

STATEMENT OF RESPONSIBILITY – Nevada Pharmacy
FOR Corporations, Partnership or Sole Owners

I, Steve Filton
Responsible Person of Valley Health System, LLC
hereby acknowledge and understand that in addition to the corporation's, any owner(s),
shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy law
that may occur in a pharmacy owned or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s) may be named in any action taken by the Nevada State Board of Pharmacy against a
pharmacy owned by or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision
of any local, state or federal laws or regulations pertaining to the practice of pharmacy.


Original Signature of Person Authorized to Submit Application, no copies or stamps

Steve Filton, Authorized Official
Print Name of Authorized Person

8-26-21
Date

Delaware

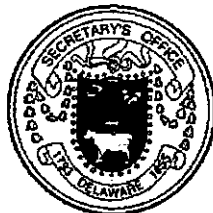
The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "VALLEY HEALTH SYSTEM LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FIFTH DAY OF AUGUST, A.D. 2021.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "VALLEY HEALTH SYSTEM LLC" WAS FORMED ON THE SIXTEENTH DAY OF JANUARY, A.D. 1998.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



2847793 8300

SR# 20213072675

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line.

Jeffrey W. Bullock, Secretary of State

Authentication: 204001771

Date: 08-25-21

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY,

Case Nos. 18-042-PHN-S

18-042-RPH-S

Petitioner,

v.

WALGREENS PHARMACY #5814,
Pharmacy License No. PHN01519,SHANELA BLAS-CATACUTAN, RPH,
Certificate of Registration No. 17360,

Respondents.

STIPULATED FACTS

Courtney K. Lee, General Counsel for Petitioner, the Nevada State Board of Pharmacy ("Board"), and Respondent Walgreens Pharmacy #5814 ("Walgreens"), Pharmacy License No. PHN01519, and Respondent Shanela Blas-Catacutan, RPh ("Blas-Catacutan"), Certificate of Registration No. 17360, by and through counsel, William Stilling, Esq. of Stilling & Harrison,

HEREBY STIPULATE AND AGREE TO THE FOLLOWING FACTS:

1. The Board has jurisdiction over Respondents and this matter.
2. Respondent Blas-Catacutan was employed as the managing pharmacist of Walgreens #5814 during the alleged and relevant timeframes.
3. On or about April 20, 2018, practitioner J.C. prescribed for patient M.P., who was 7 years old at the time, Methylphenidate 5 mg tablets; two (2) written prescriptions were tendered to the Respondent Walgreens #5814 on April 30, 2018, one with the notation "Do not fill before 05/20/2018" and the other with the notation "Do not fill before 06/20/2018". The prescription information was scanned by J.C.E. and entered into Walgreens' computer system, and designated as prescription #3161427.

4. On or about May 30, 2018, upon a request was made by patient M.P.'s mother to fill one of the held written prescriptions, the written prescription with the notation "Do not fill before 06/20/2018" was selected.

5. On or about May 30, 2018, Blas-Catacutan performed the final data entry, data verification, filling and product verification for prescription # 3161427. Prescription #3161427 was misfilled with Methadone 5mg tablets instead of the Methylphenidate 5 mg tablets as prescribed. Blas-Catacutan failed to detect the error when she verified data entry as accurate, and overrode during the final product review.

6. On or about May 31, 2018, patient M.P. reportedly ingested 1 tablet of the misfilled Methadone and was rushed to Centennial Hills Hospital by his mother, then transferred to Summerlin Hospital, children's ward, for observation. Subsequently, patient M.P. displayed symptoms of multiple mood swings.

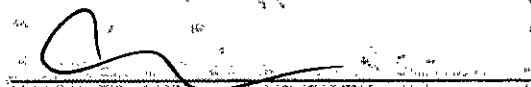
AGREED:

APPROVED AS TO FORM AND
CONTENT

this 20 day of August, 2021


WILLIAM STILLING, ESQ.
Counsel for Respondents

Signed this 20 day of August, 2021


COURTNEY K. LEE, ESQ.
General Counsel
Nevada State Board of Pharmacy

Timesheet for Courtney K. Lee, Esq.**Nevada State Board of Pharmacy v. Walgreens, et al. - Case No. 18-042**

DATE	TIME	DESCRIPTION
10/22/2020	1.0	Meet with investigator, and inspectors regarding possible charges
11/23/2020	1.0	Review investigator report and evidentiary documents
11/23/2020	2.0	Draft Notice of Intended Action and Accusation
3/9/2021	0.75	Finalize Accusation
4/21/2021	0.25	Receipt and review of email from William Stilling, Esq. indicating he has been retained as counsel
6/18/2021	0.5	Receipt and review of Answer to Accusation (extension previously granted)
8/10/2021	1.0	Discussion with counsel re possible stipulation to facts only; draft proposed stipulation to facts
8/31/2021	1.0	Review case file in preparation for hearing (estimated)
9/1/2021	1.5	Hearing (estimated)
TOTAL	9.0	9.0 hours x \$56 rate per hour = \$504.00

Total Investigative and attorney's fees and costs:

\$ 504.00 (Courtney K. Lee Timesheet)

\$1,062.50 (Kenneth Scheuber Timesheet)

\$ 31.50 (Joe Dodge Timesheet)

\$1,598.00 TOTAL

Timesheet for Investigator Kenneth Scheuber

Nevada State Board of Pharmacy v. Walgreens, et al. - Case No. 18-042

DATE	TIME	DESCRIPTION
6/21/2018	0.5	Conference with complainant (minor's mother)
7/11/2018	0.75	Left message with Holly of Walgreens, created hard and electronic files
7/13/2018	0.25	Conference with Holly, she will gather information for case
8/7/2018	1.5	Review of document request with Holly for Walgreens
9/27/2018	0.75	Reviewed case file, email request to Holly for documents not yet received
11/2/2018	4.5	Receipt and review of documents from Walgreens, schedule interviews, draft investigative case report
11/6/2018	6.0	Update case, draft and revise investigative case report
11/9/2018	1.0	Requested additional documents, update case
12/11/2018	2.0	Interviews conducted
1/30/2019	3.0	Completed case, reviewed by Joe
2/1/2019	1.0	Sent to Reno for final review
TOTAL	21.25	21.25 hours x \$50 rate per hour = \$1,062.50

Timesheet for Joe Dodge, Inspector

Nevada State Board of Pharmacy v. Walgreens, *et al.* - Case No. 18-042

DATE	TIME	DESCRIPTION
1/30/2019	0.5	Case review
TOTAL	0.5	0.5 hours x \$63 rate per hour = \$31.50

Timesheet for Courtney K. Lee, Esq.**Nevada State Board of Pharmacy v. Jill Oliver, MD - Case No. 20-007**

DATE	TIME	DESCRIPTION
2/4/2021	1.25	Meet with investigator regarding possible charges
4/18/2021	1.0	Review investigator report and evidentiary documents
4/20/2021	2.0	Draft Notice of Intended Action and Accusation
6/28/2021	0.25	Receipt and Review of Respondent Oliver's Answer
7/22/2021	0.5	Draft Amended Notice of Intended Action and Accusation
8/31/2021	1.0	Review case file in preparation for hearing (estimated)
9/1/2021	1.5	Hearing (estimated)
TOTAL	7.5	7.5 hours x \$56 rate per hour = \$420.00

Total Investigative and attorney's fees and costs:

\$420.00 (Courtney K. Lee Timesheet)

\$750.00 (Kenneth Scheuber Timesheet)

\$ 65.00 (David Wuest Timesheet)

\$ 65.00 (Yenh Long Timesheet)

\$ 31.50 (Joe Dodge Timesheet)**\$1,331.50**

Timesheet for Investigator Kenneth Scheuber**Nevada State Board of Pharmacy v. Jill Oliver, MD (Glimpse Medical) - Case No. 20-007**

DATE	TIME	DESCRIPTION
2/6/2020	2.5	Review case and contact information; create file
2/11/2020	1.0	Update information in case; prepared meeting information
2/12/2020	6.5	Travel to Rainbow location, interviewed Dr. Oliver; dispensing tech Dianne Racosas and Romela Basilio; reviewed documents; updated case; receipt and review of statements from all 3 persons interviewed
2/13/2020	2.0	Drafted investigative report with attachments; case to inspector Joe Dodge for review
2/14/2020	3.0	Finalize investigative report; spoke with Dianne regarding last licensing period; spoke with Yen and Dr. Oliver about application; sent to Reno for final review
TOTAL	15.0	15 hours x \$50 rate per hour = \$750.00

Timesheet for Dave Wuest, Executive Secretary.

Nevada State Board of Pharmacy v. Jill Oliver, MD - Case No. 20-007

DATE	TIME	DESCRIPTION
6/29/2021	1	Reviewed proposed stipulation, reviewed case with deputy executive secretary and legal counsel.
TOTAL	1.0	1 hour x \$65 rate per hour = \$65

Timesheet for Yen Long, Deputy Executive Secretary
Nevada State Board of Pharmacy v. Jill Oliver, MD - Case No. 20-007

DATE	TIME	DESCRIPTION
6/29/2021	1	Reviewed proposed stipulation, reviewed case with executive secretary and legal counsel.
TOTAL	1.0	1 hour x \$65 rate per hour = \$65

Timesheet for Joe Dodge, Inspector

Nevada State Board of Pharmacy v. Jill Oliver, MD (Glimpse Medical) - Case No. 20-007

DATE	TIME	DESCRIPTION
2/13/2020	0.5	Discuss case with investigator Ken Scheuber
TOTAL	0.5	0.5 hours x \$63 rate per hour = \$31.50

Statement of Registered Pharmacist - Robert T. Hall

I, Robert Thomas Hall, do hereby swear that the following statement of facts, as prepared by investigator Monica S. Segedy of the Nevada State Board of Pharmacy (NBOP) is a true and accurate representation of information I provided to her on 7/15/2021.

I am a licensed and registered Pharmacist with the NBOP, license #07756. I have been a pharmacist for more than forty (40) years. I was licensed in the State of California until October 2010, at which time I surrendered my license as I was under investigation by the California State Board of Pharmacy for falsifying prescriptions for my wife. In or about September 2019 I met with NBOP investigator Joe Depczynski and provided details regarding the surrender/suspension/revocation of my California license.

In 2011, after surrendering my California license, I moved to Nevada and obtained a license from the NBOP to work as pharmacist in the state of Nevada.

In or about October 2012, I obtained employment as a pharmacist for Humboldt County General Hospital in Winnemucca, NV. While working there as a pharmacist I falsified several prescriptions for myself under the license of APRN Sandra Deveny.

Specifically, I called in prescriptions for the following medications using the prescribing credentials of APRN Sandra Deveny:

Propranolol
DHEA
Cialis
Niacin
Coenzyme Q
Aquaphor
L-Arginine
Osteo bi flex

Although some of these medications are available "over-the-counter", I called them in as prescriptions as the hospital had an internal system that would automatically deduct the cost of the prescription from my paycheck.

