



Type of Report: (check one box only)

☒ New Report☐ Amendment Key (prior report dated): 87WQX9MPQNFA1. DEA Registration Number: BO9182039Name of Business: OMNICARE OF NEVADA LLCAddress: 9475 DOUBLE R BLVD., #8City: RENOState: NVZIP Code: 89521Point of Contact: ALISEN RODRIGUEZEmail Address: ALISEN.RODRIGUEZ@CVSHEALTH.COMPhone No.: 4017707906Date of the Theft or Loss (or first discovery of theft or loss): December 22, 2020Number of Thefts and Losses in the past 24 months: 0Principal Business of Registrant: CHAIN PHARMACY2. Type of theft or loss: EMPLOYEE THEFT (OR SUSPECTED):

3. Loss In Transit. (*Fill out this section only if there was a loss in transit, or hijacking of transport vehicle.)

Name of Common Carrier: _____

Telephone Number of Common Carrier: _____

Package Tracking Number: _____

Have there been losses in transit from this same carrier in the past? ☐ No☐ Yes (If yes, how many, excluding this theft or loss?): _____Was the package received and accepted by the consignee? ☐ No☐ Yes (If yes, the consignee is responsible for reporting the theft or loss.)If the package was accepted by the consignee, did it appear to be tampered with? ☐ No ☐ Yes

Name of Consignee / Supplier: _____

Enter the Name of Consignee (if reported by the supplier), or the Name of Supplier (if the package was accepted by the consignee).

If the consignee does not have a DEA Registration Number, e.g. If this was a shipment to a patient, or a nursing home emergency kit, enter "Patient" or "Nursing Home Kit."

DEA Registration Number of Consignee / Supplier: _____

Enter the DEA Registration Number of Consignee (if reported by the supplier), or DEA Registration Number of Supplier, (if the package was accepted by the consignee). If the controlled substances were shipped to a non-registrant, leave blank, unless a registered pharmacy shipped to an emergency kit held on site at a nursing home. In this case, the supplying pharmacy is required to report the theft or loss.

4. If this was a robbery, were any people injured? ☐ No ☐ Yes (If yes, how many?): _____Were any people killed? ☐ No ☐ Yes (If yes, how many?): _____5. Purchase value to Registrant of controlled substances taken?: \$ 746. Were any pharmaceuticals or merchandise taken? ☒ No ☐ Yes (Est. Value): _____7. Was theft reported to Police? ☐ No ☒ Yes (If yes, fill out the following information):Name of Police Department: RENO POLICE DEPARTMENT

Police Report number: _____

Name of Responding Officer: _____

Phone No.: 7753342121

8. Which corrective measure(s) have you taken to prevent a future theft or loss?

☐ Installed monitoring equipment (e.g. video camera).☐ Provided security training to staff.☐ Increased employee monitoring (e.g. random drug tests).☐ Requested increased security patrols by Police.☐ Installed metal bars or other security on doors or windows.☐ Hired security guards for premises.☐ Secured Controlled Substances within safe.☐ Terminated employee.☒ Other (Please describe on last page).

Report of Theft or Loss of Controlled Substances

OMB No. 1117-0001 (Exp. Date 7/31/2023)

LIST OF CONTROLLED SUBSTANCES LOST

[illegible]



9. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?:

10. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers:

Describe any other corrective measure(s) you have taken to prevent a future theft or loss:

THE EMPLOYEE, AURORA BEJTO, WAS FOUND RESPONSIBLE FOR DRUG DIVERSION AND ALSO RESIGNED FROM THEIR POSITION. ALL LOSS PREVENTION POLICY AND PROCEDURES WILL BE REVIEWED WITH THE PHARMACY TEAM. THIS INCLUDES DILIGENT INVENTORY MANAGEMENT, BAG AND SMOCK CHECKS, AS WELL AS NO PERSONAL ITEMS ALLOWED IN THE PHARMACY.

Enter remarks, if required. Description of how theft or loss occurred. Attach a separate sheet, if necessary:

The foregoing information is correct to the best of my knowledge and belief: By signing my full name in the space below, I hereby certify that the foregoing information furnished on this DEA Form 106 is true and correct, and understand that this constitutes an electronic signature for purposes of this reporting requirement on y.

Signature: ALISEN RODRIGUEZ

Title: CPHT LEAD COORDINATOR DRUG LOSS PROGRAM

Date Signed: January 21, 2021

NOTICE: In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is 1117-0001. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Freedom of Information: Please prominently identify any confidential business information per 28 CFR 16.8(c) and Exemption 4 of the Freedom of Information Act (FOIA). In the event DEA receives a FOIA request to obtain such information, DEA will give written notice to the registrant to obtain such information. DEA will give written notice to the registrant to allow an opportunity to object prior to the release of information.

Privacy Act Information

AUTHORITY: Section 301 of the Controlled Substances Act of 1970 (PL 91-513).

PURPOSE: Reporting of unusual or excessive theft or loss of a Controlled Substance.

ROUTINE USES: The Controlled Substances Act authorizes the production of special reports required for statistical and analytical purposes. Disclosures of information from this system are made to the following categories of users for the purposes stated:

A. Other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes.

B. State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes.

EFFECT: Failure to report theft or loss of Controlled Substances may result in penalties under Section 402 and 403 of the Controlled Substances Act.

Omnicare of Reno #48308 – Case Narrative of Asset Protection Manager Adam Ainsworth

Narrative

1/13/2020

Case Investigation:

An internal investigation was opened on 12/23/2020 by CVS Health Asset Protection Manager Adam Ainsworth after General Manager (GM) Camilla Hauck of 48307 (Reno Nevada) emailed and advised that there was a 43 tablet shortage of NDC 43386-0357-01 Hydrocodone – APAP 7.5-325 that was identified on 12/21. Hauck had completed her due diligence research and had not been able to identify the cause of the shortage so she filled an IN for the loss. On 12/22 the pharmacy completed a cycle count of NDC 00406-0123-05 Hydrocodone – APAP 5-325 and found a shortage of 28 tablets. On 12/23 a cycle count was conducted of NDC 57646-0109-05 Hydrocodone 5-325 and found a loss of 10 tablets as well as a count of NDC13107002101 Hydrocodone 10-325 and found a loss of 20 tablets.

Ainsworth spoke with Hauck and advised that she complete Loss Prevention (LP) Cycle counts on all NDC's and begin daily counts and compare to Balance on Hand (BOH) to quickly identify if any additional losses occur. Ainsworth completed reconciliations using the provided LP counts and was able to confirm the losses. Hauck and colleagues at her direction performed multiple counts between 12/14 and 1/4 and did not identify any further losses. Ainsworth spoke with Hauck and reviewed the CCTV (closed circuit television) to identify if any of the missing NDC's would be easily recognizable through video review. Hauck was able to identify NDC 43386-0357-01 Hydrocodone – APAP 7.5-325 from video of the control cage prior to the loss. Ainsworth was able to identify the bottle of this NDC from the video and began to review CCTV to see when it was moved.

Ainsworth was able to observe on 12/6/2020 Pharmacist Aurora Bejto working in the pharmacy. At 3:15 PM Bejto enter the cage and pick up the bottle of 43386-0357-01 Hydrocodone – APAP 10-325 from the shelf. There were no dispensing's or cycle counts of this drug that needed to be performed this day and there was no business purpose to be handling the drugs. She exits the cage with the bottle of drugs in her possession in her left hand. Upon exiting the cage she walks to a PV2 computer station and can be seen placing the bottle behind some items on the desk. Bejto leaves the area to speak briefly to the only other colleague working that day who is in the warehouse area of the pharmacy before returning to the PV2 work station. At the desk

Bejto removes a scarf she is wearing and places it back on the desk in the same location she placed the bottle. She appears to be wrapping up the scarf in the same spot on the desk before picking up the scarf and exiting the pharmacy with it balled up in her hands. She walks to the front of the building, stops briefly in the front entrance room before exiting and going out into the parking lot. Ainsworth also reviewed additional CCTV of the control cage and Bejtos shifts looking for additional losses of the other missing NDC's but did not identify anything else conclusive.

Interview:

At this point Ainsworth reviewed the case with Regional Loss Prevention Manager (RLPM) Vicky To-Dowd and the decision was made to complete an interview with Bejto. Ainsworth contacted Hauck, reviewed the findings of the investigation and worked with Hauck to schedule a time for the interview to occur.

The interview was conducted on 1/13/2020 at 8:00 AM PST. Ainsworth was on the phone and Hauck was physically on site at the pharmacy acting as a witness. Bejto arrived at 8:01 AM and Ainsworth began the interview over the phone. During the course of the interview Bejto stated that she had not taken any drugs from the pharmacy. At 8:46 AM Bejto state that she needed to leave and left the interview and site.

Disposition:

Ainsworth will be referring the case to Advice & Counsel. Adam Ainsworth filled an online report with Reno PD. Video Surveillance is available to provide to Reno PD and signed copy of the CVS Video Release Form must be completed so it can be provided. Bejto contacted Hauck on 1/14/21 via email and resigned from her position. DEA inspector Josh Lemos contacted Hauck on 1/27 and requested copies of the video, Bejto's work schedule & Demographic information an copy of the resignation letter. Lemos provided case number GFRA -21-9351. A signed copy of the video release form was completed by Lemos and the video / documents were provided to him by Hauck on 2/1. Case is closed pending further investigation by Reno PD / DEA.

1/13/2021

Today Adam and I had a meeting with Aurora to discuss the losses we have discovered in the pharmacy. Adam explained his role with the company. He also explained the tools that he uses to secure the assets and protect the people inside the building. He explained to Aurora that he uses video footage and cycle counts to monitor the flow of inventory. He explained that every activity in the pharmacy has a time stamp. He mentioned that badge activity is recorded when someone enters/exits the cage. He explained that his role was to work with PIC/GMs to enforce compliance with the rules. He asked Aurora to discuss her tenure with the company and asked if she likes working for Omnicare.

Adam gave Aurora a scenario. He said pretend that you are a PIC in 5-10 years. You know that one of your employees is doing something they shouldn't be doing. You confront them and they deny it and lie about it. Would you trust them? Aurora said, yes if I understand why they were doing it. Adam explained a few incidents of theft that he is familiar with throughout his personal and professional experience. He mentioned that these employees were good employees who made bad decisions.

