgery Center's Application for Nevada Pharmacy License pending a positive inspection and receipt of a Letter of Authorization allowing Mr. Cammann to speak on behalf of the company.

Second: Darla Zarley

Action: Passed unanimously

C. Wellcare LTC Pharmacy – Las Vegas

Marcelino Casal, CEO Wellcare, and Lalbhai Patel, pharmacist, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Mr. Casal stated that Wellcare LTC Pharmacy is a closed door pharmacy that services skilled nursing facilities, hospice facilities and hospitals. He explained that Wellcare LTC Pharmacy is requesting an ownership change. He added that there are no plans to make changes to the services provided or the operation if the Board approves the application.

Mr. Patel and Mr. Casal answered questions to the Board's satisfaction regarding the new owners and the managing pharmacist's past work history and pharmacy experience.

Board Action:

Motion: Kevin Desmond moved to approve Wellcare LTC Pharmacy's Ownership Change Application for Nevada Pharmacy License.

Second: Kirk Wentworth

Action: Passed unanimously

D. West Valley Pharmacy – Las Vegas

Alejandro Beccera, managing pharmacist, and Connie Akridge, attorney representing West Valley Pharmacy, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Ms. Akridge stated that she would provide a Letter of Authorization allowing her and Mr. Beccera to speak on behalf of the pharmacy.

Mr. Beccera explained that West Valley Pharmacy is a retail pharmacy located in the Sahara West Urgent Care.

Mr. Beccera answered questions to the Board's satisfaction regarding his past pharmacy experience and the pharmacy's policies and procedures.

The Board questioned Mr. Beccera and Ms. Akridge regarding the pharmacy owner, Phuong Nguyen.

The Board expressed concern regarding Ms. Nguyen's lack of experience in pharmacy and the ownership structure. The Board offered West Valley Pharmacy the option to table their application and have Ms. Nguyen appear at a future meeting.

The Board tabled West Valley Pharmacy's Application for Nevada at Ms. Akridge's request.

7. Applications for Nevada Medical, Devices, Equipment and Gases – Appearance:

A. Cpap Store Las Vegas – Las Vegas

Stella Margaryan, office manager, Gevorg Muradyan, owner, and Anthony Maltesee, MDEG administrator and respiratory therapist, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Hal Taylor was present as counsel representing CPAP Store Las Vegas.

Mr. Taylor requested resumes, and a correction on the "Personal History Record for Pharmacy, MDEG & Wholesaler be added to CPAP Store Las Vegas' Application.

Mr. Wuest explained that CPAP Store Las Vegas has been issued a Cease & Desist Order and a fine for practicing without a license. He added that CPAP Store Las Vegas has since paid the fine, and stated that Mr. Scheuber could provide additional information.

Ken Scheuber, Investigator Nevada State Board of Pharmacy, appeared and was sworn by President Basch before answering questions or offering testimony.

Mr. Scheuber stated that in May 2017, he and Inspector Curras went to CPAP Store Las Vegas to investigate a complaint that CPAP Store Las Vegas was practicing without a proper license. Mr. Scheuber explained that during the investigation Board Staff learned that CPAP Store Las Vegas was selling prescription only items. CPAP Store Las Vegas was not properly keeping records of their sales of prescription items, had no training documentation for selling prescription items and was receiving prescriptions only products on behalf of another company, Las Vegas Medical Store.

The Board questioned Ms. Margaryan and Mr. Muradyan regarding the companies lack of licensure and for receiving products on behalf of Las Vegas Medical Store.

Ms. Margaryan and Mr. Muradyan stated that they did not know they needed a license from the Board of Pharmacy to sell those products and stated that CPAP Store Las Vegas had no intention of violating Nevada law.

The Board questioned Mr. Maltesee regarding his educational history and requested clarification of his work and training history on the Application.

The Board expressed concern that Mr. Maltesee did not meet the minimum requirements to be the MDEG Administrator for CPAP Store Las Vegas.

Mr. Taylor requested that the Application for Nevada MDEG License for CPAP Store Las Vegas be withdrawn.

B. Las Vegas Medical Store – Las Vegas

Ana Gonzalez, respiratory therapist and MDEG Administrator, and Armenak Muradyan, owner, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Hal Taylor was present as counsel representing Las Vegas Medical Store.