Back in September 2019, NBOP Investigator Depczynski advised me that I falsely called in at least twenty-one (21) prescriptions using the credentials of APRN Sandra Deveny. I do not remember calling in that many false prescriptions however, I am not denying that I did either. I cannot explain my actions other than I was completely "burned out." I had been working 12 hour days, 50-60 hours a week, for seven years. I had asked my primary care physician, Dr. Byron Perkinson if I could renew my prescriptions, and he said yes. I do not know why I did not have Dr. Perkinson call in the prescriptions. I can only explain my actions as a "brain fart." I only knew of APRN Sandra Deveny as she was also employed at Humboldt County General Hospital. I therefore knew her prescribing credentials, and I used them to re-fill my prescriptions. I have never had a patient-prescriber relationship with APRN Deveny.

Although I cannot fully explain my actions I can only state it was my state of mind at the time, and I fully accept responsibility for my actions.

I resigned from Humboldt County General Hospital in March 2020, and I am now employed by Olsen's Corner Drug Store in Winnemucca, NV. I am mostly retired and I only work one day a week.

Signed: _____


Robert Thomas Hall

Date: _____

7-15-21

July 15, 2021

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445

Name - HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Address Dr: DEVENY SANDRA 2014-02-12
Ph#: 1000561 HALL ROBERT T Rfx: 803701

Rx TAKE AS DIRECTED
OSTEO BI-Flex + LOXIN TABS (RECALL SUN) NDC: 30

Qty: 120 Refill: 6 BEFORE 2015-02-12

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: *[Signature]*

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

Rx 803701

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803101 2014-02-12
HALL ROBERT T
25 TWYILA CT WINNEMUCCA NV 89445

Qty: 120 OSTEO BI-Flex+LOXIN TABS
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 25.04
X
(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

4803813

Name HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

Address 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr: DEVENY SANDRA 2015-11-03

Pate: 1000551 HALL ROBERT T Rpt: 803813

Rx FOHEA (Nabrel - Nutritional Supp) (REXALL SUN) NDC:

TAKE AS DIRECTED

Qty: 50 Route: 0 BEFORE 2016-11-02

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: 10

Dr. _____

SUBSTITUTION PERMISSABLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwritten "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803813 2015-11-03
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 50 DHEA (Hafrol - Nutritional Supp)
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 7.75

X

(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL
118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

K 803619

Name _____

Age _____

Address HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr: DEVENY SANDRA 2015-04-17

Rx Ref: 1000551 HALL ROBERT T Ref: 803619

OSTED BI - Flex + LOXIN TABS (RECALL SUN) NDC: 30
TAKE AS DIRECTED

Qty: 120 Refill: 5 BEFORE 2016-04-16

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE ID FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite DISPENSE AS WRITTEN where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
119 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803819 2015-04-17
HALL ROBERT T
25 TWYILA CT WINNEMUCCA NV 89445

Qty: 120 OSTEONAL-Flax+LOXIN TABS

FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 25.04

X

(Signature) PHARMACEUTICAL REDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

R 803591

Name

Age

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
Addr: 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr: DEYENY SANDRA 2015-03-14

Ref: 1000661 HALL ROBERT T Ref: 803591

COENZYME Q-10 200 MG CAPS (MAJOR) NDC: 80904588
TAKE AS DIRECTED

Rx

☐

Qty: 90 Refill: 5 BEFORE 2016-03-13

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING

THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPK:

SUBSTITUTION PERMISSIBLE

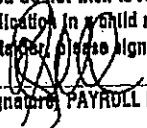
Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-6222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803591 2016-03-14
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 90 COENZYME Q-10 200 MG CAPS
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 23.6
X 
(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
Name 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr. DEVENY SANDRA 2015-11-03

Address Pat#: 1000551 HALL ROBERT T Rpt#: 803814

THERAPEUTIC MULTI-VITS + MIN (21ST CENTU) NDC:

R TAKE AS DIRECTED

This has VI-K. Consider using PLAIN VI
bottle if pills on Warfarin.

Qty: 100 Bottle: 0 BEFORE 2016-11-02

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR
WHOM IT WAS PRESCRIBED.

RPH: 

Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE ID. FOR CONTROLLED SUBSTANCES
Doctor NTS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

SUBSTITUTION PERMISSABLE

12 803814

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803814 2015-11-03

HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445
Qty: 100 THERAPEUTIC MULTI-VITS + MIN
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this

prescription be furnished with a child
resistant 'Safety Cap' unless the
patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 5.54

X _____
(Signature) PAYROLL DEDUCTION
YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Name: HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

118 EAST HASKELL ST WINNEMUCCA NV 89445 - 3247

Address: DEVENY SANDRA 2015-10-30

Ref: 100551 HALL ROBERT T Rpt: 803796

Rx R/PROPRANOLOL 40 MG TABS (TEVA USA) NDC: 50111046
TAKE AS DIRECTED

Qty: 200 Refill: 5 BEFORE 2016-10-29

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: ~~803796~~

Dr. _____

SUBSTITUTION PERMISSABLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES

Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

R/803796

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803796 2015-10-30
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 200 PROPRANOLOL 40 MG TABS
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 13.26
X _____
(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

K 803302

Name -

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

Address

118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Rx

Dr: DEVENY SANDRA 2014-08-12

Pat#: 1000551 HALL ROBERT T Rxd: 803302

PROPRANOLOL 40 MG TABS (HERITAGE) NDC: 23155011
TAKE 1 TABLET ORALLY TWICE DAILY.

Qty: 200 Refill: 5 BEFORE 2015-08-12

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING

THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: *PK*

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE ID. FOR CONTROLLED SUBSTANCES

Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803302 2014-08-12
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 200 PROPRANOLOL 40 MG TABS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 6.56

X

(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL
118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Rx 803238

N:

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
A. 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr: DEVENY SANDRA 2014-06-04

I-Pat#: 1000551 HALL ROBERT T Rx#: 803238

DREA (Metrol - Nutritional Supp) (MATROL) NDC: 474
TAKE AS DIRECTED

Age

LIB ☐

Qty: 50 Refill: 0 BEFORE 2015-06-04

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

APH: 

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No.

Physician State Reg. No.

PHARMACY PLEASE REQUEST POSITIVE ID. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-6222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803238 2014-06-04
HALL ROBERT T
26 TWYLA CT WINNEMUCCA NV 89445

Qty: 50 DHEA (Natrol - Nutritional Supp)
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 7.38

X

(Signature)  PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Nearest HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Add Dr: DEVENY SANDRA 2014-03-14

Pat#: 1000551 HALL ROBERT T Rx#: 803143

Rx GALIS 5 MG TABS (LILLY) NDC: 00002446230
TAKE AS DIRECTED

Age _____

☐ 3

Qty: 30 Refill: 5 BEFORE 2015-03-14

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING

THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED. RPH: _____

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

74 803143

HUMBOLDT GENERAL HOSPITAL PH: 775-523-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803143 2014-03-14
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 30 CIALIS 5 MG TABS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 110.02

X

(Signature)  PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Name HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

Address: 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr. DEVENY SANDRA 2015-09-24

Pres: 1000551 HALL ROBERT T Rpt: 803754

Rx FOLIS 5 MG TABS (LILLY) NDC: 00002446230
TAKE AS DIRECTED

Qty: 30 Refill: 5 BEFORE 2016-09-23

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: *[Signature]*

Dr. *[Signature]*

SUBSTITUTION PERMISSABLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwritten "DISPENSE AS WRITTEN" where indicated.

Rx 80257534

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803754 2015-09-24
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 30 CIALIS 5 MG TABS
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 110.02

X 
(Signature) PAYABLE DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
Nan 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Dr: DEVENY SANDRA 2016-02-08
Add Pat: 1000551 HALL ROBERT T Ref: 803971
DHEA (Metrol - Nutritional Supp) (RECALL SUN) NDC:
TAKE AS DIRECTED

Age _____

3 ☐

Qty: 60 Refill: 5 BEFORE 2017-02-07
CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.
CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR
WHOM IT WAS PRESCRIBED. RPH: *AK*

2.8.16

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

Rx 803971

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803971 2015-02-08
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 60 DHEA (Natrol-Nutritional Supp)

FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please check box. Total Price: 8.9

X

(Signature)  PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUGCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Name HUMBOLDT GENERAL HOSPITAL, PH: 775-623-5222

118 EAST HASKELL ST WINNEMUGCA NV 89445-3247

Address Dr. DEVENY SANDRA 2014-07-02

Post: 1000551 HALL ROBERT T Rx#: 803273

MAGIN (B3) ER 500 MG TBQR (MAJOR) NDC: 0090443

Rx RE TAKE AS DIRECTED

Qty: 50 Refill: 5 BEFORE 2015-07-02

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: FR

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES

Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

R 803273

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803273 2014-07-02
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 60 NIACIN (B3) ER 500 MG TBCR
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 5.69

X
(Signature)  CASH/ROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

805328
PX

1991

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

DR: DEVENY SANDRA 2014-09-08

Page: 1000551 HALL, ROBERT T Fax#: 803324

DHEA (Natro1 - Nutritional Supp) (NATROL) NDC: 474
TAKE AS DIRECTED

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPB: ✓
Dr. _____

D.

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwritten "DISPENSE AS WRITTEN" where indicated.

Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803324 2014-09-08
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 60 DHEA (Netrol - Nutritional Supp)

FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 8.46

X

(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 623-8559

R 803240

Name **HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222**

ge _____

Addr **118 EAST HASKELL ST WINNEMUCCA NV 89445-3247**

Dr: DEVENY SANDRA 2014-08-04

Pat#: 1000551 HALL ROBERT T Rxf: 803240

Rx NIACIN (83) ER 500 MG TBCH (MAJOR) NDC: 0090443

TAKE AS DIRECTED

☐

QW: 120 ReNil: 0 BEFORE 2015-06-04

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING

THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE

OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED. RPH:

[Signature]

Dr. _____

SUBSTITUTION PERMISSIBLE

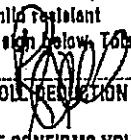
Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor MRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803240 2014-06-04
HALL ROBERT T
25 TWYLA CT WINNEMUCCA NV 89445

Qty: 120 NIACIN (83) ER 500 MG TBCR
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 9.38
X
(Signature)  PAYROLL REDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
Name 118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Dr: DEVENY SANDRA 2014-06-04

Address: P&F: 100551 HALL ROBERT T Rpt: 803239
COENZYME Q-10 200 MG CAPS (MAJOR) NDC: 00904588

Rx FTAKE AS DIRECTED

Qty: 90 Refills: 0 BEFORE 2015-06-04

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER..