Adam asked Aurora when she first took drugs from the pharmacy. She said she didn't need to take drugs and she didn't know what he was talking about. She asked why she was here. It was at this point that Adam said this interview is part of an ongoing investigation to research a loss. She asked what drugs. Adam said he wasn't going to provide details. He said he knew what was occurring and when, but he wanted to know why. Adam explained that we had video footage and proof. He said this was her chance to explain. He asked Aurora to explain what was happening in her life that led her to remove drugs from the pharmacy. Aurora picked up her cell phone at this time and began texting. He mentioned that he didn't know what was happening in her life or what motivated her to do this. He provided a story of a man that was taking medications because he needed them for his son.

Aurora again denied any knowledge of missing medications. She asked what drugs Adam was referring to. Adam provided a story of two famous sports figures. He explained that they were both accused of illegal activity. He explained how one lied about it and the other apologized and turned his life around. He said this was her chance to tell us why this occurred. He said we have proof and we know what she did, but he wanted to understand why she did it. He told Aurora he was conducting this interview to protect her. He mentioned CVS could have turned over the evidence to third parties, but he wanted to give her an opportunity to explain why this happened.

He asked Aurora again when this started. She said what drugs? He said he wasn't going to go into the details and to how important it was for her to explain. Adam mentioned that his hand would be forced to report to third parties and this was her opportunity to explain to us why she took the medication. He said that he understands that good employees sometimes make bad decisions and he wants to give her opportunity to explain. Aurora asked if she could step out of the pharmacy and come back. Adam explained that this was her only opportunity and she would not have the opportunity again if she left.

Aurora again denied removing drugs from the pharmacy. She said she is here very infrequently. She said she doesn't remember removing drugs from the pharmacy. She picked up her things and said she had to be somewhere else. She mentioned that she was overworked and very tired. Adam told her he knows she could stay longer. She said that she did not remove drugs from the pharmacy. She said that she has told Adam everything she knows. She mentioned that she didn't know this was why she was asked to come to the pharmacy. She said that if she notices any discrepancies, she immediately reports them to

me. Adam told her that she hasn't told him anything. She asked again what drugs Adam was referring to. She said that she is infrequently at the pharmacy and doesn't know about any losses. She said that she didn't work at the pharmacy for six months. Adam said, I am referring to losses that occurred in December. He said with our tools, it is very easy to identify when the loss occurred. He explained that he knows she only worked four days in December and it is very easy to pinpoint when the loss occurred.

Adam asked Aurora to sit down, again stating that this was her only opportunity. Adam asked Aurora why she would remove drugs from the cage. She said to cycle count. He said, I know when you have cycle counted. I'm referring to drugs that you have removed from the cage that were not counted or dispensed. Why would you do that? Adam asked her if she was selling it. Aurora said she didn't know what he was talking about and she had to leave. Adam explained that he would have to pursue the reporting to third parties. She said ok and left the building.

Camilla Hauck

General Manager, Omnicare of Reno.

Hauck, Camilla M

From: Aurora Bejto <[REDACTED]@[REDACTED].com>
Sent: Thursday, January 14, 2021 8:20 PM
To: Hauck, Camilla M
Subject: [EXTERNAL] Resignation letter

**** External Email - Use Caution ****

Camilla,

I am writing to inform you that I will be resigning my position as pharmacist with Omnicare pharmacy effective immediately.

Sincerely,
Aurora Bejto

DEA FORM **106****Report of Theft or Loss of Controlled Substances**

OMB No. 1117-C001 (Exp. Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division

Type of Report: (check one box only)

☒ New Report☐ Amendment Key (prior report dated): FJFWAH3904E

1. DEA Registration Number: BR7419511

Name of Business: RALEY'S PHARMACY #105

Address: 1630 ROBB DRIVE

City: RENO

State: NV

ZIP Code: 89523

Point of Contact: JENNY CUPP

Email Address: JCUPP@RALEYS.COM

Phone No.: 7757466411

Date of the Theft or Loss (or first discovery of theft or loss): January 11, 2021

Number of Thefts and Losses in the past 24 months: 2

Principal Business of Registrant: CHAIN PHARMACY

2. Type of theft or loss: EMPLOYEE THEFT (OR SUSPECTED)

3. Loss in Transit. (Fill out this section only if there was a loss in transit.)

Name of Common Carrier:

Telephone Number of Common Carrier:

Have there been losses in transit in the past 12 months?

Was the package received and inspected by the consignee, including this theft or loss?

If the package was accepted by the consignee, the consignee is responsible for reporting the theft or loss.

Name of Consignee / Supplier:

Enter the Name of Consignee (if applicable) the package was accepted by the consignee.

If the consignee does not have a DEA registration, e.g. if the package was accepted by a patient, or a family member, or a nurse, enter "Patient" or "Nursing Home Kit."

DEA Registration Number of Consignee / Supplier:

Enter the DEA Registration Number of Consignee (if applicable) the package was accepted by the consignee. If the controlled substances were accepted by the non-registrant, e.g. if the package was accepted by a patient, or a family member, or a nurse, enter "Patient" or "Nursing Home Kit." If the package was accepted by the consignee, the consignee is responsible for reporting the theft or loss.

4. If this was a robbery, were any people injured? ☐ No ☒ Yes (if yes, how many?): 1 Were any people killed? ☒ No ☐ Yes (if yes, how many?): 0

5. Purchase value of Registrant of controlled substances taken: \$ 8

6. Were any pharmaceuticals or paraphernalia taken? ☐ No ☒ Yes (Est. Value): 87. Was theft reported to Police? ☒ No ☐ Yes (if yes, fill out the following information):

Name of Police Department:

Police Report number:

Name of Responding Officer:

Phone No.:

8. Which corrective measure(s) have you taken to prevent a future theft or loss?

- ☐ Installed monitoring equipment (e.g. video camera).
☐ Increased employee monitoring (e.g. random drug tests).
☐ Installed metal bars or other security on doors or windows.
☐ Secured Controlled Substances within safe.
☒ Other (Please describe on last page).

- ☐ Provided security training to staff.
☐ Requested increased security patrols by Police.
☐ Hired security guards for premises.
☐ Terminated employee.

DEA FORM **106****Report of Theft or Loss of Controlled Substances**

OMB No. 1117-0001 (Exp Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division

9. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?:
 ZOLPIDEM - OVAL WHITE, MARKED WITH 79 ON 1 SIDE
 ALPRAZOLAM - OVAL BLUE, MARKED WITH G 3721 ON 1 SIDE, SCORED

10. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers:

Describe any other corrective measure(s) you have taken to prevent a future theft or loss:

SUSPECT NO LONGER ALLOWED TO WORK AT THIS PHARMACY

Enter remarks, if required. Description of diversion, if applicable. Reporting a diversion is required for all controlled substances.
 DIVERSION

The foregoing information is true to the best of my knowledge and belief. I understand that this information is being furnished for the purpose of this reporting requirement only.

Signature: JENNY CURRY

Title: PHARMACY MANAGER

Date Signed: March 8, 2021

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Freedom of Information: Please prominently identify any confidential business information per 28 CFR 16.8(a) and Exemption 4 of the Freedom of Information Act (FOIA). In the event DEA receives a FOIA request to obtain such information, DEA will give written notice to the registrant to obtain such information. DEA will give written notice to the registrant to allow an opportunity to object prior to the release of information.

Privacy Act Information

AUTHORITY: Section 301 of the Controlled Substances Act of 1970 (PL 91-513).

PURPOSE: Reporting of unusual or excessive loss of a Controlled Substance.

ROUTINE USES: The Controlled Substances Act authorizes the production of special reports required for statistical and analytical purposes. Disclosure of information from this system are made to the following categories of users for the purposes stated:

A. Other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes.

B. State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes.

EFFECT: Failure to report theft or loss of Controlled Substances may result in penalties under Section 402 and 403 of the Controlled Substances Act.

DEA FORM **106**

Report of Theft or Loss of Controlled Substances

OMB No. 1117-0001 (Exp. Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division

Type of Report: (check one box only)

☒ New Report☐ Amendment Key (prior report dated): 3EHREG47C026

1. DEA Registration Number: AR7391458

Name of Business: RALEY'S PHARMACY #109

Address: 1363 HIGHWAY 395 NORTH

City: GARDNERVILLE

State: NV

ZIP Code: 89410

Point of Contact: ARVY WONG

Email Address: 109PHARM@RALEYS.COM

Phone No.: 7757822226

Date of the Theft or Loss (or first discovery of theft or loss): February 03, 2021

Number of Thefts and Losses in the past 24 months: 1

Principal Business of Registrant: CHAIN PHARMACY

2. Type of theft or loss: EMPLOYEE THEFT (OR SUSPECTED):

3. Loss in Transit. (*Fill out this section only if there was a loss in transit, or hijacking of transport vehicle.)

Name of Common Carrier:

Telephone Number of Common Carrier:

Package Tracking Number:

Have there been losses in transit from this same carrier in the past? ☐ No☐ Yes (if yes, how many, excluding this theft or loss?):Was the package received and accepted by the consignee? ☐ No☐ Yes (if yes, the consignee is responsible for reporting the theft or loss.)If the package was accepted by the consignee, did it appear to be tampered with? ☐ No ☐ Yes

Name of Consignee / Supplier:

Enter the Name of Consignee (if reported by the supplier), or the Name of Supplier (if the package was accepted by the consignee).

If the consignee does not have a DEA Registration Number, e.g. if this was a shipment to a patient, or a nursing home emergency kit, enter "Patient" or "Nursing Home Kit."

DEA Registration Number of Consignee / Supplier:

Enter the DEA Registration Number of Consignee (if reported by the supplier), or DEA Registration Number of Supplier, (if the package was accepted by the consignee). If the controlled substances were shipped to a non-registrant, leave blank, unless a registered pharmacy shipped to an emergency kit held on site at a nursing home. In this case, the supplying pharmacy is required to report the theft or loss.

4. If this was a robbery, were any people injured? ☐ No ☐ Yes (if yes, how many?): Were any people killed? ☐ No ☐ Yes (if yes, how many?):

5. Purchase value to Registrant of controlled substances taken?: \$ 44

6. Were any pharmaceuticals or merchandise taken? ☐ No ☒ Yes (Est. Value): 44

7. Was theft reported to Police?

☒ No☐ Yes (if yes, fill out the following information):

Name of Police Department:

Police Report number:

Name of Responding Officer:

Phone No.:

8. Which corrective measure(s) have you taken to prevent a future theft or loss?

☐ Installed monitoring equipment (e.g. video camera).☐ Provided security training to staff.☐ Increased employee monitoring (e.g. random drug tests).☐ Requested increased security patrols by Police.☐ Installed metal bars or other security on doors or windows.☐ Hired security guards for premises.☐ Secured Controlled Substances within safe.☐ Terminated employee.☒ Other (Please describe on last page).