Ms. Gonzalez requested corrections regarding her Application to be the MDEG Administrator to reflect the correct number of hours she worked at each place of employment.

The Board questioned Ms. Gonzalez and Mr. Muradyan regarding their ordering prescription only items without a license.

Mr. Muradyan stated that the only products ordered were wheelchair accessories and non-prescription items.

Mr. Scheuber stated that during the investigation Board Staff was unable to obtain invoices of the items ordered by Las Vegas Medical Store.

Mr. Muradyan stated that he would email the invoices to Board Staff.

The Board questioned Ms. Gonzales regarding her experience as an MDEG administrator.

The Board expressed concern regarding Ms. Gonzalez and Mr. Muradyan's experience in the MDEG business, lack of training and their knowledge of Nevada law.

The Board offered Ms. Gonzales and Mr. Muradyan the option of tabling their application to correct the errors on the application and become more familiar with Nevada law and the MDEG business.

The Board tabled Las Vegas Medical Store's Application at Mr. Taylor's request.

C. Reliant Medical Group, LLC – Las Vegas

D. Reliant Medical Group, LLC – Las Vegas

Elaine Cardenas-Smith, MDEG Administrator and owner, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Ms. Cardenas-Smith stated that Reliant Medical Group was created in June 2016. She explained that the company plans to sell diabetic supplies, assistive equipment and orthotics. She added that currently there are no other employees, but pending the Board's approval, she will hire an orthotic specialist and employees with the proper training to sell these products.

Ms. Cardenas-Smith answered questions to the Board's satisfaction regarding her past education and work history and specifically her experience working in the MDEG business.

Board Action:

Motion: Jason Penrod moved to approve Reliant Medical Group, LLC's Application for Nevada MDEG Provider License pending a positive inspection.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to approve Reliant Medical Group, LLC's Application for Nevada MDEG Wholesaler License pending a positive inspection.

Second: Darla Zarley

Action: Passed unanimously

8. Applications for Out-of-State Compounding Pharmacy – Appearance:

A. Buy-Rite Drugs, Inc. – Hartselle, AL

Mike Strickland, managing pharmacist and owner, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Strickland explained that Buy-Rite Drugs has been in business for 92 years. He stated that the pharmacy has provided compounding services for 45 years. Mr. Strickland added that Buy-Rite Drugs currently only provides veterinary medications.

Mr. Strickland answered questions to the Board's satisfaction regarding the products provided, pharmacy policy, shipping procedures, pharmacy layout and past inspections.

Board Action:

Motion: Jason Penrod moved to approve Buy-Rite Drugs, Inc.'s Application for Out-of-State Compounding Pharmacy.

Second: Darla Zarley

Action: Passed unanimously

B. Vertisis Custom Pharmacy, LLC – Scottsdale, AZ

Bryan Harrison, President of Operations Vertisis Custom Pharmacy, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Harrison stated that he would provide a Letter of Authorization allowing him to speak on behalf of the company.

Mr. Harrison explained that Vertisis Custom Pharmacy is a closed door pharmacy that provides patient specific sterile products including vitamins, nutritional components, hormones and amino acids.

Mr. Harrison answered questions to the Board's satisfaction regarding the pharmacy layout, clean room specifications, product sterility and endotoxin testing, shipping procedures and staff background and training.

Board Action:

Motion: Kevin Desmond moved to approve Vertisis Custom Pharmacy, LLC's Application for Out-of-State Pharmacy License pending receipt of a Letter of Authorization allowing Mr. Harrison to speak on behalf of the company and a copy of Vertisis Custom Pharmacy, LLC's last inspection with the Arizona State Board of Pharmacy.

Second: Bob Sullivan

Action: Passed unanimously

9. Application for Pharmacist – Reciprocity – Appearance

Paul Yamamoto

Paul Yamamoto appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Yamamoto stated that he is employed at an FDA approved outsourcing facility in California that does business in Nevada. He explained that due to changes in licensing requirements he is applying for licensure in Nevada as a Pharmacist-in-Charge.

Mr. Wuest clarified that it is Board policy that FDA approved outsourcing facilities need to have Pharmacists-in-Charge licensed in Nevada.

The Board questioned Mr. Yamamoto regarding his past work history and past discipline.