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED. RPH:

Dr. _____ SUBSTITUTION PERMISSIBLE _____

Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 776-623-6222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 803239 2014-06-04
HALL ROBERT T
26 TWYLA CT WINNEMUCCA NV 89445

Qty: 90 COENZYME Q-10 200 MG CAPS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 23.6

X

(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
775/623-8559

Name: 118 EAST HASKELL ST WINNEMUCCA NV 89445-3222
Dr: DEVENY SANDRA 2017-03-08

Address: Pat#: 1000551 HALL ROBERT T Rx#: 804422
CALLS 5 MG TABS (LILLY) NDC: 00002446230

Rx TAKE AS DIRECTED

Qty: 30 Refill: 5 BEFORE 2018-03-08

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR
WHOM IT WAS PRESCRIBED.

RPH:

Dr.

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. Physician State Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

Rx 804422

HUMBOLDT GENERAL HOSPITAL PH: 775-623-6222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804422 2017-03-08
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 30 CIALIS 5 MG TABS
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 110.02
X _____
(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Rx 804436

Name HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Addn Dr: DEVENY SANDRA 2017-03-24

Pat#: 1000551 HALL ROBERT T R#8: 804436

R Aquaphor Healing Oint 41 1/4 OZ (BEIERDERMA) NDC
TAKE AS DIRECTED

ge

☐

Qty: 2 Refill: 0 BEFORE 2018-03-24

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: *[Signature]*

Dr.

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-823-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804436 2017-03-24
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 2 Aquaphor Healing Oint 41 % OIN
FEDERAL SAFETY CLOSURE INFORMATION
In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.
If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 14.31
X _____
(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 623-8559

Name - HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222

118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Address Dr: DEVENY SANDRA 2016-08-04

Pat#: 1000551 HALL ROBERT T Rxd: 804182

Rx R/L-Arginine MAX Sbg 1000 MG TAB (21ST CENTU) NDC
TAKE AS DIRECTED

Qty: 100 Refills: 5 BEFORE 2017-08-04

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING

THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE

OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED. RPH: *[Signature]*

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician STATE Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE ID. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

R 804182

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804182 2016-08-04
HALL, ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 100 L-Arginine MAX Stg 1000 MG TAB

FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 9.31

X
(Signature) PAUL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

R/804193

Name

Address

Rx RE

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
DR: DEVENY SANDRA 2016-08-17
PAB: 1000551 HALL ROBERT T R# 804193
OSTED BI-Flex+LOXIN TABS (REXALL SUN) NDC: 30
TAKE AS DIRECTED

Qty: 120 Refill: 0 BEFORE 2017-08-17
CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.
CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: R/

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804193 2016-08-17
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 120 OSTEOD 81-Flex + LOXIN TABS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 25.04

X

(Signature) PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Name _____

Address _____

Rx REFILL TAKE AS DIRECTED

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445 - 3247
DR: DEVENY SANDRA 2015-05-27

Pate: 100051 HALL ROBERT T Rxd: 804110

OSTED BI - Flex + LOXIN TABS (RECALL SUN) NDC: 30

Qty: 120 Refill: 0 BEFORE 2017-05-27

CAUTION: DO NOT USE ALCOHOL OR
NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: 12

Dr. _____

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No. _____

Physician State Reg. No. _____

PHARMACY PLEASE REQUEST POSITIVE ID FOR CONTROLLED SUBSTANCES
Doctor NRS requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804110 2016-05-27
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 120 OSTEO BI-Flex + LOXIN TABS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant 'Safety Cap' unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 25.04
X

(Signature)  PAYROLL DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.

HUMBOLDT GENERAL HOSPITAL

118 East Haskell Street
WINNEMUCCA, NEVADA 89445
(775) 623-5222 Rx Fax (775) 625-8559

Name

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247

Address

Dr: DEVENY SANDRA 2016-05-27

Pat#: 1000551 HALL ROBERT T Rdx#: 804109

Rx RI COENZYM E Q-10 200 MG CAPS (MAJOR) NDC: 00904588
TAKE AS DIRECTED

Qty: 90 Refills: 5 BEFORE 2017-05-27

CAUTION: DO NOT USE ALCOHOL OR

NONPRESCRIBED DRUGS WITHOUT CONSULTING
THE PRESCRIBING PRACTITIONER.

CAUTION: FEDERAL LAW PROHIBITS THE USE
OF THIS DRUG BY ANYONE OTHER THAN FOR

WHOM IT WAS PRESCRIBED.

RPH: *SA*

Dr.

SUBSTITUTION PERMISSIBLE

Physician DEA Reg. No.

Physician STATE Reg. No.

PHARMACY PLEASE REQUEST POSITIVE I.D. FOR CONTROLLED SUBSTANCES
Doctor NDCs requires you to handwrite "DISPENSE AS WRITTEN" where indicated.

R 804109

HUMBOLDT GENERAL HOSPITAL PH: 775-623-5222
118 EAST HASKELL ST WINNEMUCCA NV 89445-3247
Rx#: 804109 2016-05-27
HALL ROBERT T
40 JULIE CT WINNEMUCCA NV 89445

Qty: 90 COENZYME Q-10 200 MG CAPS
FEDERAL SAFETY CLOSURE INFORMATION

In order to reduce danger to children,
federal law requires that this
prescription be furnished with a child
resistant "Safety Cap" unless the

patient or doctor requests otherwise.

If you do not wish to receive your
medication in a child resistant
container, please sign below. Total Price: 18.65
X

(Signature) *Robert T. Hall*
PAYABLE DEDUCTION

YOUR SIGNATURE CONFIRMS YOU HAVE BEEN
OFFERED COUNSELING BY THE PHARMACIST.



NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Parkway – Suite 206 • Reno, NV 89521

(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444

• Web Page: bop.nv.gov

November 4, 2020

VIA CERTIFIED U.S. MAIL

Gerald Sargent
American Buffalo Xpress
630 Lander Street
Reno, NV 89509

Re: CEASE and DESIST/CITATION: Unlicensed Activity in Nevada (Case No. 20-226-N)

Dear Mr. Sargent:

The Nevada State Board of Pharmacy (Board) has determined that American Buffalo Xpress is engaged in the business of receiving, storing and delivering prescription drugs for Walmart in this State without a license to engage in business as an authorized warehouse. This constitutes a violation of Nevada law, including, without limitation, NRS 639.100, NRS 639.233 and NAC 639.631-.644.

American Buffalo Xpress is hereby ordered pursuant to NRS 639.2895(1) to CEASE and DESIST from engaging in the business of receiving, storing and delivering prescription drugs and goods for Walmart in this State. This notice shall serve as a CITATION pursuant to NRS 639.2895(2) for unlicensed activity. The Board has assessed an administrative fine of five thousand dollars (\$5,000.00) pursuant to NRS 639.2895(3).

American Buffalo Xpress must pay this administrative fine within 30 days of receipt of this citation, or otherwise contact Board staff to request an alternative payment plan. Payment must be by *cashier's check, certified check or money order* made payable to "State of Nevada, Office of the Treasurer," to be received at the Board's Reno office, located at 985 Damonte Ranch Parkway – Suite 206, Reno, NV 89521.

American Buffalo Xpress has the right to appeal this citation by submitting a written request for a hearing to the Board at the Board's Reno office no later than 30 days after receipt of this notice. See NRS 639.2895(2).

Please be aware that the forgoing does not preclude a formal investigation or the filing of criminal charges. If you have any questions, please do not hesitate to contact me at 775-850-1440 or bkandt@pharmacy.nv.gov.

Regards,

Brett Kandt
General Counsel
Nevada State Board of Pharmacy

Statement of Gerald D. Sargent

My name is Gerald D. Sargent and I own and Operate American Buffalo Xpress, a Courier business. I have owned and operated this business for approximately three (3) years. I have been in the warehousing and logistics industry for approximately 25 years. As a result of my current business I am responsible for securing couriers to transport goods from California to Nevada, including but not limited to, mail for DHL Express, and prescription drugs for Walmart Pharmacies.

On my staff, I have couriers who travel to Sacramento, CA and pick up prescription drugs from a Unity Courier Service warehouse for delivery to Walmart Pharmacies in the Reno, Sparks, Gardnerville, and Carson City areas in Nevada. These courier services between California and Nevada usually occur late in the evening and/or early morning hours. After the drugs are received in Nevada they are temporarily stored at a storage unit under my control in Sparks, NV. I currently use storage unit #218, located at Security Self Storage, 355 E. Greg St., Sparks, NV.

On 10/28/2020, I spoke with Investigator Monica S. Segedy with The Nevada State Board of Pharmacy (NBOP). I advised investigator Segedy that I did in fact have a storage unit at Security Self Storage, 355 E. Greg St., Sparks, NV and that I was operating a courier service in which prescription drugs were being delivered for Unity Courier Services out of Sacramento, CA, to Walmart Pharmacies in the Reno/Sparks/Carson City area. Investigator Segedy informed me that the NBOP had received information that prescription drugs were being stored improperly overnight by my business, prior to distribution to Walmart Pharmacies. I agreed to meet investigator at my storage facility on 10/28/2020 at 11:30 a.m. to inspect the contents of my storage unit.

Upon investigator Segedy's arrival, I was meeting with my courier "Manuel" who was preparing a shipment of prescription drugs to Walmart in North Carson City, and Gardnerville NV. Investigator Segedy asked to look at the items prepared for delivery which were located in "Manuel's" vehicle. I allowed her to do so, and to photograph copies of the invoices for the items being prepared for delivery.

Exhibit A

The following is an accurate representation of the invoices documenting cartons of pharmaceuticals to be delivered, or recently delivered on 10/28/2020:

1. 2 cartons of prescription drugs for Walmart Pharmacy #05864, Garnerville, NV, received on 10/27/2020 at 9:35 a.m. and prepared for delivery on 10/28/2020 at 11:30 a.m.
2. 2 cartons of prescription drugs for Walmart Pharmacy #03408, Market St., Carson City, NV & 4 Cartons of prescription drugs for Walmart Pharmacy #03729, Pyramid Lake Rd., Sparks, NV, received on 10/27/2020 at 9:35 a.m. and prepared for delivery on 10/28/2020 at 11:30 a.m.
3. 3 cartons of prescription drugs for Walmart Pharmacy #03277 Damonte Ranch, Reno, NV received on 10/27/2020 at 9:35 a.m. and delivered on 10/28/2020 at approximately 10:00 a.m.
4. 3 cartons of prescription drugs for Walmart Pharmacy #02189, Kietzke Ln., Reno, NV received on 10/27/2020 at 9:35 a.m. and delivered on 10/28/2020 time not documented.

Each of these cartons were picked up in Sacramento, CA on 10/28/2020 at approximately 9:35 a.m., and stored overnight at 355 E. Greg St., Sparks, NV, in unit #218, until delivery the following day, 10/28/2020, @ approx. 11:00 a.m.

I am not aware of the contents of the cartons, other than they are non-controlled pharmaceuticals to be delivered to Walmart.