DEA FORM **106**

Report of Theft or Loss of Controlled Substances

OMB No. 1117-0001 (Exp. Date 7/25/2023)

LIST OF CONTROLLED SUBSTANCES LOST

OMB No. 1117-0001 (Exp. Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Division Control Division

[illegible]

DEA FORM-106 (Previous editions are obsolete.)

DEA FORM **106****Report of Theft or Loss of Controlled Substances**

OMB No. 1117-0001 (Exp Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division

9. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?:
A WHITE OBLONG TABLET WITH 3 PRINTED ON ONE SIDE AND 79 ON THE OTHER

10. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers:

Describe any other corrective measure(s) you have taken to prevent a future theft or loss:

THE SUSPECTED EMPLOYEE HAS BEEN TAKEN OFF ALL SCHEDULES IN THE COMPANY PENDING THE INVESTIGATION BY THE NEVADA BOARD OF PHARMACY

Enter remarks, if required. Description of how theft or loss occurred. Attach a separate sheet, if necessary:

IT WAS ASSUMED THAT THE SUSPECTED EMPLOYEE POCKETED SOME OF THE TABLETS WHILE WORKING AT THE PHARMACY -- AN INVESTIGATION BY THE PHARMACY BOARD IS STILL PENDING

The foregoing information is correct to the best of my knowledge and belief: By signing my full name in the space below, I hereby certify that the foregoing information furnished on this DEA Form 106 is true and correct, and understand that this constitutes an electronic signature for purposes of this reporting requirement only.

Signature: ARVY WONG

Title: PHARMACY MANAGER

Date Signed: March 08, 2021

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Privacy Act Information

AUTHORITY: Section 301 of the Controlled Substances Act of 1970 (PL 91-613).

PURPOSE: Reporting of unusual or excessive theft or loss of a Controlled Substance.

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EFFECT: Failure to report theft or loss of Controlled Substances may result in penalties under Section 402 and 403 of the Controlled Substances Act.

Report of Theft or Loss of Controlled Substances

OMB No. 1117-0001 (Exp. Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division

Type of Report: (check one box only)

☒ Now Report☐ Amendment Key (prior report dated): 4FT48MCNCIGF

1. DEA Registration Number: BR0312809

Name of Business: RALEY'S PHARMACY #115

Address: 1075 NORTH HILLS BLVD

City: RENO

State: NV

ZIP Code: 89506

Point of Contact: JOSEPH DELALLO

Email Address: 115PHARM@RALEYS.COM

Phone No.: 7756778750

Date of the Theft or Loss (or first discovery of theft or loss): February 23, 2021

Number of Thefts and Losses in the past 24 months: 4

Principal Business of Registrant: CHAIN PHARMACY

2. Type of theft or loss: EMPLOYEE THEFT (OR SUSPECTED):

3. Loss in Transit. (Fill out this section only if there was a loss in transit, or hijacking of transport vehicle.)

Name of Common Carrier:

Telephone Number of Common Carrier:

Package Tracking Number:

Have there been losses in transit from this same carrier in the past?

☐ No☐ Yes (if yes, how many, excluding this theft or loss?):

Was the package received and accepted by the consignee?

☐ No☐ Yes (if yes, the consignee is responsible for reporting the theft or loss.)

If the package was accepted by the consignee, did it appear to be tampered with?

☐ No☐ Yes

Name of Consignee / Supplier:

Enter the Name of Consignee (if reported by the supplier), or the Name of Supplier (if the package was accepted by the consignee).

If the consignee does not have a DEA Registration Number, e.g. if this was a shipment to a patient, or a nursing home emergency kit, enter "Patient" or "Nursing Home Kit."

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4. If this was a robbery, were any people injured? ☐ No ☐ Yes (if yes, how many?): Were any people killed? ☐ No ☐ Yes (if yes, how many?):

5. Purchase value to Registrant of controlled substances taken?: \$ 3

6. Were any pharmaceuticals or merchandise taken? ☐ No ☒ Yes (Est. Value): 84

7. Was theft reported to Police?

☒ No☐ Yes (if yes, fill out the following information):

Name of Police Department:

Police Report number:

Name of Responding Officer:

Phone No.:

8. Which corrective measure(s) have you taken to prevent a future theft or loss?

☒ Installed monitoring equipment (e.g. video camera).☐ Increased employee monitoring (e.g. random drug tests).☐ Installed metal bars or other security on doors or windows.☐ Secured Controlled Substances within safe.☐ Other (Please describe on last page).☐ Provided security training to staff.☐ Requested increased security patrols by Police.☐ Hired security guards for premises.☐ Terminated employee.

Report of Theft or Loss of Controlled Substances
OMB No. 1117-0001 (Exp. Date 7/31/2023)

OMB No. 1117-0001 (Exp. Date 7/31/2023)

U.S. Department of Justice
Drug Enforcement Administration
Diversion Control Division



LIST OF CONTROLLED SUBSTANCES LOST

[illegible]



9. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?:

10. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers:

Describe any other corrective measure(s) you have taken to prevent a future theft or loss:

Enter remarks, if required. Description of how theft or loss occurred. Attach a separate sheet, if necessary:

DISCOVERED MISSING INVENTORY DURING ROUTINE INVENTORY AUDITS

The foregoing information is correct to the best of my knowledge and belief; By signing my full name in the space below, I hereby certify that the foregoing information furnished on this DEA Form 106 is true and correct, and understand that this constitutes an electronic signature for purposes of this reporting requirement only.

Signature: JOSEPH DELALLO

Title: PHARMACY MANAGER

Date Signed: March 08, 2021

Privacy Act Information

AUTHORITY: Section 301 of the Controlled Substances Act of 1970 (PL 91-513).

PURPOSE: Reporting of unusual or excessive theft or loss of a Controlled Substance.

ROUTINE USES: The Controlled Substances Act authorizes the production of special reports required for statistical and analytical purposes. Disclosures of information from this system are made to the following categories of users for the purposes stated:

A. Other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes.

B. State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes.

EFFECT: Failure to report theft or loss of Controlled Substances may result in penalties under Section 402 and 403 of the Controlled Substances Act.

NOTICE: In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is 1117-0001. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Freedom of Information: Please prominently identify any confidential business information per 28 CFR 16.8(c) and Exemption 4 of the Freedom of Information Act (FOIA). In the event DEA receives a FOIA request to obtain such information, DEA will give written notice to the registrant to obtain such information. DEA will give written notice to the registrant to allow an opportunity to object prior to the release of information.

Raley's Pharmacy 122 7755752619 >>
Report of Theft or Loss of Controlled Substances

OMB No. 1117-0001 (Exp. Date 7/31/2023)

U.S. Department of Justice
 Drug Enforcement Administration
 Diversion Control Division



Type of Report: (check one box only)

☒ New Report☐ Amendment Key (prior report dated): JT9MNLWHPV5

1. DEA Registration Number: FR7529552

Name of Business: RALEY'S PHARMACY #122

Address: 1400 STATE ROUTE 95A

City: FERNLEY

State: NV

ZIP Code: 89400

Point of Contact: LAURA CARLIN WARMKESSEL

Email Address: LWARMKESSEL@RALEYS.COM

Phone No.: 7755765065

Date of the Theft or Loss (or first discovery of theft or loss): February 02, 2021

Number of Thefts and Losses in the past 24 months: 1

Principal Business of Registrant: CHAIN PHARMACY

2. Type of theft or loss: EMPLOYEE THEFT (OR SUSPECTED):

3. Loss in Transit. (Fill out this section only if there was a loss in transit, or hijacking of transport vehicle.)

Name of Common Carrier:

Telephone Number of Common Carrier:

Package Tracking Number:

Have there been losses in transit from this same carrier in the past?

☐ No☐ Yes (If yes, how many, excluding this theft or loss?):

Was the package received and accepted by the consignee?

☐ No☐ Yes (If yes, the consignee is responsible for reporting the theft or loss.)

If the package was accepted by the consignee, did it appear to be tampered with?

☐ No☐ Yes

Name of Consignee / Supplier:

Enter the Name of Consignee (if reported by the supplier), or the Name of Supplier (if the package was accepted by the consignee).

If the consignee does not have a DEA Registration Number, e.g. if this was a shipment to a patient, or a nursing home emergency kit, enter "Patient" or "Nursing Home Kit."

DEA Registration Number of Consignee / Supplier:

Enter the DEA Registration Number of Consignee (if reported by the supplier), or DEA Registration Number of Supplier (if the package was accepted by the consignee). If the controlled substances were shipped to a non-registrant, leave blank, unless a registered pharmacy shipped to an emergency kit held on site at a nursing home. In this case, the supplying pharmacy is required to report the theft or loss.

4. If this was a robbery, were any people injured? ☐ No ☐ Yes (If yes, how many?): Were any people killed? ☐ No ☐ Yes (If yes, how many?):

5. Purchase value to Registrant of controlled substances taken?: \$ 14

6. Were any pharmaceuticals or merchandise taken? ☒ No ☐ Yes (Est. Value):

7. Was theft reported to Police?

☒ No☐ Yes (If yes, fill out the following information):

Name of Police Department:

Police Report number:

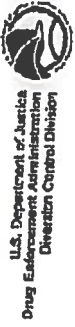
Name of Responding Officer:

Phone No.:

8. Which corrective measure(s) have you taken to prevent a future theft or loss?

☐ Installed monitoring equipment (e.g. video camera).☒ Increased employee monitoring (e.g. random drug tests).☐ Installed metal bars or other security on doors or windows.☒ Secured Controlled Substances within safe.☐ Other (Please describe on last page).☒ Provided security training to staff.☐ Requested increased security patrols by Police.☐ Hired security guards for premises.☐ Terminated employee.

LIST OF CONTROLLED SUBSTANCES LOST

[illegible]

DEA FORM-106, previous editions are obsolete.)