Mr. Yamamoto answered questions to the Board's satisfaction.

Board Action:

Motion: Kevin Desmond moved to approve Paul Yamamoto's Application for Pharmacist License.

Second: Darla Zarley

Action: Passed unanimously

10. Request for Reconsideration of Denied Application for Reciprocity – Appearance:

Choon Whan Kim

Choon Whan Kim appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Edwards explained that Mr. Kim appeared at a prior meeting for falsifying and forging the character reference section of his NABP Pharmacist Application. During that meeting, the Board denied his Application by Reciprocity as a Pharmacist.

Mr. Kim provided a background of why he forged the character reference section of his application and explained that he was in a hurry to be licensed.

After discussion, the Board determined that Mr. Kim was unable to provide new information to deem reconsideration of his denied application.

Board Action:

Motion: Jason Penrod moved to deny Choon Whan Kim's Request for Reconsideration of Denied Application for Reciprocity.

Second: Kirk Wentworth

Action: Passed unanimously

11. Request for Reconsideration of Application for Reciprocity – Appearance:

Kenneth Pettengill

Kenneth Pettengill and Larry Espadero, Director of PRN-PRN, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Mr. Pettengill explained that he is applying for his pharmacist license in Nevada at the request of his employer. He stated that he has appeared before the Board at a prior meeting due to past disciplinary actions and issues with law enforcement in other states.

Mr. Edwards stated that during the March 2017 Board Meeting the Board offered Mr. Pettengill the option of tabling his application to be evaluated by PRN-PRN in Nevada. He added that Mr. Pettengill submitted to Board Staff a positive evaluation done in Florida.

Mr. Espadero reported a positive evaluation regarding Mr. Pettengill, and stated that Mr. Pettengill continues to be active in his recovery program in Florida. He recommended Mr. Pettengill be licensed but would like Mr. Pettengill to contact him every 6 months. Mr. Espadero requested an update after the first year from Mr. Pettengill's sponsor in Florida.

Board Action:

Motion: Jason Penrod moved to approve Kenneth Pettengill's Application for Pharmacist License. Mr. Pettengill shall contact Mr. Espadero every 6 months for 1 year. Mr. Pettengill's sponsor shall provide an update to Mr. Espadero after the year. At the end of the year, Mr. Espadero will provide a recommendation to the Board if Mr. Pettengill should remain licensed as a pharmacist.

Second: Darla Zarley

Action: Passed unanimously

12 Request for Reinstatement of Voluntary Surrendered Pharmacist License – Appearance:

Derek Sapone

Derek Sapone appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt presented a timeline regarding Mr. Sapone's licensure and disciplinary actions in other states.

Mr. Sapone explained that in 2009 he became addicted to hydrocodone and was entered into a 3 month inpatient treatment program. He explained that he did not disclose this matter on an NABP application which lead to his discipline and voluntary surrender of his license in multiple states including Nevada.

Mr. Sapone answered questions to the Board's satisfaction regarding his current employment, perjury on an application and his recovery.

Board discussion ensued regarding having PRN-PRN in Nevada evaluate Mr. Sapone.

The Board offered Mr. Sapone the option of tabling his application until a future meeting to allow him time to be evaluated by PRN-PRN.

The Board tabled Mr. Sapone's Application at his request.

13. Request for Reconsideration of Application

Jennifer Booker

Jennifer Booker and Larry Espadero appeared and were sworn by President Basch prior to answering questions or offering testimony.

Mr. Wuest explained that Ms. Booker had voluntarily surrendered her pharmaceutical technician registration due to drug and alcohol issues in the past. She appeared before the Board and was granted reinstatement, but then had a relapse and voluntarily surrendered her license again. During this time she was entered into a PRN-PRN contract which she did not complete.

The Board questioned Ms. Booker regarding why she did not complete her PRN-PRN contract and why she is requesting to reinstatement now.

Ms. Booker explained that at that time she was working in a management position at her place of employment and could not keep up with both her job and the conditions of her PRN-PRN contract. Ms. Booker stated that she has made significant life changes and feels ready to work in a pharmacy again and continue her recovery.

Mr. Espadero agreed that Ms. Booker has made significant life changes and has moved away from the negative influences in her life. He recommended Ms. Booker be granted reinstatement with the addition that she renew her PRN-PRN contract for an additional 5 years.