I am retiring from this business in four (4) days, and I have recently sold American Buffalo Xpress to my son.

I hereby state that the above statement, as written by investigator Segedy, is a true and accurate representation of the facts.

Signed: _____

Gerald D. Sargent

Witnessed By: _____

Monica S. Segedy, Investigator NBOP

Date: 10/28/2020 @ 3:00 pm

JUNE 4, 2021

RE: American Buffalo Xpress



I am requesting a hearing because I disagree with the final agency determination mailed on May 10, 2021.

CASE # 20-226-N
GERALD SARGENT

August 26, 2021

█████ Rogue Wave St
Las Vegas, NV 89138

To: Nevada State Board of Pharmacy

Dear Sir or Madam:

I am writing this letter in regards to my application for a pharmacy license in the state of Nevada. This is regarding my report of a past conviction in my application. I had a conviction for Conspiracy to commit money laundering in August 2008 as a result of a plea bargaining with the government. I have included the paperwork and the communication with the Nevada State Board of Nursing (BON) showing the circumstances of the conviction. Also included as follows is the letter stating why I pleaded guilty to the conviction. Please take time to read the circumstances why this happened and why I agreed to the plea agreement. Since this happened in 2007 - 2008, I decided to show all the communication I have submitted with the State Board of Nursing to relay everything that happened at that time.

After my self report to the State Board of Nursing, I had a hearing where the BON decided to accept my application as a Registered Nurse despite my conviction with my license intact with no record of discipline or suspension. Since then, I have had no record of any disciplinary action to my license. I have been working in healthcare and have shown my dedication to taking care of my patients, my commitment to patient advocacy, and making sure that all my patient's healthcare needs are met. I have worked in Skilled Nursing Facilities and the Acute Psychiatric hospital. I have grown from a medication or staff nurse to a charge nurse, Unit Manager, Assistant Director of Nursing and Director of Nursing.

I humbly beg the Board for consideration for my application of a pharmacy license. As I have declared before the Nevada State Board of Nursing, I was in an unfortunate position in this case. Since then, I have been estranged with my husband who passed his legal troubles to me when he became a fugitive from the government. He sadly passed away eight years ago. I have been a single mother and have raised both my two daughters while employed as Registered Nurse since this incident in 2007. I am a good Nurse and now embarking on a new role as a Nurse Practitioner. I have dedicated my life to being a good clinician and look forward to getting my pharmacy license so I can further serve my patients and their needs.

Thank you very much and I appreciate your consideration.

Sincerely,



Ma Celestina L. Aguilar APRN

Date: August 28, 2008

██████ Mocomito Avenue
Las Vegas, NV 89113

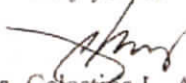
To: Nevada State Board of Nursing

Dear Sir or Madam:

I am writing this letter in regards to my nursing license. I have been instructed by the Nursing Board to put into writing the fact that I have a recent conviction. A detail of the conviction follows. My employer, Manor Health Care Center is aware of this and is waiting for the investigation of the Nursing Board in this case. I am self-reporting this to the Nursing board since I am aware that this is my responsibility as a nurse. I hope for the kind consideration of the Nursing board in my case. Due to unfortunate circumstances, I have been implicated in this case and the conviction is the result of a plea agreement with the government.

Please contact me if you have any questions regarding this case. I have included in the following pages a copy of the judgment. I have also included a self report which I have accomplished which I am not sure if needed with my case. You can contact me on my phone # ██████████

Sincerely yours,


Ma. Celestina L. Aguilar, R.N.
Lic # RN50437

September 20, 2008

Nevada State Board of Nursing
2500

RE: Self report on recent conviction

In regards to my recent conviction which is outlined in the sentence attached, I was convicted in the state of Nevada with Conspiracy to commit money laundering. This was the result of a plea bargaining agreement where I pleaded guilty to the lesser count of the superseding indictment

It has been very unfortunate that I got involved in this case. My husband, which I am estranged at the moment, was the one who was directly involved in this case. As outlined in the complaint, I was asked by my husband to pick up some funds from his business associate here in Nevada. He was currently out of the country at that time and I did not know what the business deal was all about. Since my husband is a real-estate broker and deals with huge amounts of money all the time, I did not find it unusual that his business associate will be paying him. He had informed me that this funds were to purchase real estate property overseas and that his client was a lawyer and an associate and family friend of his father. Being a dutiful wife, I followed what he told me. It is in our culture as a Filipina wife to follow and obey our husbands. I blindly got involved in this case without fully realizing what the deal was.

After a few months of that meeting (February 2007), an arrest warrant was served to both me and my husband and we were charged with Money laundering. The deal was part of a sting operation designed to capture the illegal activities of my husband's business associates. The target was the business associate of my husband and her partners. It was unfortunate that they misled my husband into receiving the money without telling him the real purpose of their deal with the people they were involved in. Since I was present when the funds were transferred to my husband, I was also indicted. My husband was not arrested at that time and has been since then a fugitive and has not returned to the United States.

Since February of 2007, I have been released on a personal recognizance bond. There has been numerous hearings and court appearances. The government has not been able to compile their facts and has not been ready to try the case. The government has incomplete evidence and up to this date are still trying to get adequate information and evidence to start the trial. My other co-defendants who were arrested and in jail entered into a plea agreement with the government since they have been incarcerated for almost one and a half years. At the advise of my lawyer, I went into a plea agreement where I was compelled to plea guilty to lesser count of the superseding indictment.

Numerous reasons were behind my decision to plea guilty to the lesser count of Conspiracy to commit money laundering. This case has been ongoing since early 2007.

and one year and a half had passed since the arrest and the emotional turmoil and stress it has brought to me and my family has been too much hardship for me. I am also a single working mother with two children and I can not risk myself going into trial with the possibility that I will be incarcerated if I lost the case. I have two children who depend on me and nobody to leave them with in case something happens to me. My husband has left the country and I am the sole breadwinner. I have also depleted my savings and will not be able to afford a lengthy trial

This had been a great burden for me knowing that I might jeopardize my career with consenting to the plea agreement. My lawyer, however, have advised me to accept the plea agreement since the government has assured me that if I agree to the lesser count of the superseding indictment, I will not have any jail time and will continue to be with my family. He also explained to me, if I lose in the trial, I will be forced to accept whatever sentence they give to me even if I will be found guilty to the lesser count of conspiracy to commit money laundering

I therefore beg the board to give me a just consideration in this case. I may have plead guilty to this conviction due to a plea bargaining agreement but I can honestly declare to the board that I am not involved in the business of money laundering nor in the planning thereof. I sincerely hope for your considerate understanding of my case and would like to have a chance to prove to the board my sincerity. I am a good nurse and I am diligent in my job and would like to continue serving my patients and give them the utmost care

Thank you very much.

SELF REPORT

Practice

NAME: (Print) Ma. Celestina L. Aguilar

DATE: 8/29/08

ADDRESS: [REDACTED] Mesquite Avenue

PHONE: [REDACTED]

Las Vegas, NV 89113

ADDRESS CHANGE ☐

PHONE CHANGE ☐

EACH QUESTION MUST BE ANSWERED

CURRENT JOB DUTIES/RESPONSIBILITIES: Unit Manager for 3100 Hall -
Alzheimer's Unit in Manor Health Care Center

INDICATE AND EXPLAIN IF YOU HAVE RESIGNED YOUR EMPLOYMENT, HAD YOUR EMPLOYMENT TERMINATED OR HAD ANY EMPLOYMENT RELATED

COUNSELING/DISCIPLINE SINCE YOUR LAST REPORT: I am currently employed
in MACE pending results of investigation from the board of
Nursing & Fingerprinting reports

DESCRIBE YOUR ABILITY TO HANDLE STRESS, CONFLICT AND PRACTICE NURSING

SAFELY: (Give examples of situations and behaviors) I have worked in a rehabilitation
hospital for 3 years and have good rapport with my patients, longstanding
understanding & patience w/ regards to my patients & their relatives. I am well-
organized with my work & can handle medical emergencies & handle stressful situations w/
CURRENT MENTAL & PHYSICAL HEALTH ease & good judgment.

I am physically, mentally & emotionally fit to handle my work especially as a
unit manager & in my employment - as a charge nurse.

OTHER INFORMATION YOU WISH TO SHARE: Although I am self-reporting that I have
a recent conviction, I was compelled to go into a plea agreement with the government
& had to plea guilty to the least count/conviction because of several reasons.

SIGNATURE: [Signature]

NEVADA STATE BOARD OF NURSING
5011 MEADOWOOD MALL WAY, SUITE 300
RENO, NV 89502
FAX: (775) 687-7729
PHONE 1-775-687-7723

Nevada State Board of
NURSING

September 11, 2008

NOTICE OF COMPLAINT/
INVESTIGATION

Ma Celestina Aguilar
[REDACTED] Mocerito Ave
Las Vegas, NV 89113

Re: Complaint opened based on your self-report.

Dear Ms. Aguilar:

The Nevada State Board of Nursing received your letter identifying recent conviction in the United States District Court for conspiracy to commit money laundering.

The Board request that you submit a detailed written response outlining the circumstances of the conviction, copy of the arrest/police report, a letter of reference and re-submit fingerprints to the Board within two weeks of receipt of this letter.

Should these allegations be substantiated, you may have violated the following statutes and/or regulations of the Nevada Nurse Practice Act including but not limited to, NRS 632.320 (7) unprofessional conduct, and/or (2) criminal conviction.

Pursuant to NRS 233B.127(3) this letter is to notify you of receipt of the allegations. The Board will conduct an independent investigation to determine if there has been a violation of the Nurse Practice Act. Due to the potential for possible action against your license/certificate in Nevada, please be aware that you have the right to consult with an attorney before you make any response to the allegations, or at any time during the course of an investigation. However, it is not mandatory that you have an attorney represent you in any matters before the Board. Disciplinary action against you can and may affect a license/certificate issued by the Nevada State Board of Nursing or any other state. In the event that there is formal disciplinary action taken by the Board, you may be charged for all financial costs related to investigation, settlement, and/or formal hearing of the complaint pursuant to NRS 632.325.(1)(c).

Nevada State Board of
NURSING

April 28, 2009

Ma Celestina Aguilar
[REDACTED] Mocomito Ave
Las Vegas, NV 89113

Dear Ms. Aguilar:

Pursuant to Chapter 632 of the Nevada Revised Statutes and the Nevada Administrative Code, the Nevada State Board of Nursing (Board) hereby notifies you that your name has been placed on the Board's agenda for the purpose of acceptance, denial or other action regarding your renewal application for licensure.

Pursuant to NRS 241.033 (2)(b), the Nevada State Board of Nursing may, without further notice, take administrative action against your license to practice in the state of Nevada if the Board determines that such administrative action is warranted after considering your character, alleged misconduct, professional competence, or physical or mental health.