Page 2 of 3

Raley's Pharmacy 122 7755752619 >>
Report of Theft or Loss of Controlled Substances
 OMB No. 1117-0001 (Exp Date 7/31/2023)



9. What identifying marks, symbols, or price codes were on the labels of these containers that would assist in identifying the products?:

10. If Official Controlled Substance Order Forms (DEA-222) were stolen, give numbers:

Describe any other corrective measure(s) you have taken to prevent a future theft or loss:

Enter remarks, if required. Description of how theft or loss occurred. Attach a separate sheet, if necessary.
 RETURNED FROM MATERNITY LEAVE AND COUNTED ZOLPIDEM ON 02/02/2021- NOTICED A DISCREPANCY BROUGHT TO MY ATTENTION (WAS ON MATERNITY LEAVE FROM 12/14/20 TO 02/01/2021)- WAS ON COVID LEAVE 2/12/21-2/28/21 AND RETURNED AGAIN MONDAY 03/01/2021. HAPPENED TO BE EVERY TIME I HAD DAYS OFF FROM THE PHARMACY THE COUNTS DID NOT MATCH. SPOKE WITH DISTRICT PHARMACY SUPERVISOR AND ADVISED TO FILL OUT DEA 106 LOSS FORM.

The foregoing information is correct to the best of my knowledge and belief. By signing my full name in the space below, I hereby certify that the foregoing information furnished on this DEA Form 106 is true and correct, and understand that this constitutes an electronic signature for purposes of this reporting requirement only.

Signature: LAURA CARLIN WARMKESSEL

Title: PHARMACY TEAM LEAD (RX MGR)

Date Signed: March 08, 2021

Privacy Act Information

AUTHORITY: Section 361 of the Controlled Substances Act of 1970 (PL 91-513).

PURPOSE: Reporting of unusual or excessive theft or loss of a Controlled Substance.

ROUTINE USES: The Controlled Substances Act authorizes the production of special reports required for statistical and analytical purposes. Disclosures of information from this system are made to the following categories of users for the purposes stated:

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- B. State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes.

EFFECT: Failure to report theft or loss of Controlled Substances may result in penalties under Section 402 and 403 of the Controlled Substances Act.

NOTICE: In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is 1117-0001. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Freedom of Information: Please prominently identify any confidential business information per 28 CFR 16.6(c) and Exemption 4 of the Freedom of Information Act (FOIA). In the event DEA receives a FOIA request to obtain such information, DEA will give written notice to the registrant to obtain such information. DEA will give written notice to the registrant to allow an opportunity to object prior to the release of information.

Org Unit: Raley's Inc

(DJ) Actual Hours by District/BU and Job (Select) - Single Day

Start Date: 05/01/2020

End Date: 03/04/2021

Report Time: 03/04/2021 07:46:07

BU: Name	Labor Job: Name	Day	Colleague: Name	Net Actual Hours
108 Pharmacist		7/27/2020	Bejto, Aurora	4.45
115 Pharmacist		8/12/2020	Bejto, Aurora	7.75
115 Pharmacist		8/13/2020	Bejto, Aurora	7.15
115 Pharmacist		8/24/2020	Bejto, Aurora	7.51
103 Pharmacist		10/13/2020	Bejto, Aurora	4.3
103 Pharmacist		10/14/2020	Bejto, Aurora	2
110 Pharmacist		10/22/2020	Bejto, Aurora	8.48
115 Pharmacist		11/15/2020	Bejto, Aurora	8.56
115 Pharmacist		11/16/2020	Bejto, Aurora	3.58
122 Pharmacist		11/18/2020	Bejto, Aurora	8.57
122 Pharmacist		11/19/2020	Bejto, Aurora	5.26
122 Pharmacist		11/20/2020	Bejto, Aurora	5.22
122 Pharmacist		11/21/2020	Bejto, Aurora	8.25
122 Pharmacist		12/1/2020	Bejto, Aurora	8.41
122 Pharmacist		12/2/2020	Bejto, Aurora	8.27
122 Pharmacist		12/14/2020	Bejto, Aurora	8.56
122 Pharmacist		12/16/2020	Bejto, Aurora	8.62
109 Pharmacist		12/17/2020	Bejto, Aurora	8.6
115 Pharmacist		12/19/2020	Bejto, Aurora	8.52
122 Pharmacist		12/21/2020	Bejto, Aurora	9
103 Pharmacist		1/2/2021	Bejto, Aurora	7.33
105 Pharmacist		1/11/2021	Bejto, Aurora	7.65
105 Pharmacist		1/12/2021	Bejto, Aurora	8.16
109 Pharmacist		1/14/2021	Bejto, Aurora	8.57
109 Pharmacist		1/15/2021	Bejto, Aurora	8.72
115 Pharmacist		1/25/2021	Bejto, Aurora	2.48
115 Pharmacist		2/8/2021	Bejto, Aurora	8.7
109 Pharmacist		2/11/2021	Bejto, Aurora	8.76
Total				201.43

Dimension Filters:

Overtime Code includes

#NAME?

#NAME?

Colleague: Name includes

#NAME?

EXHIBIT 3A

Bejto0055

Stipulation of Findings of Fact
Aurora Bejto

1. The Nevada State Board of Pharmacy ("Board") has jurisdiction over Aurora Bejto ("Respondent") and this matter, because at all relevant dates and times referenced in this Stipulation, the Respondent was registered by the Board as a pharmacist in the State of Nevada. Certificate of Registration No. 18384.
2. The Respondent was working per diem as a pharmacist for various pharmacies on the dates and times of the events referenced in this Stipulation.
3. Respondent has been informed that the Board is investigating allegations of Respondent's diverting controlled substances from pharmacies at which Respondent worked. Respondent understands that the Board's investigation is ongoing.
4. On or about February 22, 2021, Respondent admitted to Board staff that Respondent had had diverted certain controlled substances from her places of employment.
5. During 2019 and 2020 and before, Respondent had valid prescriptions for Hydrocodone-Acetamin ("Norco") and for Tramadol to treat neck pain that was the result of an automobile accident in 2015. During the same period, Respondent had valid prescriptions for Zolpidem Tartrate ("Ambien") to address sleep issues.
6. Respondent admits that over time Respondent became addicted to Ambien, and developed a tolerance to Norco that caused her to increase her dosage of Norco and other pain medications. She attempted to stop or decrease her use of these drugs without professional help, but was unsuccessful.
7. Despite having valid prescriptions for Norco, Tramadol, and Ambien, Respondent admits that she did divert Norco and Ambien.
8. In particular, at the end of a shift at Omnicare on or about the week of October 19, 25, 2020, Respondent noted that the inventory showed that there were 10 tablets too many of Norco in the pharmacy. Respondent diverted for her own use the "extra" tablets of Norco.
9. Respondent also recalls diverting 4-5 tablets of Ambien from Railey's in September or October of 2019 for her own use.
10. Respondent recalls diverting an open bottle of Ambien from Omnicare containing about 60 pills or so for her own use. Based on the statements of Board staff and her work schedule, Respondent believes this diversion occurred on or about December 6,

2020. This information as to the December 6, 2020 date was given to the Respondent on or about February 22, 2020.

10. On or about February 23, 2020, Respondent contacted Carol Schaye, RNc, LADC at Carols Counseling to have an assessment performed and to make arrangements for counseling, treatment and testing, which she has continued with since that date. Counseling has involved group and one-on-one Zoom sessions. Respondent has also attended five Narcotics Anonymous meetings and has had two clean urine screens.

11. Having failed in the past to stop using Norco and Ambien on her own, Respondent intends to address her addiction issues under the guidance of a professional counselor until the counselor advises her otherwise.

Date: March 10, 2021.

Aurora Bejto

Aurora Bejto, RPh

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

Kandt	\$1023.75
Hunting	\$ 38.77
Lee	\$ 171.00
Long	\$ 390.00
Wuest	\$ 390.00
Mangosing	\$ 103.55
<u>Segedy</u>	<u>\$1370.00</u>
TOTAL	\$3487.07

Timesheet for Brett Kandt –

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

DATE	TIME
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2/18/2021	1.50
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Review probable cause statement and confer with Investigator Segedy.

3/29/2021	3.50
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Review investigative file, Respondent's February 23rd agreement not to practice and March 10th factual admissions; legal research; draft Notice of Intended Action and Accusation in Case 21-021-RPH-N.

5/21/2021	1.75
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Confer with Staff; legal research; revise Notice of Intended Action and Accusation in Case 21-021-RPH-N.

5/25/2021	0.75
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Confer with Staff; finalize Notice of Intended Action and Accusation in Case 21-021-RPH-N.

6/15/2021	0.50
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Confer with opposing counsel regarding potential resolution and discovery request in Case 21-021-RPH-N.

6/24/2021	1.75
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Confer with Staff; review video and bates-stamped documentary evidence and proposed exhibits; prepare same for hearing in Case 21-021-RPH-N and submit to opposing counsel with correspondence; draft proposed order.

7/2/2021	1.50
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Prepare for hearing in Case 21-021-RPH-N; provide edited video to and discussion case with opposing counsel and staff.

7/7/2021	4.5
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Prepare for hearing in Case 21-021-RPH-N; provide documentation of attorney's fees and costs to opposing counsel.

7/14/2021	_____
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Hearing in Case 21-051-CS-N.

TOTAL 15.75 hours x \$65.00/hour = \$1,023.75

Timesheet for Shirley Hunting –

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

DATE

TIME

Date	Hours	Activity
05/28/21	45 min	Prepared Notice of Intended Action and Accusation, Statement to the Respondent and Answer and Notice of Defense for filing.
06/09/21	15 min	Prepared Notice of Intended Action and Accusation, Statement to the Respondent and Answer and Notice of Defense for mailing.