Board Action:

Motion: Kevin Desmond moved to approve Jennifer Booker's Application for Pharmaceutical Technician Registration. Ms. Booker's registration will be on probation for 2 years. She shall renew her PRN-PRN contract for an additional 5 years, shall notify all employers of her past history and her PRN-PRN contract and shall notify Board Staff of any changes in employment.

Second: Jason Penrod

Action: Passed unanimously

14. Requests to Add Compounding and Shipping of Sterile Compounded Drugs to an Existing Out-of-State Pharmacy License – Appearance:

A. Pinnacle Compounding – Missoula, MT (PH03149)

Board Action:

Motion: Kevin Desmond moved to approve Pinnacle Compounding’s Request to Add Compounding and Shipping of Sterile Compounded Drugs to their Existing Out-of-State Pharmacy License.

Second: Darla Zarley

Action: Passed unanimously

B. Surecare Specialty Pharmacy, LLC – El Paso, TX (PH03649)

Board Action:

Motion: Kevin Desmond moved to approve Surecare Specialty Pharmacy, LLC.’s Request to Add Compounding and Shipping of Sterile Compounded Drugs to their Existing Out-of-State Pharmacy License.

Second: Darla Zarley

Action: Passed unanimously

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

Jubilant DraxImage Inc. – Kirkland, Quebec, Canada

Sara Marquis and Michael Rossi, President, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Mr. Wuest explained that Jubilant DraxImage Inc. is located out of the country and is the manufacturer of FDA approved products that they would like to sell and ship to Nevada. He stated that in order to do this they would need to be granted an Out-of-State Wholesaler License.

Mr. Rossi explained that Jubilant DraxImage Inc. provides nuclear pharmaceutical products.

Mr. Rossi answered questions to the Board’s satisfaction regarding Jubilant DraxImage Inc.’s policies, shipping procedures and the company’s history.

Board discussion ensued regarding licensing wholesalers located outside of the United States and NAC 639.5937 regarding surety bonds.

Board Action:

Motion: Jason Penrod moved to approve Jubilant DraxImage Inc.'s Application for Out-of-State Wholesaler License pending receipt of their last FDA inspection. Jubilant DraxImage Inc. shall maintain their FDA registration, shall only sell FDA approved products and their associated kits in Nevada, and shall obtain a Surety Bond for \$25,000.00.

Second: Darla Zarley

Action: Passed unanimously

16. Discussion for possible action on existing law and possible amendments thereto regarding veterinary medication delivery models, including distinctions, if any, that exist between selling versus dispensing dangerous drugs and controlled substances for non-human consumption.

Mr. Wuest explained that during the last Board Meeting, the Board instructed Board Staff to review different consignment models and compare where, in the law, businesses are permitted to purchase from wholesalers, dispense and collect payment.

Mr. Kandt presented to the Board a chart describing different consignment dispensing models.

Board discussion ensued regarding drug chain of custody, counselling, disclosure to the patient of who is filling a prescription, and utilizing different consignment dispensing models solely in veterinary practice.

Public Comment July 20, 2017 9:00 A.M.

Richard Martin, RPh, expressed opposition to the CDC Guidelines regarding chronic pain management. He provided examples of incidents where patients committed suicide allegedly because they were unable to receive their prescriptions from pharmacies.

Dr. Jim Marx, agreed with Mr. Martin's opposition to the CDC Guidelines and recommended more education to pharmacists regarding pain medication and pain management.

17. General Counsel Report:

18. Executive Secretary Report:

A. Financial Report

Mr. Wuest presented the financial report to the Board's satisfaction.

B. Temporary Licenses

Four temporary licenses were issued since the last meeting.

- C. Staff Activities:
 - 1. NAMSDL Meeting
 - 2. Meeting with other health care boards & Governor's Staff: Re: AB474

Mr. Wuest stated that Board Staff met with the other Healthcare Boards to discuss AB 474. The group discussed the potential impact on all healthcare professionals and their staff, as well as methods to educate them on the changes to the law.

- 3. Pharmacy Law Symposium
- 4. Upcoming Law CE with Reno Police Department

Mr. Wuest stated that Dave Jones and Scott Smith will be presenting to this group.