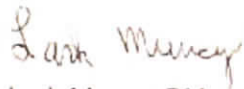
The Board will review your application, the results of your criminal background check, and your self report to determine if there is a violation of NRS 632.320, which is grounds for denial of licensure or disciplinary action. Should the Board choose to grant you licensure you may be subject to disciplinary action. As such, you are specifically informed that you have the right to appear either personally or through counsel of your choice. You have the right to respond and to present relevant evidence and argument on all issues involved.

If the Board denies your application, the action will become part of your permanent record, be published with the list of actions the Board has taken and reported to any national repository which records action taken against licensees or holders of certificates and/or any agency of another state which regulates the practice of nursing and may be used in any subsequent hearings by the Board.

The hearing of your application will be held on May 13, 2009 at the Tuscany Suites, 255 East Flamingo Road, Las Vegas, Nevada, and will commence at 1:00 p.m. or as soon thereafter. Per your telephone conversation on April 28, 2009, you have agreed to waive your right to a 30-day notice in order to place your renewal application on this agenda. Your application will be presented to the Board along with several other matters; the Board will hear all matters and hearings will continue from day to day until the Board hears each matter.

Sincerely,

NEVADA STATE BOARD OF NURSING

A handwritten signature in cursive script that reads "Lark Muncy".

Lark Muncy, RN
Investigator

Nevada State Board of
NURSING

April 28, 2009

Ma Celestina Aguilar
[REDACTED] Mocomito Ave
Las Vegas, NV 89113

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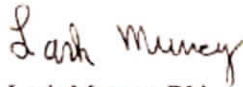
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Sincerely,

NEVADA STATE BOARD OF NURSING

A handwritten signature in cursive script that reads "Lark Muncy".

Lark Muncy, RN
Investigator

Nevada State Board of
NURSING

May 18, 2009

Ma Celestina Aguilar
[REDACTED] Mocomito Ave
Las Vegas, NV 89113

Dear Ms. Aguilar:

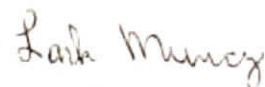
The Nevada State Board of Nursing at its May 13, 2009 meeting accepted your renewal application for licensure as Registered Nurse, with the stipulation that you complete a Board approved legal ethics in nursing class within six months. The Board also ordered that you refrain from any involvement with real estate.

Pre-approval of the course must be obtained to meet the educational requirement of your Board order. To obtain pre-approval, a copy of the course description, and/or outline must be submitted to this office. You will be contacted regarding approval or denial of the course you have selected. This office must receive documentation of your successful completion of the educational requirement no later than November 13, 2009.

Your renewal application will continue to be processed as usual. To access your most current licensure information, please refer to our web site www.nursingboard.state.nv.us under License Verification. This information is updated daily, Monday through Friday.

Thank you for your patience and cooperation in this matter. If you have any questions please do not hesitate to contact me in writing, or by telephone at 888-590-6726.

Sincerely,
NEVADA STATE BOARD OF NURSING



Lark Muncy, R.N.
Investigator

Nevada State Board of
NURSING

November 12, 2009

Ma Celestina Aguilar
[REDACTED] Mocomito Ave
Las Vegas, NV 89113

Dear Ms. Aguilar:

This office has received documentation of your successful completion of the course Nurses Legal Advisor to meet the educational requirements that the Board of Nursing ordered you complete at the May 13, 2009 Board meeting. Completion of that course places you in compliance with that Order.

Congratulations and thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact this office in writing, or by telephone at 888-590-6726.

Sincerely,
NEVADA STATE BOARD OF NURSING



Linda Aure, RN
Investigator

April 14, 2020

Dear Sir/Madam,

This Letter of Recommendation is written for MARIA CELESTINA L. AGUILAR APRN

I am a Practicing Physician with Platinum Hospitalists Physicians Group and I have had the opportunity to get to know and work with Ms Aguilar from 2017-2019 while I was rounding and managing my patients in Welbrook Centennial Hills Transitional Care where she was, at that time, the Director of Nursing services

Ms. Aguilar served brilliantly as the Director of Nursing for the Skilled Rehabilitation Facility. She managed the 45 bed facility by involving herself and giving special attention to all aspects of the patients' stay from nursing care, medication management, case management and discharge planning among others. She advocated for her patients and made sure that they received excellent medical care and that they were satisfied with the services provided by the facility

Her patient assessment skills and clinical judgement were always on point which provided considerable help to me and other physicians in managing patients' individualized needs and clinical problems. Not only has she shown dedication to her work, moreover she has exhibited great concern towards her patients' welfare which is an indispensable quality as a clinician

I highly recommend Ms. Aguilar to your medical institution without reservations

Thank you for your time

Sincerely yours,



Robert Paulino, MD

Medical Attending

Platinum Hospitalists, Las Vegas, NV

rpaulino@platinumhospitalists.com

Royal Springs Healthcare and Rehab

To whom it may concern

This letter is in reference to Ma Celestina L. Aguilar, RN BSN. I had the privilege of working with Ms. Aguilar in Royal Springs Healthcare and Rehab. She was working as a Unit Manager/ Case Manager of the Alzheimer's unit and was later on our Assistant Director of Nursing (ADON).

She is responsible, dependable and committed to providing our residents with quality of care. She is a keen observer, earnest learner and a dedicated worker, qualities that I consider indispensable as a registered nurse in the medical field. She did case management of all new admissions together with physical and safety assessment, discharge planning and monitoring of patient's condition while admitted in the unit. As the Unit Manager/ Case Manager of the secured Dementia unit, she did psych and behavioral monitoring of residents and with the collaboration of the in-house physician was able to reduce the use of psychotropic medication and decrease incidents and accidents. Ms. Aguilar coordinated care of the patients under her which included formulating care plans, communicating with the physician and developing systems to improve patient's outcome. Noteworthy also is her good rapport with her patients and their families.

I highly recommend Ms. Aguilar to be a part of your institution knowing that she will be an asset to your company.

Sincerely,


Carol Ong, RN BSN
Director of MDS
Royal Springs Healthcare and Rehab



To Whom It May Concern:

This letter of recommendation is for Ma. Celestina L. Aguilar, RN. In her position as Assistant Director of Nursing (ADON) for our Las Vegas skilled nursing facility, Royal Springs Healthcare and Rehab, Inc. Ms. Aguilar has been continuously employed from 2008 to February 2014, and has maintained an impeccable reputation for compassionate patient care.

Ms. Aguilar has been an exemplary part of our management team. In addition to being ADON for a nursing staff of 190, Ms. Aguilar simultaneously ran a 75-bed Alzheimer's/dementia unit and was the Infection Control Officer for the entire patient population of 225. During Ms. Aguilar's tenure over the Alzheimer's/dementia unit, the systems and processes that she implemented led to a reduction of psychotropic medication utilization without any significant patient injuries due to falls or other negative outcomes. During her tenure as Infection Control Officer, there was a significant decrease in nosocomial infections and her constant monitoring virtually eliminated any observable trends relating to patient infections.

Ms. Aguilar was always available to her patients and their families, and was a critical part of the facility's inter-disciplinary team. She was able to mitigate patient concerns and turn a complaint into a learning opportunity for all involved. She was often called upon by attending physicians and other medical professionals to explain complicated medical procedures and diagnoses to families when previous attempts have failed.

Ms. Aguilar should also be commended for her bedside manner and ability to establish good rapport with everyone she meets including patients, their families, and the staff. Her empathy and compassion truly make her an asset to any organization.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kyle Y. Watanabe", is written over a horizontal line.

Kyle Y. Watanabe
Business Plan Director

Ma Celestina L Aguilar, MSN RN APRN

Email: [REDACTED]

[REDACTED] Rogue Wave St, Las Vegas, NV 89138
[REDACTED]

OBJECTIVES

- ◆ To deliver excellent patient care in the field of Nursing and Healthcare.
- ◆ To provide diagnosis, evaluation, guidance and treatment within the scope of practice and experience.
- ◆ To use evidenced based practice in delivering patient care and treatment.

EDUCATION

PURDUE UNIVERSITY GLOBAL 2020
Family Nurse Practitioner Certification

ST. JUDE COLLEGE – MANILA, PHILIPPINES 2015
Masters of Science in Nursing Informatics

LAGUNA NORTHWESTERN COLLEGE – LAGUNA, PHILIPPINES
Bachelor of Science in Nursing 2002

UNIVERSITY OF SANTO TOMAS (UST) – MANILA, PHILIPPINES
Doctor of Medicine 1991
Bachelor of Science in Biology 1987

LICENSURE

Family Nurse Practitioner, AANP Board Certified 2020
Nevada Board of Nursing - Registered Nurse 2006

CLINICAL TRAINING

2019 - 2020

INTERNAL MEDICINE AND FAMILY PRACTICE PRIMARY CARE
Horizon View Medical Center (Nouhad Damaj, MD)
Southern Nevada Medical & Pediatrics Associates (Camilo Tabora, MD)

WOMENS HEALTH: OBSTETRICS & GYNECOLOGY PRIMARY CARE
Women's Health Associates of Southern Nevada (Tikva Butler, APRN)

CHILDREN & ADOLESCENT HEALTH: PEDIATRICS PRIMARY CARE
Southern Nevada Medical & Pediatrics Associates (Maria Tabora, MD)

PROFESSIONAL EXPERIENCE

PAM REHABILITATION HOSPITAL OF CENTENNIAL HILLS

Las Vegas, NV

REGISTERED NURSE / CHARGE NURSE

July 2019-present

Admits patients into the sub-acute rehabilitation hospital or Long term acute Care (LTAC) with appropriate assessment and implementation of plan of care, Performs patient rounds to monitor and evaluate the quality and appropriateness of patient care.

LIVANTA LLC

Las Vegas, NV

REVIEW COORDINATOR

Oct 2019-present

Conducts case reviews and quality assurance activities according to Medicare guidelines. Acts as the Quality Improvement Organization (QIO) neutral liaison for beneficiaries and their representatives. Collaborates with internal and external QIO staff on development and implementation of healthcare improvement projects.

WELBROOK CENTENNIAL HILLS TRANSITIONAL CARE

Las Vegas, NV

DIRECTOR OF NURSING SERVICES

Sept 2016 – May 2019

Overall management of a sub-acute rehabilitation hospital and in charge of the Nursing department. Responsible for maintaining quality of care throughout the entire facility including the educational department. Manages and trains nursing staff to ensure that nursing staff are properly certified. Creates new policies and updates existing policies to help improve the level of care for each patient. Implement quality improvement programs designed to help deliver the highest possible level of service.

KINDRED TRANSITIONAL CARE AND REHAB SPRING VALLEY

Las Vegas, NV

STAFF DEVELOPMENT COORDINATOR

Oct 2015 – Aug 2016

INFECTION CONTROL PREVENTIONIST

Orientation of all staff upon hire and education of all new hires on job positions and responsibilities. Educates all staff upon hire and thereafter on use of the electronic health record and relevant use depending on job roles. Coordinates continuing staff education according to federal and state regulations. Surveillance with tracking and trending of all in-house and community acquired infections with attention to current diagnosis, treatment and clinical response to antibiotics.