Total Hours 1

Rate 38.77

Total Costs 38.77

AURORA BEJTO, RPH, Certificate of Registration No. 18384 - Case No. 21-021-RPH-N

Timesheet for Courtney K. Lee

DATE	TIME	DESCRIPTION
2/22/2021	1.0	Meeting with Ms. Bejto, Hal Taylor, Esq. (counsel for Ms. Bejto), Investigator Segedy, and myself
2/23/2021	0.25	Draft email memorializing agreement of Ms. Bejto not to practice pharmacy and that any violation will result in summary suspension her license/registration
2/23/2021	0.5	Receipt and review of signed statement by Ms. Bejto
2/25/2021	0.25	Receipt and review of email from Hal Taylor, Esq. requesting meeting
2/26/2021	0.5	Receipt and review of assessment by Carol Schaye (Substance Abuse and Treatment counselor) of Ms. Bejto
3/10/2021	0.5	Receipt and review of stipulated facts from Hal Taylor, Esq.
TOTAL	3.0 hours	x \$57/hour = \$171

Timesheet for Tcnh Long --

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

Date	Time	Activity
2/18/2021	0.50	Discussed investigation with investigator Segedy.
2/22/2021	3.50	Interviewed Ms. Bejto at Post-Acute Medical Hospital in Sparks. interviewed Ms. Bejto with her legal counsel at the board office.
4/22/2021	0.50	Reviewed investigative file, respondent's February 23 rd agreement not to practice and March 10 th factual admissions, and Notice of Intended Action and Accusation in Case 21-021-RPH-N.
4/28/2021	0.75	Confer with staff to discuss Notice of Intended Action and Accusation in Case 21-021-RPH-N.
5/21/2021	0.50	Confer with legal counsel regarding Notice of Intended Action and Accusation in Case 21-021-RPH-N.
5/25/2021	0.25	Reviewed final Notice of Intended Action and Accusation in Case 21-021-RPH-N.
Total	6h x \$65/hr = \$390	

Timesheet for David Wuest –

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

Date	Time	Activity
2/18/2021	0.50	Discussed investigation with investigator Segedy.
2/22/2021	3.50	Interviewed Ms. Bejto at Post-Acute Medical Hospital in Sparks. interviewed Ms. Bejto with her legal counsel at the board office.
4/22/2021	0.50	Reviewed investigative file, respondent's February 23 rd agreement not to practice and March 10 th factual admissions, and Notice of Intended Action and Accusation in Case 21-021-RPH-N.
4/28/2021	0.75	Confer with staff to discuss Notice of Intended Action and Accusation in Case 21-021-RPH-N.
5/21/2021	0.50	Confer with legal counsel regarding Notice of Intended Action and Accusation in Case 21-021-RPH-N.
5/25/2021	0.25	Reviewed final Notice of Intended Action and Accusation in Case 21-021-RPH-N.
Total	6h x \$65/hr = \$390	

Timesheet for Kristopher Mangosing –

AURORA BEJTO Case No. 21-021-RPH-N

DATE	TIME
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6/22/2021	2.00
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Preparing redacted case file for discovery

6/25/2021	1.00
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Preparing Video for Board Hearing

7/1/2021	0.25
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Prepare documents for case file/ Prepare Board Meeting materials

TOTAL 3.25 hours x \$31.86/hour = \$103.55

Timesheet for Monica S. Segedy

AURORA BEJTO, RPH, Certificate of Registration No. 18384- Case No. 21-021-RPH-N

Date	Time	Activity
2/10/2021	1.00	Interview of PIC Camilla Hauck
2/17/2021	2.00	Omnicare video overview/ review with PIC Camilla Hauck
2/17/2021	8.00	Detailed review of videos (7 videos) and summary write up
2/22/2021	1.50	Interview of Bejto at Post Acute Medical (PAM) Hospital, Sparks, NV
2/22/2021	2.00	Interview of Bejto with her legal counsel at the NBOP
2/22/2021	0.50	Random audit of PharMerica – Bejto’s new place of employment
2/23/2021	1.00	Coordination with Bejto’s counsel of Stipulation (Statement) of Facts and Agreement not to Practice
2/24/2021	0.50	Interview of Omnicare Pharmacy Tech – LeLana Serpa
2/24/2021	0.50	Interview of PIC Arvy Wong – Raley’s Gardnerville
2/24/2021	0.50	Interview of PIC Tida Watkins – Raley’s Reno
3/01/2021	2.00	Site visit to Omnicare
3/03/2021	0.50	Interview of Raley’s Regional Pharmacy Manager Jennifer Hall
3/15/2021	1.00	Review of records received from Jennifer Hall
3/15/2021	8.00	Review and summary of five (5) additional videos received from Omnicare
3/25-4/1	4.00	Compilation of all supporting documents and preparation of final report
4/22/2021	0.50	Reviewed investigative file, respondent’s February 23 rd agreement not to practice and March 10 th factual admissions; legal research; draft Notice of Intended Action and Accusation in Case 21-021-RPH-N with Yehn Long.
4/28/2021	0.75	Confer with Yehn Long to discuss Notice of Intended Action and Accusation in Case 21-021-RPH-N.
Total	34.25	34.25 hours X \$40/Hr = \$1,370.00

Timesheet for Courtney K. Lee, Esq.

Nevada State Board of Pharmacy v. Direct Compounding, et al. - Case No. 19-070

DATE	TIME	DESCRIPTION
3/11/2021	1.25	Meet with investigator regarding possible charges
3/25/2021	2.5	Review investigator report and evidentiary documents
3/31/2021	2.75	Draft Notice of Intended Action and Accusation
6/1- 24/2021	0.5	Emails with counsel, James Boyle, Esq. regarding accusation, proposed stipulation, proposed stipulated exhibits
6/8/2021	0.5	Draft Amended Notice of Intended Action and Accusation
6/30/2021	0.75	Confer with staff regarding disciplinary recommendations
7/13/2021	2.5	Review file and exhibits in preparation for hearing
7/14/2021	1.5	Hearing (estimated)
TOTAL	12.25	12.25 hours x \$56 rate per hour = \$686.00

TOTALS

Courtney K. Lee, Esq.	\$686.00
Dave Wuest, Executive Secretary	\$146.25 (please see itemized timesheet)
Yenh Long, Deputy Executive Secretary	\$146.25 (please see itemized timesheet)
Kenneth Scheuber, Investigator	\$1,750.00 (please see itemized timesheet)
Joe Dodge, Inspector	\$189.00 (please see itemized timesheet)
Leo Basch, Inspector	\$42.75 (please see itemized timesheet)
Luis Curras, Inspector	<u>\$32.00 (please see itemized timesheet)</u>
	<u>\$2,992.25</u>

Timesheet for Dave Wuest

Nevada State Board of Pharmacy v. Direct Compounding, *et al.* - Case No. 19-070

DATE	TIME	DESCRIPTION
6/1/2021	0.5	Reviewed case and discussed disciplinary recommendations with Board Staff
6/3/2021	0.5	Discussed disciplinary actions and hearing matters with Board Staff
6/30/2021	0.75	Confer with staff regarding disciplinary recommendations
7/___/2021	0.5	Review case in preparation for Board Meeting
TOTAL	2.25	2.25h x \$65/hr = \$146.25

Timesheet for Yen Long

Nevada State Board of Pharmacy v. Direct Compounding, *et al.* - Case No. 19-070

DATE	TIME	DESCRIPTION
6/1/2021	0.5	Reviewed case and discussed disciplinary recommendations with Board Staff
6/3/2021	0.5	Discussed disciplinary actions and hearing matters with Board Staff
6/30/2021	0.75	Confer with staff regarding disciplinary recommendations
7/___/2021	0.5	Review case in preparation for Board Meeting
TOTAL	2.25	2.25h x \$65/hr = \$146.25

Timesheet for Kenneth Scheuber, Investigator**Nevada State Board of Pharmacy v. Direct Compounding, et al. - Case No. 19-070**

DATE	TIME	DESCRIPTION
4/18/2019	2.0	Travel to Direct Compounding to see if techs were in the store without a pharmacist; met Tim outside the pharmacy
4/19/2019	1.25	Travel to Direct Compounding to determine if techs at pharmacy
4/19/2019	1.0	Travel to Direct Compounding in afternoon to determine if techs at pharmacy
4/21/2019	0.5	Discuss case with Joe Dodge
4/22/2019	7.0	Travel/investigation in morning to Direct Compounding to see who had the keys to open the pharmacy, interviewed Scott and Mike, with inspector Joe Dodge
4/23/2019	4.0	Travel/further investigation, interviewed Krystal, requested additional statements
4/25/2019	5.0	Organize exhibits, draft investigation report, calls to BME
4/26/2019	6.0	Revise investigation report and exhibits
4/30/2019	1.5	Interviewed Ellie, one of owners of pharmacy
6/12/2019	1.5	Interview Brian Baker by telephone, draft notes
6/14/2019	1.75	Discuss with inspector Luis Curras, prepare/revise exhibits
6/16/2019	1.0	Review investigation report
6/17/2019	1.0	Draft notes and Dr. Smith's declination for interview
6/18/2019	1.0	Review regulations and discuss case with inspector Leo; revisions
6/21/2019	0.5	Final updates and send to Reno
TOTAL	35.0	35 hours x \$50 rate per hour = \$1,750.00

Timesheet for Joe Dodge, Inspector

Nevada State Board of Pharmacy v. Direct Compounding, *et al.* - Case No. 19-070

DATE	TIME	DESCRIPTION
4/21/2019	0.5	Discuss case with investigator Ken Scheuber
4/22/2019	2.5	Travel to Direct Compounding for on site inspection with Ken Scheuber, met with Michael Thomas and Scot Silber, collected photos and documents for case
TOTAL	3.0	3 hours x \$63 rate per hour = \$189.00

Timesheet for Leo Basch, Inspector

Nevada State Board of Pharmacy v. Direct Compounding, *et al.* - Case No. 19-070

DATE	TIME	DESCRIPTION
6/18/2019	0.75	Review investigative report and discuss with investigator Ken Scheuber
TOTAL	0.75	0.75 hours x \$57 rate per hour = \$42.75

Timesheet for Luis Curras, Inspector

Nevada State Board of Pharmacy v. Direct Compounding, *et al.* - Case No. 19-070

DATE	TIME	DESCRIPTION
6/14/2019	0.5	Review investigative report and discuss with investigator Ken Scheuber
TOTAL	0.5	0.5 hours x \$64 rate per hour = \$32

Kristopher Mangosing

To: David Wuest
Subject: RE: Reconsideration/apology letter

From: Odetta Kilgore <[om](#)>
Sent: Monday, July 12, 2021 2:51 PM
To: Odetta Kilgore <[il.com](#)> David Wuest <dwuest@pharmacy.nv.gov>
Cc: Odetta Kilgore <[il.com](#)>
Subject: Reconsideration/apology letter

To whom it may concern

Hello my name is Odetta Kilgore I'm writing this letter on behalf of my pharmacy technician license i'm hoping at the end of the decision the board reconsiders need to get my license I want that more than anything I finish school March 23, 2021 and haven't yet went for my ex terms due to not having a license which my background stopped me from doing so I have a background that I'm not happy about it's been years since I have gotten in trouble and I'm just looking and asking for second chance in life to move forward and one day go to school to become a pharmacist I love working with people so I know I'll do good in this field so I'm asking the board to give me a second chance I'm currently a foster parent of three young children their siblings and I wanna show them a better life other than the one it was shown to them prior to me getting there I would like to become a licensed pharmacy technician to make a better life for myself and my three foster kids.