- 5. AG Substance Abuse Working Group

Mr. Wuest stated that Mr. Pinson has been reappointed to his position on the AG Substance Abuse Working Group.

- D. Reports to Board:
 - 1. Legislative Update:
 - a. Mike Hillerby will report at September meeting
 - 2. Veterinarian Dispensing License Update
- E. Board Related News:
- F. Activities Report

19. Proposed Regulation Amendment Workshop:

- A. **Amendment of Nevada Administrative Code (NAC) 453.440 Prescriptions: Contents; additions and changes.** Changes to components of a written prescription. A written prescription must contain the registration number from the Drug Enforcement Administration (DEA) of the prescribing practitioner. Current Regulations allow the pharmacist to add the DEA number to the prescriptions. The new Law mandates that the practitioner must identify himself/herself by placing the DEA number on the prescription. The new Law also mandates that the prescription must contain the patient's date of birth, days supply of the medication and the ICD-10 (International Classification of Diseases Tenth Revision) of the disease that is being treated.

Mr. Wuest summarized AB 474 regarding the changes to components of a valid written prescription.

President Basch opened the Public Comment.

Liz MacMenamin, RAN, thanked Board Staff and the Governor for their work on this law and discussed the effects of these changes on pharmacies in Nevada.

Dr. Jim Marx questioned the reason behind requiring the ICD-10 codes on a prescription.

Catherine O'Mara, Nevada State Medical Association (NSMA), thanked the Board and Board Staff for their time and work regarding this law. She encouraged more communication between pharmacists and prescribers and stated concerns regarding the implementation of this law. She stated that the NSMA is working on education programs for prescribers.

Board discussion ensued regarding methods pharmacists can request corrections or clarifications on future prescriptions without the ICD-10 codes or a prescriber determined days supply.

President Basch closed the Public Comment.

Board discussion ensued regarding a correction to make the prescribers DEA mandatory on all controlled substance prescriptions not just Schedule II prescriptions.

Board Action:

Motion: Jason Penrod moved to approve the proposed language to NAC 453.440 to move to Public Hearing with changes to Section 5 to require the prescriber to indicate his/her DEA on all controlled substance prescriptions.

Second: Darla Zarley

Action: Passed unanimously

B. Amendment of Nevada Administrative Code (NAC) 639.926 Transmission of information regarding dispensing of controlled substances to certain persons. Modification of Day Supply Reporting. Addition of ICD-10 Code (International Classification of Diseases Tenth Revision). Adding Schedule V drugs to the list of controlled substances that need to be reported to the Prescription Monitoring Program.

Mr. Kandt provided a description of SB 59 to the Board. He explained that SB 59 required pharmacies to report Schedule V prescriptions to the PMP and required law enforcement to report additional data such as crimes, overdoses and deaths involving prescription drugs to the PMP.

Mr. Wuest explained that Board Staff is working with Appriss, PMP provider, to make the software changes to implement these changes.

President Basch opened the Public Comment.

Liz MacMenamin, RAN, expressed concern that law enforcement would not have open access to the PMP to investigate cases, and would only have access in order to report the required data to the PMP.

Mr. Wuest and Mr. Edwards stated that the PMP data is still treated as confidential and that law enforcement employees who aren't authorized access to the data will not be able to access it.

Richard Martin, RPH, expressed concern that insurance companies may have access to the PMP data and that may negatively impact patient care.

Mr. Wuest stated that insurance companies do not have access to PMP data.

Catherine O'Mara asked Board Staff about compiling this data from other states.

Mr. Edwards stated that each states' PMPs differ in how data is entered into the PMP.

Dr. Jim Marx asked the Board about the availability of the older PMP data.

Mr. Wuest stated that the older data is in a raw form that isn't readily available to be uploaded into the current PMP.

President Basch closed the Public Comment.

Board Action:

Motion: Jason Penrod moved to approve the proposed language to NAC 639.926 and move to Public Hearing.

Second: Darla Zarley

Action: Passed unanimously

20. Date and Location of Next Scheduled Board Meeting:

September 6-7, 2017 – Reno, Nevada

21. Public Comment July 20, 2017 2:35 PM

Audrey Damonte, Holley Driggs Law Firm, recommended the Nevada State Board of Veterinary Examiners be involved with Veterinary Medication Delivery Model discussion.