RAWSON-NEAL PSYCHIATRIC HOSPITAL

Las Vegas, NV

REGISTERED NURSE/PSYCH NURSE II

July 2014 – Feb 2016

Nursing assessment on patient's admission with progress notes, development and maintenance of a treatment plan and direct input into the multi-disciplinary treatment plan of each patient. Coordinates patient care and program activities of the units. Medication administration with behavioral monitoring and education for admitted patients. Responsible for quality of patient care and therapeutic milieu on the unit. Supervision of other nursing staff.

ROYAL SPRINGS HEALTHCARE AND REHAB

Las Vegas, NV

ASSISTANT DIRECTOR OF NURSING

August 2008 – Feb 2014

Supervises clinical operations of the facility to ensure efficient quality of care. Monitors in-patients conditions and works with Physicians and Nurse practitioners. Implements new programs and does quality assurance and performance improvement. Performs chart reviews on admitted and discharged patients to meet quality or regulatory compliance. Supervises Nurses, CNAs and other para-medical staff to ensure quality compliance.

MEMBERSHIP/ AFFILIATIONS

Member, NADONA

June 2013 – present

National Association of Directors of Nursing Administration/Long Term Care

Member, NADONA Las Vegas, Nevada Chapter

June 2013-present

National Association of Directors of Nursing Administration/Long Term Care
Las Vegas, Nevada Chapter

MEMBER, APIC

December 2013 - present

Association for Professionals in Infection Control and Epidemiology

OTHER SKILLS

Proficient in computer systems and programs

MS Word, Excel, Powerpoint, Outlook, EHR

Electronic Health Records

Point Click Care (PCC), Point of Care (POC) - Superuser
Avatar, Medhost, Wellsky - User

Languages

English and Filipino/Tagalog – fluent
Spanish - Beginner

Kristopher Mangosing

From: Todd Davis <tdavis@patientschoicemedical.com>
Sent: Thursday, August 26, 2021 9:47 AM
To: Kristopher Mangosing
Cc: Kenneth C. Scheuber
Subject: Patients Choice NV LLC --- Our MDEG Name Adjustment --- Case 21-091-S
Attachments: State of Nevada Certification of authority.pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Kris,

Good Morning!

On our application in the current board book for the upcoming September 2nd meeting - it came to our attentions that our application shows our MDEG Name as "**Patients Choice, LLC**" - during our discovery in NV we found another company with our same company name.... So as you see attached the MDEG name should be "**Patients Choice NV LLC**"

In speaking with Shirley and Ken we are writing this email to see if we can get this updated in time or I will mention it to the board at the Sept. 2nd meeting...

Thanks for you help!

Todd Davis
Patients Choice
tdavis@patientschoicemedical.com
Direct: 847-242-8854

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STATE OF NEVADA CERTIFICATE OF AUTHORITY
DEPARTMENT OF TAXATION

Taxpayer ID: 1010549081-001
Correspondence ID: 2100014231259
Date: 06/09/2021

PATIENTS CHOICE NV LLC
2350 W CHEYENNE AVE STE 140
N LAS VEGAS NV 89032-7708

THIS PERMIT:
IS NOT TRANSFERABLE TO ANY OTHER PERSON.
IS VOID IF ALTERED.
IS NOT ISSUED IN LIEU OF ANY LOCALLY
REQUIRED BUSINESS LICENSE, PERMIT OR
REGISTRATION.

Is authorized to collect Nevada sales tax at the following location.

Permit Location:
PATIENTS CHOICE NV LLC
2350 W CHEYENNE AVE STE 140
N LAS VEGAS NV 89032-7708

MUST BE DISPLAYED IN PUBLIC VIEW AT PERMIT LOCATION

(Detach Here)

Attached is your Nevada Certificate of Authority.

A single number, the TID (Taxpayer Identification Number), identifies a taxpayer for MOST tax types. Please use your TID and LOC (Location Number) on resale certificates, in correspondence or telephone calls to the Department.

Based on your estimated monthly taxable receipts as stated on the Nevada Business Registration Supplemental application, your filing frequency will be quarterly.

As stated on the application, your business start date is 07/01/2010, making your first remittance due on or before 11/01/2010.

The Department of Taxation has forms, publications and information available via internet at <https://tax.nv.gov>.

The Department of Taxation is providing businesses with the ability to view and manage their accounts via the internet through its interactive website, NevadaTax, located at <http://nevadatatax.nv.gov>. Businesses can file tax returns, make payments, and view financials associated with their Sales and Use Tax, Modified Business Tax accounts, as well as make payments for other tax types.

A business must first register and receive a username and password before NevadaTax will allow access to view and manage accounts. If you are already registered to use NevadaTax, this tax type will be added to your existing account.

Your business should use the following Pre-approved NevadaTax Activation Code when registering to use NevadaTax:
Pre-approved NevadaTax Activation Code: **1A1E0F03-E89F-4930-ACAC-9D7DC6DA3C90**.

The Nevada Certificate of Authority has been issued pursuant to an application duly filed and payment of prescribed fees. This Certificate of Authority is subject to the provisions of Nevada Revised Statutes 372, 374, and 377. This Certificate of Authority shall be considered valid unless canceled, suspended or revoked for good cause in accordance with Title 32.

If you have questions concerning the permit please call our Department's Call Center at (866) 962-3707

DISTRICT OFFICE LOCATIONS

CARSON CITY MAIN OFFICE 1550 College Parkway, Suite 115 Carson City, Nevada, 89706	LAS VEGAS OFFICE Grant Sawyer Office Bldg, Suite 1300 555 E. Washington Avenue Las Vegas, Nevada, 89101	HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada, 89074	RENO OFFICE 4600 Kietzke Lane Building L, Suite 235 Reno, Nevada, 89502
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August 26, 2021

VIA E-MAIL AT: BKANDT@PHARMACY.NV.GOV

Nevada State Board of Pharmacy
c/o Mr. Brett Kandt, General Counsel
985 Damonte Ranch Pkwy, Suite 206
Reno, Nevada 89521

RE: Public comment for August 31, 2021 Board Meeting

Dear Mr. Kandt:

Thank you for your recent e-mail to my colleague, Nick Meza, in which you confirmed that the Board will be considering public comment during its August 31, 2021 meeting. I am writing on behalf of my firm and numerous non-resident pharmacy clients that we represent. My partner Roger Morris intends on attending the August 31st Board meeting virtually. We respectfully request the opportunity to make a brief public comment regarding the issues herein during this meeting. We further request that a copy of this letter be disseminated to the Board for its consideration prior to or at the meeting.

Of significant concern to our clients is the Board's recent reversal of its long-standing legal interpretation of N.R.S. 639.100(1)(a), as amended by Senate Bill 408, to now require *all* individual, non-resident pharmacists employed in non-resident pharmacies dispensing into Nevada to obtain an individual pharmacist registration from the Board. Our clients—many of which are licensed in all 50 states—are alarmed by the Board's potential interpretation because it would make Nevada the *only* state in the nation that follows this interpretation. Moreover, this interpretation would have significant and far-reaching effects upon thousands of non-resident pharmacists who are otherwise duly licensed in their home states.

We appreciate this opportunity to provide comment to the Board as it evaluates a path forward on this issue. We also understand that the Board is, on August 31st, considering referring this matter to the Nevada Attorney General for a formal legal opinion on this issue. We applaud the Board for considering seeking such an opinion and urge it to formally approve this outcome. As you will note below, the nuances and complexities of constitutional law on this issue, while intricate, ultimately support the reasoned approach used by the other 49 states that licensure is *not* required for each and every pharmacist employed at a non-resident pharmacy.

This comment will first detail our understanding of the legal issue and the Board's change in position. Second, we will provide an overview (and, hopefully provide some assistance to the Attorney General) of the applicable constitutional and legal principles in play. Lastly, we conclude by asking the Board to postpone and stay its enforcement action regarding this issue until such time that the Attorney General provides clarity about the Board's constitutional obligations to avoid regulating conduct occurring out of state.

I. BACKGROUND

NRS 639.100(1)(a), as amended by Senate Bill 408, now states that it is "unlawful for any person to dispense or compound any prescription of a practitioner, unless the person holds the appropriate certificate, license or permit required by this chapter or chapter 453 or 454 of NRS." The prior version of the cited provision provided, in relevant part, that it is unlawful for any person to dispense or compound any prescription of a practitioner unless, the person "[i]s a prescribing practitioner, a person licensed to engage in wholesale distribution, a person licensed pursuant to chapter 653 of NRS under the supervision of the prescribing practitioner, a registered pharmacist, or a registered nurse certified in oncology under the supervision of the prescribing practitioner" NRS § 639.100(1)(a) (2020), amended by NRS 639.100(1)(a) (2021).

On July 22, 2021, the Board's General Counsel issued an opinion letter (the "Opinion Letter"), stating that NRS 639.100(1)(a), as amended, operates in conjunction with NRS §§ 453.371(2), 453.377(1), 454.215(1), 639.015, and 639.284(2), to require any pharmacist compounding or dispensing any prescription for a controlled substance or dangerous drug for a patient located in Nevada to be registered with the Board.

Thereafter, members of our firm discussed the contents of the Opinion Letter with you and Mr. Wuest. We learned that the Opinion Letter's issuance stemmed from concerns raised by Board members in the July 2021 Board meeting that several non-resident pharmacy license applicants had no Nevada-licensed pharmacists. In response to these concerns, the Board apparently revisited its long-standing policy of requiring licensure only for non-resident pharmacies and not for the pharmacists working at those pharmacies. During this discussion, we learned that it was the Board's position that the language in the prior version of NRS 639.100(1)(a) *already* required dispensing and compounding to occur by a Nevada license pharmacist, even for non-resident pharmacists employed by licensed non-resident pharmacies.

Importantly, however, the definition of "dispensing" does not appear to recognize an exception for pharmacies involved in shared service or central fill arrangements. Consequently, it is our understanding that pharmacists working for pharmacies participating in such arrangements that ultimately result in a prescription being dispensed into Nevada will be required to apply for a

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Nevada license as a result of the board's new policy. As you can appreciate, no other state has taken this position before.¹ As a result, there are likely several thousands of non-resident pharmacists employed across the country that will be significantly impacted by this reversal.

After issuing the Opinion Letter, the Board began notifying licensed out-of-state pharmacies of the requirements of Nevada law as reflected in the Opinion Letter. In this notice, the Board instructed pharmacists seeking a Nevada pharmacist license to file an application for licensure and include a cover letter seeking an immediate temporary pharmacist license issued pursuant to Nev. Admin. Code §639.200. The license application by reciprocity states that an applicant has "one (1) year from the date [the Board] receive[s] the application to complete the process of licensure," and the "temporary certificate of reciprocal registration of a pharmacist ...may not be effective for a period of more than 6 months after issuance." Nev. Admin. Code. § 639.200(1). We understand that the Board's COO has also sent emails to various licensees inquiring whether they have any pharmacists dispensing into Nevada.