Sincerely
Odetta Kilgore

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

AUBREE MEGAN TERIBURY

Registered Nurse License No. 95164504

Respondent

Case No. 4002019004079

OAH No. 2020070953

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Reproval is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 23, 2020**.

IT IS SO ORDERED **December 23, 2020**.



Michael Jackson, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

XAVIER BECERRA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General
BRIAN LEE
Deputy Attorney General
State Bar No. 253592
300 So. Spring Street, Suite 1702
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Attorneys for Complainant

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

AUBREE MEGAN TERIBURY
67 Gap Creek Terrace
Newborn, GA 30056
Registered Nurse License No. 95164504

Respondent.

Case No. 4002019004079

OAH No. 2020070953

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

[Bus. & Prof. Code § 495]

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Loretta Melby, R.N., M.S.N. (Complainant) is the Executive Officer of the Board of Registered Nursing (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Brian Lee, Deputy Attorney General.

2. Respondent Aubree Megan Teribury (Respondent) is represented in this proceeding by attorney Ian D. Woo with the law firm of Goyette & Associates, Inc. located at 2366 Gold Meadow Way, Suite 200, Gold River, CA 95670.

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1 9. Respondent agrees that her Registered Nurse License is subject to discipline and she
2 agrees to be bound by the Disciplinary Order below.

3 CONTINGENCY

4 10. This stipulation shall be subject to approval by the Board of Registered Nursing.
5 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
6 Registered Nursing may communicate directly with the Board regarding this stipulation and
7 settlement, without notice to or participation by Respondent or her counsel. By signing the
8 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
9 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
10 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
11 Order for Public Reapproval shall be of no force or effect, except for this paragraph, it shall be
12 inadmissible in any legal action between the parties, and the Board shall not be disqualified from
13 further action by having considered this matter.

14 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
15 copies of this Stipulated Settlement and Disciplinary Order for Public Reapproval, including PDF
16 and facsimile signatures thereto, shall have the same force and effect as the originals.

17 12. This Stipulated Settlement and Disciplinary Order for Public Reapproval is intended by
18 the parties to be an integrated writing representing the complete, final, and exclusive embodiment
19 of their agreement. It supersedes any and all prior or contemporaneous agreements,
20 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated
21 Settlement and Disciplinary Order for Public Reapproval may not be altered, amended, modified,
22 supplemented, or otherwise changed except by a writing executed by an authorized representative
23 of each of the parties.

24 13. In consideration of the foregoing admissions and stipulations, the parties agree that
25 the Board may, without further notice or formal proceeding, issue and enter the following
26 Disciplinary Order:

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DATED: 10/22/2020

I have read and fully discussed with Respondent Aubree Megan Teribury the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Repeval. I approve its form and content.

DATED:

IAN D. WOO
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reapproval is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: 10/26/20

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



BRIAN LEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 4002019004079

1 XAVIER BECERRA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 BRIAN LEE
Deputy Attorney General
4 State Bar No. 253592
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Attorneys for Complainant
7

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 4002019004079

13 **AUBREE MEGAN TERIBURY**
14 **1 Arrowcreek Pkwy,**
Reno, NV 89511-5325

ACCUSATION

15 **Registered Nurse License No. 95164504**

16 Respondent.
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21 **PARTIES**

22 1. Loretta Melby, R.N., M.S.N. (Complainant) brings this Accusation solely in her
23 official capacity as the Acting Executive Officer of the Board of Registered Nursing, Department
24 of Consumer Affairs.

25 2. On or about May 21, 2018, the Board of Registered Nursing issued Registered Nurse
26 License Number 95164504 to Aubree Megan Teribury (Respondent). The Registered Nurse
27 License was in full force and effect at all times relevant to the charges brought herein and will
28 expire on January 31, 2022, unless renewed.

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1 8. California Code of Regulations, title 16, section 1443.5 states:

2 "A registered nurse shall be considered to be competent when he/she consistently
3 demonstrates the ability to transfer scientific knowledge from social, biological and physical
4 sciences in applying the nursing process, as follows:

5 (1) Formulates a nursing diagnosis through observation of the client's
6 physical condition and behavior, and through interpretation of information
7 obtained from the client and others, including the health team.

8 (2) Formulates a care plan, in collaboration with the client, which ensures
9 that direct and indirect nursing care services provide for the client's safety,
10 comfort, hygiene, and protection, and for disease prevention and restorative
11 measures.

12 (3) Performs skills essential to the kind of nursing action to be taken,
13 explains the health treatment to the client and family and teaches the client and
14 family how to care for the client's health needs.

15 (4) Delegates tasks to subordinates based on the legal scopes of practice of
16 the subordinates and on the preparation and capability needed in the tasks to be
17 delegated, and effectively supervises nursing care being given by subordinates.

18 (5) Evaluates the effectiveness of the care plan through observation of the
19 client's physical condition and behavior, signs and symptoms of illness, and
20 reactions to treatment and through communication with the client and health team
21 members, and modifies the plan as needed.

22 (6) Acts as the client's advocate, as circumstances require, by initiating
23 action to improve health care or to change decisions or activities which are against
24 the interests or wishes of the client, and by giving the client the opportunity to
25 make informed decisions about health care before it is provided."

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1 **COST RECOVERY**

2 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
7 included in a stipulated settlement.

8 **CAUSE FOR DISCIPLINE**

9 (Unprofessional Conduct - Gross Negligence)

10 10. Respondent is subject to disciplinary action under Code section 2761(a)(1) as defined
11 in California Code of Regulations, title 16, section 1442 (gross negligence) in that on or about
12 November 22, 2018, while working as a registered nurse in the Women's and Children's Services
13 Department at Sierra Vista Regional Medical Center ("SVRMC"), Respondent failed to take
14 appropriate steps to ensure the dosage of insulin administered to an antepartum patient was for the
15 amount ordered by a physician. As a result, Respondent erroneously administered ten (10) times
16 the amount of insulin ordered.

17 11. On or about November 22, 2018, Respondent was working as a registered nurse at
18 SVRMC and assigned to an antepartum patient. The patient had an order of 18 units of insulin,
19 which is equivalent to .18 ml. However, Respondent erroneously calculated the amount of insulin
20 using two 1 ml syringes such that the total amount drawn was 1.8 ml, or 180 units. Respondent
21 did not use an insulin syringe, which are marked in units, because she did not know where they
22 were located and she had previously used 1 ml syringes to administer insulin at other hospitals.

23 12. After drawing the insulin, Respondent requested her charge nurse S.L. to verify the
24 insulin that was about to be administered. Insulin is considered a high-alert medication. High
25 alert medications are medications that if used incorrectly or in error carry a heightened risk of
26 significant harm to a patient. As such, it is routine for facilities to have policies in place to
27 require a "sign off" for high alert medication. At the time of the subject incident, SVRMC had an
28 Independent Double Check – High Alert Medication Administration Policy which required two

1 clinicians separately check (alone and apart from each other, then compare results) each
2 component of prescribing, dispensing, and verifying the high alert medication before
3 administering it to the patient.

4 13. Before administering the insulin, Respondent showed S.L. the insulin bottle and
5 gestured to both syringes, which were in plain view. S.L. signed the patient's medical record
6 indicating that she had verified it was the correct amount of insulin. Respondent administered the
7 insulin despite feeling uncertain about the amount of insulin drawn. Respondent admitted to the
8 Board's investigator that it was unusual to give more than one syringe of insulin to a patient at
9 one time. The medication error was discovered the following day when the patient's husband
10 questioned why Respondent used two syringes to administer the insulin. Respondent admitted to
11 the medication error.

12 **PRAYER**

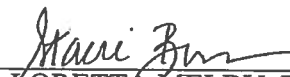
13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 95164504, issued to
16 Aubree Megan Teribury;

17 2. Ordering Aubree Megan Teribury to pay the Board of Registered Nursing the
18 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
19 Professions Code section 125.3; and,

20 3. Taking such other and further action as deemed necessary and proper.
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24 DATED: May 4, 2020

 for
LORETTA MELBY, R.N., M.S.N.
Acting Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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NV State Board of Pharmacy (Final) - 2021 Regular Session of the Nevada Legislature

Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
AB 0002	Enacted	Boards and commissions, gubernatorial appointees	Revises provisions relating to appointments to public bodies. (BDR 18-437)	Government Affairs	Signed by Gov, 5/25/21 (Ch. 67)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7720/Overview w
AB 0035	Enacted	Consolidated program for health care assistance	Revises provisions governing certain programs to assist senior citizens and persons with disabilities with costs relating to health care. (BDR 40-288)	Health and Human Services	Signed by Gov, 5/14/21 (Ch. 18)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7286/Overview w
AB 0101	Enacted	Veterinarians, hemp or CBD products	Revises provisions governing the administration of certain substances to animals by licensed veterinarians. (BDR 54-113)	Steve Yeager	Signed by Gov, 5/28/21 (Ch. 195)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7402/Overview w
AB 0177	Enacted	Prescriptions, language other than English	Revises provisions relating to prescriptions. (BDR 54-61)	Teresa Benitez-Thompson	PRIORITY - Signed by Gov, 5/28/21 (Ch. 184)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7541/Overview w
AB 0178	Enacted	Prescription drugs, insured in declared disaster or emergency area	Revises provisions relating to prescription drugs. (BDR 57-71)	Melissa Hardy	PRIORITY - Signed by Gov, 5/28/21 (Ch. 179)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7550/Overview w
AB 0205	Enacted	Opioid antagonists, epinephrine	Makes various changes concerning the acquisition, possession, provision or administration of auto-injectable epinephrine and opioid antagonists by schools. (BDR 40-98)	Lesley Cohen	PRIORITY - Signed by Gov, 5/26/21 (Ch. 99)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7603/Overview w
AB 0253	Enacted	Public meetings, remote technology, public notices	Revises provisions relating to governmental administration. (BDR 19-947)	Venicia Considine	PRIORITY - Signed by Gov, 5/31/21 (Ch. 247)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7713/Overview w
AB 0330	Enacted	Occupational training and licensing	Establishes provisions governing occupational training and licensing. (BDR 54-759)	John Ellison	Signed by Gov, 6/4/21 (Ch. 360)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7854/Overview w
AB 0345	Enacted	Testing products, controlled substance analysis	Revises provisions relating to drug paraphernalia. (BDR 40-978)	David Orentlicher	PRIORITY - Signed by Gov, 5/28/21 (Ch. 189)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7883/Overview w
AB 0348	Enacted	Patient Protection Commission	Revises provisions relating to the Patient Protection Commission. (BDR 40-497)	Maggie Carlton	PRIORITY - Signed by Gov, 5/27/21 (Ch. 131)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7886/Overview w
AB 0365	Enacted	Equity in the workplace, annual reports	Revises provisions relating to governmental administration. (BDR 23-133)	Sarah Peters	Signed by Gov, 6/3/21 (Ch. 317)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7938/Overview w

NV State Board of Pharmacy (Final) - 2021 Regular Session of the Nevada Legislature

Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
AB 0374	Enacted	Statewide Substance Use Response Working Group	Establishes the Statewide Substance Use Response Working Group. (BDR 40-991)	Jill Tolles	PRIORITY - Signed by Gov, 6/4/21 (Ch. 447) NRS 639 Not Included	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
AB 0385	Enacted	Public officers and employees, compensation	Revises provisions relating to compensation received by public officers and employees. (BDR 23-52)	Teresa Benitez-Thompson	PRIORITY - Signed by Gov, 6/4/21 (Ch. 369)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
AB 0442	Enacted	Substance use disorder, continuing education	Revises requirements concerning training of certain providers of health care. (BDR 54-450)	Commerce and Labor	PRIORITY - Signed by Gov, 5/25/21 (Ch. 94) NRS 639 Not Included	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
AB 0482	Enacted	State business licenses	Revises provisions relating to state business licenses. (BDR 7-1144)	Ways and Means	Signed by Gov, 6/4/21 (Ch. 381)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
AB 0493	Enacted	State worker pay, collective bargaining	Provides for compensation of state employees. (BDR S-1173)	Ways and Means	Signed by Gov, 6/3/21 (Ch. 309)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0040	Enacted	Health care data, all-payer claims database	Provides for the collection of certain data relating to health care. (BDR 40-415)	Health and Human Services	PRIORITY - Signed by Gov, 6/4/21 (Ch. 480)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0109	Enacted	Government entities, orientation and gender identity info	Revises provisions relating to the collection of certain information by governmental agencies. (BDR 19-95)	Patricia Spearman	PRIORITY - Signed by Gov, 6/6/21 (Ch. 489) "Race or ethnicity" data request triggers the bill.	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0112	Enacted	Veterinary biologic products, regulation	Exempts certain products for the treatment of certain animals from regulation under state law. (BDR 54-821)	Ira Hansen	PRIORITY - Signed by Gov, 5/27/21 (Ch. 162)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0190	Enacted	Pharmacists, dispensing contraceptives	Provides for the dispensing of self-administered hormonal contraceptives. (BDR 54-3)	Nicole Cannizzaro	PRIORITY - Signed by Gov, 6/8/21 (Ch. 504)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0222	Enacted	State agency, minority group collaboration and liaison	Revises provisions relating to governmental administration. (BDR 18-245)	Melanie Scheible	Signed by Gov, 6/7/21 (Ch. 497)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815
SB 0229	Enacted	Collaborative practice of pharmacy	Revises provisions relating to the practice of pharmacy. (BDR 54-823)	Julia Ratti	PRIORITY - Signed by Gov, 6/2/21 (Ch. 290)	https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815 https://www.leg.state.nv.us/Adp/NEUS/REL/815

NV State Board of Pharmacy (Final) - 2021 Regular Session of the Nevada Legislature

Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
SB 0290	Enacted	Prescription drugs, cancer treatment	Enacts provisions relating to prescription drugs for the treatment of cancer. (BDR 57-973)	Roberta Lange	PRIORITY - Signed by Gov, 6/4/21 (Ch. 414)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7893/Overview
SB 0318	Enacted	State agency language access plans	Makes various changes relating to improving access to governmental services for persons with limited English proficiency. (BDR 40-955)	Fabian Donate	Signed by Gov, 6/7/21 (Ch. 498) NRS 232	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7943/Overview
SB 0325	Enacted	Pharmacists, HIV prevention	Establishes provisions relating to preventing the acquisition of human immunodeficiency virus. (BDR 54-632)	James Settelmeyer	PRIORITY - Signed by Gov, 6/6/21 (Ch. 492)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7959/Overview
SB 0341	Enacted	Employee diversity for state employers	Revises provisions relating to health care. (BDR 40-62)	Patricia Spearman	Signed by Gov, 6/4/21 (Ch. 416) NRS 232	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7983/Overview
SB 0379	Enacted	Health care providers, database	Provides for the collection of certain data concerning providers of health care. (BDR 40-457)	Health and Human Services	PRIORITY - Signed by Gov, 5/27/21 (Ch. 174)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8066/Overview
SB 0380	Enacted	Prescription drug pricing, reporting	Revises provisions governing the reporting of data concerning the prices of prescription drugs. (BDR 40-445)	Health and Human Services	PRIORITY - Signed by Gov, 6/10/21 (Ch. 547)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8067/Overview
SB 0396	Enacted	Prescription drugs, purchasing agreements	Revises provisions relating to the purchasing of prescription drugs. (BDR 38-443)	Health and Human Services	PRIORITY - Signed by Gov, 6/2/21 (Ch. 303)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8101/Overview
SB 0408	Enacted	NSBP	Revises provisions relating to the State Board of Pharmacy. (BDR 54-1098)	Finance	PRIORITY - Signed by Gov, 5/29/21 (Ch. 218)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8124/Overview
SB 0409	Enacted	State employees, collective bargaining fee	Revises provisions relating to state governmental administration. (BDR 23-1074)	Finance	Signed by Gov, 6/4/21 (Ch. 438)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8137/Overview
SB 0420	Enacted	Health insurance, public option, public health benefit plan	Revises provisions relating to health insurance. (BDR 57-251)	Nicole Cannizzaro	Signed by Gov, 6/9/21 (Ch. 537)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8151/Overview
SB 0424	Enacted	Public Health Resource Office	Creates the Public Health Resource Office. (BDR 18-1107)	Finance	Signed by Gov, 6/9/21 (Ch. 538)	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8155/Overview

NV State Board of Pharmacy (Final) - 2021 Regular Session of the Nevada Legislature

Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
SB 0451	Enacted	PEBP subsidies	Establishes for the 2021-2023 biennium the subsidies to be paid to the Public Employees' Benefits Program for insurance for certain active and retired public officers and employees. (BDR 5-1160)	Finance	Signed by Gov, 6/4/21 (Ch. 433)	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/8209/Overvie w
AB 0065	Vetoed	Ethics in government; legislative ethics law	Revises provisions relating to ethics in government. (BDR 23-257)	Legislative Operations and Elections	VEETOED by Gov, 6/11/2021 - Return to 2023 Regular Session or a special session if designated for consideration	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7318/Overvie w
AB 0039	No Further Action	Public records	Revises provisions relating to public records. (BDR 19-333)	Government Affairs	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7290/Overvie w
AB 0081	No Further Action	Voluntary health care service	Revises certain provisions governing voluntary health care service. (BDR 54-145)	Gregory Hafen	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7350/Overvie w
AB 0108	No Further Action	Office of the Inspector General	Creates the Nevada Office of the Inspector General. (BDR 18-64)	Brittney Miller	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7422/Overvie w
AB 0164	No Further Action	Contraceptive, pharmacist distribution	Establishes provisions relating to the dispensing of certain contraceptives. (BDR 40-239)	Edgar Flores	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7511/Overvie w
AB 0199	No Further Action	Charter agencies, state govt.	Provides for the designation and operation of charter agencies. (BDR 18-804)	Andy Matthews	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7593/Overvie w
AB 0276	No Further Action	Public records, costs and attorney fees if court case	Makes changes to provisions governing public records. (BDR 19-884)	Andy Matthews	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7744/Overvie w
AB 0314	No Further Action	Hospital and medical facility immunity, COVID exposure	Revises provisions governing civil liability for injury or death resulting from exposure to COVID-19. (BDR 3-448)	Robin Titus	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7828/Overvie w
AB 0337	No Further Action	PEBP, primary care clinics, pilot program	Requires the Board of the Public Employees' Benefits Program to create a certain pilot program in certain circumstances. (BDR 23-710)	Michelle Gorelow	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 t2021/Bill/7865/Overvie w

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Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
AB 0340	No Further Action	Administrative regulations, economic impact, interim study	Directs the Legislative Commission to appoint a committee to conduct an interim study related to the economic impact of administrative regulations. (BDR S-929)	Andy Matthews	PRIORITY - Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7875/Overview.w
AB 0347	No Further Action	Economics of health care, study	Requires the Legislative Committee on Health Care to study certain issues related to the economics of health care. (BDR S-541)	David Orentlicher	Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7885/Overview.w
AB 0351	No Further Action	Medication to end life, life insurance	Establishes provisions governing the prescribing, dispensing and administering of medication designed to end the life of a patient. (BDR 40-882)	Edgar Flores	PRIORITY - Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7903/Overview.w
AB 0369	No Further Action	Occupational and professional licensing boards, expiration	Revises provisions relating to professional and occupational boards. (BDR 18-231)	Alexis Hansen	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7946/Overview.w
AB 0372	No Further Action	Reimburse medical school debt to practice in Nevada, county assessment	Provides for the establishment of a program to attract providers of health care to this State. (BDR 34-988)	Heidi Kasama	Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7950/Overview.w
AB 0439	No Further Action	Occupational licensing, license by endorsement, Armed Forces	Revises provisions relating to occupational licensing. (BDR 54-383)	Commerce and Labor	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8094/Overview.w
AB 0478	No Further Action	Patient Protection Commission	Revises provisions relating to the Patient Protection Commission. (BDR 40-1069)	Ways and Means	Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/8186/Overview.w
SB 0026	No Further Action	Protection of personally identifiable information	Revises provisions relating to the protection of personally identifiable information from release. (BDR 52-332)	Commerce and Labor	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7201/Overview.w
SB 0039	No Further Action	Govt. entities, digital representations of US dollars	Provides for the acceptance of transfers of certain digital representations of United States dollars by certain governmental entities. (BDR 31-396)	Government Affairs	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7215/Overview.w
SB 0090	No Further Action	Health care provider investigation, review and evaluation	Revises provisions relating to the regulation of providers of health care. (BDR 54-188)	Joseph Hardy	Failed second house committee passage deadline, 5/14/21	https://www.leg.state.nv.us/App/NELIS/REL/815/t2021/Bill/7376/Overview.w