Currently, it is our understanding that the Board accepts license reciprocity for pharmacists licensed in all states. However, as a practical matter, the Board can only accept license reciprocity from California pharmacists who have passed the NAPLEX (thus, only California pharmacists licensed after January 1, 2004 may apply for license reciprocity). In addition to paying the required application fee, all pharmacists applying for a license by reciprocity must sit for the Multistate Pharmacy Jurisprudence Examination ("MPJE") offered by National Association of Boards of Pharmacy ("NABP"), and pay the required fees to register for and take this exam. We estimate that there are several thousands of pharmacists nationally who would have to study, register, take, and pass the MPJE to obtain registration in Nevada.

Below we have prepared a brief legal background regarding the Commerce Clause and potential issues with the Board's interpretation.

¹ Based upon our research, at least 16 other states define "pharmacist" in the same way as Nevada. Yet, owing to the Commerce Clause, none of those states interpret their laws to require that *all* non-resident pharmacists employed at a licensed non-resident pharmacy must obtain licensure. Many states do not require *any* individual pharmacist to be licensed at all. A handful of states, meanwhile, require pharmacist licensure in certain limited circumstances (e.g., PIC only licensure or just *one* pharmacist licensed by the foreign state). We believe that this more limited approach of requiring single pharmacist being licensed appears to be a reasonable exercise of the State's extraterritorial authority and complies with the Commerce Clause.

II. ANALYSIS

A. Background on State Regulation of Mail Order Pharmacies

"Mail-order pharmacy transactions vary from purchases at the corner drugstore in one obvious way—they utilize the mails, or some comparable carrier, to physically deliver the pharmaceuticals to the customer." *Nat'l Pharmacies, Inc. v. Feliciano-de-Melecio*, 221 F.3d 235, 237 (1st Cir. 2000). As such, the practice of pharmacy—via mail-order or otherwise—affects interstate commerce. *Nat'l Pharmacies, Inc. v. De Melecio*, 51 F. Supp. 2d 45, 56 (D.P.R. 1999).

"It is clear that the states have broad powers to regulate and license the practice of the professions." *Nat'l Pharmacies, Inc. v. De Melecio*, 51 F. Supp. 2d 45, 54–55 (D.P.R. 1999), citing *Goldfarb v. Virginia State Bar*, 421 U.S. 773, 792, 95 S.Ct. 2004, 2015–16, 44 L.Ed.2d 572 (1975). "It is similarly clear that the states' police powers include the authority to legislate to protect the health and safety of their citizens." *Id.* citing *Maine v. Taylor*, 477 U.S. 131, 151–52, 106 S.Ct. 2440, 2454, 91 L.Ed.2d 110 (1986). "When a state legislates in an area of legitimate local concern, however, it continues to be limited by the Commerce Clause." *Id.*, citing *Minnesota v. Clover Leaf Creamery Co.*, 449 U.S. 456, 471, 101 S.Ct. 715, 727, 66 L.Ed.2d 659 (1981). This limitation applies even for state regulations regarding the health of its citizens. *Id.* citing *Taylor*, 477 U.S. at 137–152, 106 S.Ct. at 2446–54; *Dean Milk Co. v. City of Madison, Wis.*, 340 U.S. 349, 353–57, 71 S.Ct. 295, 297–99, 95 L.Ed. 329 (1951).

B. Background on the Commerce Clause

1. *Per se* invalidity of state laws discriminating against interstate commerce or favoring in-state economic interests.

The 10th Amendment of the U.S. Constitution extends to the States the power to enact regulations in the interest of the public health and welfare under the police powers doctrine. The majority of state regulations created are based upon this power. That power, however, is not unlimited. Under the federal Constitution's Commerce Clause, Congress has explicit power to "regulate Commerce . . . among the several States." U.S. Const. art. I, § 8, cl. 3. This clause also has an implied requirement (often called the "negative" or "dormant" aspect of the clause) that states not "mandate differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter." *Granholm v. Heald*, 544 U.S. 460, 472 (2005).

The purpose of the dormant Commerce Clause is not "to protect state residents from their own state taxes." *Goldberg v. Sweet*, 488 U.S. 252, 266, 109 S.Ct. 582, 102 L.Ed.2d 607 (1989). Instead, "[t]he dormant Commerce Clause protects markets and participants in markets." *General Motors Corp. v. Tracy*, 519 U.S. 278, 300, 117 S.Ct. 811, 136 L.Ed.2d 761 (1997).

The dormant Commerce Clause invalidates state measures that “unjustifiably... discriminate against or burden the interstate flow of articles of commerce.” *Oregon Waste Sys., Inc. v. Dept. of Envtl. Quality*, 511 U.S. 93, 98, 114 S.Ct. 1345, 128 L.Ed.2d 13 (1994). The term “discrimination” in the dormant Commerce Clause context means differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter. *Oregon Waste*, 511 U.S. at 99, 114 S.Ct. 1345. Statutes that are facially discriminatory are “virtually *per se* invalid.” *Id.*

Federal courts assess Dormant Commerce Clause challenges to state regulations using a “two-tiered analysis.” *Amerijet International, Inc. v. Miami-Dade County*, 627 F. App’x 744, 752 (11th Cir. 2015). The first analysis is *per se* invalidity. The court “determine[s] whether the law directly regulates or discriminates against interstate commerce, or has the effect of favoring in-state economic interests[.]” *Id.* (citing *Island Silver & Spice, Inc. v. Islamorada*, 542 F.3d 844, 846 (11th Cir. 2008) (internal quotation marks omitted)). If it does, then it is “*per se* invalid” unless it “advance[s] a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.” *Id.* (internal quotation marks omitted).

Bibb v. Navajo Freight Lines, Inc., 359 U.S. 520, 526 (1959) is instructive. In *Bibb*, the Court analyzed an Illinois law that required all commercial trucks passing through its borders to have curved mudguards on their rear wheels. 359 U.S. at 525. Other states, like Arkansas, required trucks passing through their borders to have straight mudguards. *Id.* In order for trucks passing through Illinois and Arkansas to be compliant, drivers had to change mudguards at the borders—causing significant delays in operations. *Id.* at 527. Moreover, mudguards were attached by welds, and it was dangerous to change the guards when trucks carried items like explosives. *Id.* The Court thus unanimously found the benefit to Illinois in protecting fellow motorists was too small compared to the massive burden on interstate commerce. *Id.* at 530.

In short, *per se* laws are invalid because either (1) they violate the Dormant Commerce Clause’s Extraterritoriality Doctrine, or (2) they discriminate against out-of-state competitors in favor of resident businesses. See *Bainbridge v. Turner*, 311 F.3d 1104, 1107 (11th Cir. 2002) (“In no event can the law directly regulate extraterritorially...nor can a law ever be motivated by ‘mere economic protectionism[.]’”) (quoting *Bacchus Imports, Ltd. v. Dias*, 468 U.S. 263, 270 (1984)).

2. *The Pike Balancing Test and whether the burden on interstate commerce clearly exceeds local benefits.*

If the law in question is not *per se* invalid, then the court moves to the “second tier” of its analysis. *Amerijet*, 627 F. App’x at 752. Under this tier, laws that are facially nondiscriminatory but have “mild disparate effects and potential neutral justifications” are analyzed under *Pike v. Bruce Church, Inc.*, 397 U.S. 137, 90 S. Ct. 844, 25 L. Ed. 2d 174 (1970). *Park Pet Shop, Inc. v. City of Chicago*, 872 F.3d 495, 501-02 (7th Cir. 2017). *Pike* “established a balancing test that

requires the reviewing court to weigh the burden on inter-state commerce against the nature and strength of the state or local interest at stake. *Id.* “More specifically, *Pike* holds that when a state or local statute regulates even-handedly to effectuate a legitimate local public interest, and its effects on interstate commerce are only incidental, it will be upheld unless the burden imposed on such commerce is clearly excessive in relation to the putative local benefits.” *Id.* “If a legitimate local purpose is found, then the question becomes one of degree. And the extent of the burden that will be tolerated will of course depend on the nature of the local interest involved, and on whether it could be promoted as well with a lesser impact on interstate activities.” *Id.* Under *Pike*, courts “evaluate ‘the practical effect of the statute’ in light of ‘what effect would arise if not one, but many or every, State adopted similar legislation.’” *Fla. Transp. Servs.*, 703 F.3d 1230, 1245 (11th Cir. 2012) (quoting *Healy*, 491 U.S. at 336).

Laws of one State that attempt to project its regulations into another State’s jurisdiction are similarly suspect from a constitutional perspective to the extent that they negatively impact commerce. “[T]he Commerce Clause protects against inconsistent legislation arising from the projection of one state regulatory regime into the jurisdiction of another State.” *Healy*, 491 U.S. at 337.

3. *Extraterritorial application of state laws*

The Commerce Clause also “precludes the application of a state statute to commerce that takes place wholly outside of the State’s borders, whether or not the commerce has effects within the State[.]” *Healy v. Beer Inst., Inc.*, 491 U.S. 324, 336 (1989) (plurality opinion) (quoting *Edgar v. MITE Corp.*, 457 U.S. 624, 642-43 (1982)). The Commerce Clause thus bars a state from forcing “an out-of-state merchant to seek regulatory approval in one State before undertaking a transaction in another.” *Healy*, 491 U.S. at 337. This extraterritorial limit has been so recognized because the Constitution has a “special concern both with the maintenance of a national economic union unfettered by state-imposed limitations on interstate commerce and with the autonomy of the individual States within their respective spheres.” *Id.* at 335-36. Indeed, attempts “‘to assert extraterritorial jurisdiction over persons or property . . . offend sister States and exceed the inherent limits of the State’s power.’” *MITE Corp.*, 457 U.S. at 643 (1982) (quoting *Shaffer v. Heitner*, 433 U.S. 186, 197 (1977)).

Courts have further recognized that these extraterritorial laws are invalid even if the legislature did not intend to extend the law’s application beyond the state’s borders. *TelTech Sys., Inc. v. McCollum*, No. 08-61664-CIV, 2009 WL 10626585, at *8 (S.D. Fla. July 16, 2009) (“Statutes that have the practical effect of controlling conduct beyond the boundaries of the state are ‘invalid regardless of whether the statute’s extraterritorial reach was intended by the legislature.’”) (Quoting *Healy*, 491 U.S. at 336-37); see also *Nat’l Pharmacies, Inc. v. De Melecio*, 51 F. Supp. 2d 45, 61 (D.P.R. 1999) (construing Puerto Rico’s pharmacy laws so they do not apply to non-resident pharmacies to avoid an unconstitutional burden on interstate commerce). As such, “[t]he critical inquiry is whether the *practical effect* of the regulation is to

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control *conduct* beyond the boundaries of the State.” *Id.* at 336 (citing *CTS Corp. v. Dynamics Corp. of America*, 481 U.S. 69, 88–89 (1989)) (emphasis added).