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Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
SB 0105	No Further Action	Controlled substances to end life, life insurance	Establishes provisions governing prescribing, dispensing and administering controlled substances designed to end the life of a patient. (BDR 40-546)	Dallas Harris	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7408/Overvie w
SB 0171	No Further Action	Pharmacy benefit manager, drugs by mail, copayment accumulator program	Revises provisions related to drugs and the prescription of drugs in this State. (BDR 57-848)	Joseph Hardy	PRIORITY - Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7580/Overvie w
SB 0201	No Further Action	Pharmaceutical sales representatives	Requires licensing of pharmaceutical sales representatives. (BDR 54-444)	Health and Human Services	Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7645/Overvie w
SB 0214	No Further Action	Prescription drugs, NSBP	Revises provisions relating to prescribing and dispensing prescription drugs. (BDR 54-187)	Joseph Hardy	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7663/Overvie w
SB 0221	No Further Action	PERS, public employee training	Revises provisions relating to public employment. (BDR 23-629)	Carrie Buck	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7697/Overvie w
SB 0239	No Further Action	Cybersecurity	Revises provisions relating to cybersecurity. (BDR 52-63)	Heidi Gansert	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7757/Overvie w
SB 0335	No Further Action	Occupational licensing, new B&I division	Revises provisions relating to professional and occupational licensing. (BDR 54-186)	Joseph Hardy	PRIORITY - Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7972/Overvie w
SB 0336	No Further Action	Veterinary medicine, euthanasia technician	Revises provisions governing veterinary medicine. (BDR 54-534)	Ben Kieckhefer	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/7973/Overvie w
SB 0373	No Further Action	State employee collective bargaining	Provides for collective bargaining by certain state employees. (BDR 23-675)	Government Affairs	Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/8060/Overvie w
SB 0378	No Further Action	Prescription drug insurance coverage	Imposes certain requirements relating to insurance coverage of prescription drugs. (BDR 57-442)	Health and Human Services	PRIORITY - Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/8065/Overvie w
SB 0392	No Further Action	Pharmacy benefit managers	Revises provisions relating to pharmacy benefit managers. (BDR 40-446)	Health and Human Services	Failed first house committee passage deadline, 4/9/21	https://www.leg.state.nv.us/App/NEUS/REL/815 v.us/App/NEUS/REL/815 t2021/Bill/8097/Overvie w

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Bill#	Status	Topic	Title	Sponsor	Notes	NV Legis Site
SB 0402	No Further Action	Regulatory bodies	Revises provisions relating to regulatory bodies. (BDR 54-709)	Commerce and Labor	PRIORITY - Failed to pass by Day 120, 5/31/21	https://www.leg.state.nv.us/App/NELIS/REL/81s/2021/Bill/8107/Overview

REVENUES	APPROVED BUDGET	BUDGET AMENDMENTS	REVISED BUDGET	CURRENT MONTH REVENUE/EXPENSE	PRIOR MONTH(S) REVENUE/EXPENSE	PROJECTIONS THROUGH 6/30/2020	TOTAL REVENUE/EXPENSE \$FY21	DIFFERENCE
Beginning Balance	\$ 2,133,664		\$ 2,133,664	\$ -	\$ 2,234,060	\$ -	\$ 2,234,060	\$ 100,396
Renewal Fees	\$ 4,576,617		\$ 4,576,617	\$ 5,560	\$ 4,566,950	\$ 5,560	\$ 4,578,070	\$ 1,453
Registration Fees	\$ 687,460		\$ 687,460	\$ 96,850	\$ 693,438	\$ 70,000	\$ 860,288	\$ 172,828
Misc. Revenue	\$ 155,000	\$ (154,000)	\$ 1,000	\$ -	\$ 580	\$ -	\$ 580	\$ (420)
Recovered Costs	\$ -	\$ 28,000	\$ 28,000	\$ 1,500	\$ 20,105	\$ 1,500	\$ 23,105	\$ (4,895)
CC Processing Fees	\$ -	\$ 107,500	\$ 107,500	\$ 2,532	\$ 238,119	\$ 2,532	\$ 243,183	\$ 135,683
Paper Use Fee	\$ -	\$ -	\$ -	\$ -	\$ 40	\$ -	\$ 40	\$ 40
Change MGR RPH	\$ -	\$ 11,500	\$ 11,500	\$ 700	\$ 7,910	\$ 700	\$ 9,310	\$ (2,190)
Inspections	\$ -	\$ 7,000	\$ 7,000	\$ -	\$ 825	\$ 165	\$ 990	\$ (6,010)
Interest Income	\$ 30,500		\$ 30,500	\$ 490	\$ 15,809	\$ 490	\$ 16,789	\$ (13,711)
Indirect Grant Income	\$ -	\$ 54,272	\$ 54,272	\$ -	\$ -	\$ 54,272	\$ 54,272	\$ -
Late Fees	\$ 25,000		\$ 25,000	\$ 2,605	\$ 33,760	\$ 2,605	\$ 38,970	\$ 13,970
Total Revenues	\$ 7,608,241	\$ 54,272	\$ 7,662,513	\$ 110,237	\$ 7,811,597	\$ 137,823	\$ 8,059,657	\$ 397,144

EXPENSES									
Payroll	\$ 2,897,623	\$ 81,597	\$ 2,979,220	\$ 243,031	\$ 2,428,936	\$ 247,908	\$ 2,919,874	\$ (59,346)	
Operating	\$ 909,437	\$ (81,597)	\$ 827,840	\$ 39,070	\$ 621,734	\$ 40,836	\$ 701,641	\$ (126,199)	
Equipment	\$ 30,000		\$ 30,000	\$ -	\$ 12,582	\$ 8,987	\$ 21,570	\$ (8,430)	
In-State Travel	\$ 110,000		\$ 110,000	\$ 2,063	\$ 24,207	\$ 35,827	\$ 62,087	\$ (47,903)	
Out-of-State Travel	\$ 65,000		\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ (65,000)	
DAG Cost	\$ 12,000		\$ 12,000	\$ 617	\$ 1,142	\$ 1,874	\$ 3,634	\$ (8,366)	
Aid for Education	\$ 2,000		\$ 2,000	\$ -	\$ -	\$ 2,000	\$ 2,000	\$ -	
Reserve	\$ 3,582,181	\$ 54,272	\$ 3,636,453	\$ -	\$ -	\$ 4,348,841	\$ 4,348,841	\$ 712,389	
Total Expenses	\$ 7,608,241	\$ 54,272	\$ 7,662,513	\$ 284,781	\$ 3,088,601	\$ 4,686,274	\$ 8,059,657	\$ 397,144	
Balance	\$ -	\$ -	\$ -			\$ -	\$ -	\$ -	

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – July 15, 2021

Explanation – Language in *blue italics* is new; language in *red text* [~~omitted material~~] is language to be omitted, and language in *green text* indicates prior Board-approved amendments that are in the process of being codified.

AUTHORITY: NRS 639.070; NRS 639.XXX

A REGULATION relating to human immunodeficiency virus; establishing a protocol authorizing a pharmacist to prescribe, dispense and administer drugs to prevent the acquisition of human immunodeficiency virus and perform certain laboratory tests; and providing other matters properly relating thereto.

Amendment of Nevada Administrative Code (NAC 639.) The proposed amendments will create a new section to implement the provisions of Senate Bill 325 requiring the Board to adopt regulations that establish requirements to allow a pharmacist to dispense drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus.

NAC 639.5XX is hereby added to read as follows:

Prevention of the Acquisition of Human Immunodeficiency Virus

- 1. A pharmacist prescribing and dispensing medications for treatment for pre-exposure prophylaxis (PrEP) and postexposure prophylaxis (PEP) for HIV-negative persons must:*
 - a) Complete a two (2) hour education course approved by ACPE regarding treatment for PrEP and PEP for HIV-negative persons. A record of the certification must be maintained and readily retrievable during the time of dispensing, and for two (2) years after dispensing treatment has terminated.*
- 2. A pharmacist treating with PrEP or PEP must follow current Centers for Disease Control (CDC) guidelines:*
 - a) For prescribing PrEP, A Clinical Practice Guideline- Preexposure Prophylaxis for the Prevention of HIV Infection in the United States;*
 - b) For prescribing PEP, Guidelines for Antiretroviral Postexposure After Sexual, Injection Drug Use, or Other Nonoccupational Exposure to HIV.*
- 3. Prior to prescribing and dispensing PrEP the pharmacist must complete the following assessment on the patient;*
 - a) The patient must complete a HIV test;*
 - b) The patient must complete a renal function test;*
 - c) The patient must complete a hepatitis B test; and*
 - d) An assessment of signs and symptoms of acute HIV infection.*

4. *Treatment for PEP should be expedited. Treatment may be initiated prior to a baseline assessment. Prior to continuation of treatment the pharmacist must complete the following assessment on the patient;*
 - a) *The patient must complete a HIV test;*
 - b) *The patient must complete a pregnancy test if the patient is of child bearing age;*
 - c) *The patient must complete a liver function test;*
 - d) *The patient must complete a renal function test;*
 - e) *The patient must complete sexually transmitted infection screening and test;*
 - f) *The patient must complete a hepatitis B test;*
 - g) *The patient must complete a hepatitis C test.*
5. *A pharmacist prescribing and dispensing PrEP or PEP medications must counsel the patient and provide information on the product dispensed, including, but not limited to:*
 - 1) *Proper administration and storage of the medication;*
 - 2) *Dosage;*
 - 3) *Effectiveness;*
 - 4) *Potential side effects;*
 - 5) *The need to be tested for HIV;*
 - 6) *The need to adhere to the treatment; and*
 - 7) *Information regarding the medications only help prevent or treat HIV and they do not prevent other sexual transmitted diseases.*
6. *A pharmacist dispensing PrEP or PEP must comply with all labeling and record keeping requirements in conformance with all applicable federal and state laws.*
7. *Once the pharmacist dispenses the PrEP treatment, they must have a plan of care which includes support and ongoing assessment as required by the CDC.*
8. *In order to prescribe, a pharmacist prescribing and dispensing PrEP or PEP medications must maintain liability insurance coverage of one million dollar.*