To the extent that a State’s legislation is an attempt to foist *its* regulations into other states and institute *its* judgment regarding what is otherwise in the jurisdiction of some other state regulator, then such legislation is highly suspect and is likely unconstitutional. *See MITE Corp.*, 457 U.S. at 643 (1982) (quoting *Shaffer v. Heitner*, 433 U.S. 186, 197 (1977)) *BMW of N. Am., Inc. v. Gore*, 517 U.S. 559, 571 (1996) (“But while we do not doubt that Congress has ample authority to enact such a policy for the entire Nation, it is clear that no single State could do so, or even impose its own policy choice on neighboring States.”).

When faced with such a potentially unconstitutional interpretation of a state statute, a Court will typically strike down such interpretations but permit the state to apply only to *in state* transactions. *See, e.g., Eric M. Berman, P.C. v. City of New York*, 895 F. Supp. 2d 453, 482 (E.D.N.Y. 2012) (collecting cases striking down statutes applying to transactions consummated out-of-state, but upholding statutes applying only to in-state transactions); *Quik Payday*, 549 F.3d at 1308-09 (upholding Kansas statute regulating payday loans after state conceded it only “regulates the conduct of . . . lenders who choose to make payday loans with Kansas consumers while they are in Kansas”); *Philip Morris*, 267 F.3d at 63-64 (upholding Massachusetts disclosure requirements for cigarette manufacturers applying only to tobacco products “sold in the commonwealth”); *Pharm. Research & Mfrs. of Am. v. Concannon*, 249 F.3d 66, 81-82 (1st Cir. 2001), *aff’d sub nom Pharm. Research & Mfrs. of Am. v. Walsh*, 538 U.S. 644, 123 S. Ct. 1855, 155 L. Ed. 2d 889 (2003) (rejecting facial challenge to Maine prescription-drug statute that “[did] not regulate the price of any out-of-state transaction, either by its express terms or by its inevitable effect,” but only in-state sales).

“Thus, following the line that has been established in these cases, the Court looks to where the transaction being regulated was consummated to determine whether the application of a law impermissibly regulates extraterritorial commerce.” *Berman, P.C.*, at 483. Quite simply, if the transaction is consummated out-of-state, a state may not regulate it without violating the dormant Commerce Clause. This is the case regardless of whether some other aspect of the commercial activity occurs within the state—whether it be the use of the product or service within the state, *cf. Midwest Title Loans, Inc. v. Mills*, 593 F.3d 660, 668-69 (7th Cir. 2010); *SPGGC, LLC v. Blumenthal*, 505 F.3d 183, 193-94 (2d Cir. 2007), the subsequent in-state sale of the product or service, *Pharm. Research & Mfrs. of Am. v. District of Columbia*, 406 F. Supp. 2d 56, 65 (D.C. Cir. 2005), *Motor Vehicle Mfrs. Asso. v. Abrams*, 720 F. Supp. 284, 287–88 (S.D. N.Y. 1989), prior negotiations or advertising in-state that lead to the formation of the contract out-of-state, *cf. Carolina Trucks & Equip., Inc. v. Volvo Trucks of N. Am., Inc.*, 492 F.3d 484, 491-92 (4th Cir. 2007); *Dean Foods*, 187 F.3d at 617-19, or the fact that one of the parties is a state resident, *cf. Quik Payday*, 549 F.3d at 1308-09; *Carolina Trucks*, 492 F.3d at 489-90, a domestic corporation, *cf. S.K.I. Beer Corp. v. Baltika Brewery*, 443 F. Supp. 2d 313, 319-20 (E.D. N.Y. 2006), or has significant in-state contacts, *cf. Dean Foods Co. v. Brancel*, 187 F.3d

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609 at 618-19 (7th Cir. 1999). “If the transaction at issue is consummated out-of-state, none of these in-state ‘hooks’ will permit a state to regulate the extraterritorial commerce. *Berman, P.C.*, at 483.

C. Application

There is no question that the Board can regulate conduct occurring *within* its borders. There is also no question that it can properly register non-resident pharmacies operating in other states. However, the Board’s new interpretation has problematic extraterritorial effects and imposes excessive burden under the Commerce Clause due to its treatment of individual non-resident pharmacists. The Board’s interpretation of NRS 639.100 requires *every* pharmacist working for a Nevada-licensed non-resident pharmacy that dispenses medication into the state to register for, pay for, sit for, and pass, the Nevada MPJE—in addition to paying the requisite license application fees. This is an excessive burden upon each of these individual pharmacists who must obtain licensure purely because of their employment status with a company that dispenses drugs to Nevada residents. These individual pharmacists each hold appropriate licenses in their home states and are subject to their home state’s disciplinary jurisdiction. Nevada’s attempts to regulate the conduct of these pharmacists in their home states of employment and mandate that they be licensed in Nevada is an undue burden on interstate commerce.

III. CONCLUSION

Based on the foregoing, we submit that the Board’s attempt to regulate the conduct of pharmacy occurring outside of the State of Nevada upon individuals who are already duly licensed by their “home” state would violate the Commerce Clause of the U.S. Constitution. Moreover, any attempt by the Board to enforce Nevada Revised Statute 639.100(1)(a), as amended by Senate Bill 408, via its disciplinary powers either upon non-resident pharmacies or employed non-resident pharmacists would constitute an excessive burden upon the pharmacies and pharmacists. Nevada should continue to follow its policy it has used for over 70 years—in line with what every other state in the nation does—and only require that a non-resident pharmacy (or, at the most, a single pharmacist-in-charge) obtain Nevada registration.

For the time being, we urge the Board to request and obtain a legal opinion from the Attorney General to provide it guidance with respect to this issue. We fully respect and appreciate that the Board has the exclusive and compelling right to regulate conduct occurring in Nevada. However, to the extent that a non-resident pharmacist or pharmacy uses the U.S. Mail or other carrier to send medications across state lines into Nevada, the Commerce Clause limits the lengths to which Nevada may exercise these powers.

In conclusion, we respectfully request that the Board:

(a) Approve any motion to refer the matter to the Attorney General’s Office for a legal opinion;

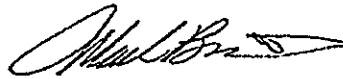
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(b) Postpone or stay any attempts at enforcing Nevada Revised Statute 639.100(1)(a), as amended by Senate Bill 408, until further clarity is obtained about the Board's legal ability to do so;

(c) Return to the Board's original interpretation that non-resident pharmacists employed at Nevada-licensed non-resident pharmacies need not obtain licensure—an interpretation that we understand has been in place for over 70 years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark W. Bina', with a stylized flourish at the end.

Mark W. Bina

SFY21 MONTHLY BUDGET REPORT
 NEVADA STATE BOARD OF PHARMACY
 CURRENT MONTH: Jun 21

REVENUES	APPROVED BUDGET	BUDGET AMENDMENTS	REVISED BUDGET	CURRENT MONTH REVENUE/EXPENSE	PRIOR MONTH(S) REVENUE/EXPENSE	PROJECTIONS THROUGH 6/30/2020	TOTAL REVENUE/EXPENSE SFY21	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	\$ 3,395	\$ 4,572,535	\$ -	\$ 4,575,930	\$ (87)
Registration Fees	\$ 687,460		\$ 687,460	\$ 90,802	\$ 790,388	\$ -	\$ 881,189	\$ 193,729
Misc. Revenue	\$ 155,000	\$ (154,000)	\$ 1,000	\$ -	\$ 580	\$ -	\$ 580	\$ (420)
Recovered Costs	\$ -	\$ 28,000	\$ 28,000	\$ 7,314	\$ 21,605	\$ -	\$ 28,919	\$ 919
CC Processing Fees	\$ -	\$ 107,500	\$ 107,500	\$ 1,991	\$ 240,651	\$ -	\$ 242,642	\$ 135,142
Paper Use Fee	\$ -	\$ -	\$ -	\$ -	\$ 40	\$ -	\$ 40	\$ 40
Change MGR RPH	\$ -	\$ 11,500	\$ 11,500	\$ 900	\$ 8,610	\$ -	\$ 9,510	\$ (1,990)
Inspections	\$ -	\$ 7,000	\$ 7,000	\$ -	\$ 825	\$ -	\$ 825	\$ (6,175)
Interest Income	\$ 30,500		\$ 30,500	\$ 484	\$ 16,299	\$ -	\$ 16,783	\$ (13,717)
Late Fees	\$ 25,000		\$ 25,000	\$ 1,440	\$ 36,365	\$ -	\$ 37,805	\$ 12,805
Total Revenues	\$ 7,608,241	\$ -	\$ 7,608,241	\$ 106,326	\$ 7,921,959	\$ -	\$ 8,028,284	\$ 420,043

EXPENSES								
Payroll	\$ 2,897,623	\$ 81,597	\$ 2,979,220	\$ 225,902	\$ 2,703,098	\$ -	\$ 2,929,000	\$ (50,220)
Operating	\$ 909,437	\$ (81,597)	\$ 827,840	\$ (22,392)	\$ 660,728	\$ -	\$ 638,336	\$ (189,504)
Equipment	\$ 30,000		\$ 30,000	\$ 16,370	\$ 12,582	\$ -	\$ 28,953	\$ (1,047)
In-State Travel	\$ 110,000		\$ 110,000	\$ 9,947	\$ 26,270	\$ -	\$ 36,217	\$ (73,783)
Out-of-State Travel	\$ 65,000		\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ (65,000)
DAG Cost	\$ 12,000		\$ 12,000	\$ 517	\$ 1,760	\$ -	\$ 2,277	\$ (9,723)
Aid for Education	\$ 2,000		\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ (2,000)
Reserve	\$ 3,582,181		\$ 3,582,181	\$ -	\$ -	\$ -	\$ 4,393,502	\$ 811,321
Total Expenses	\$ 7,608,241	\$ -	\$ 7,608,241	\$ 230,345	\$ 3,404,438	\$ -	\$ 8,028,284	\$ 420,043
Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

SFY22 MONTHLY BUDGET REPORT
 NEVADA STATE BOARD OF PHARMACY
 CURRENT MONTH: Jul 21

REVENUES	APPROVED BUDGET	BUDGET AMENDMENTS	REVISED BUDGET	CURRENT MONTH REVENUE/EXPENSE	PRIOR MONTH(S) REVENUE/EXPENSE	PROJECTIONS THROUGH 6/30/2020	TOTAL REVENUE/EXPENSE SFY21	DIFFERENCE
Beginning Balance	\$ 4,267,562	\$ 125,940	\$ 4,393,502	\$ -	\$ -	\$ -	\$ 4,393,502	\$ -
Renewal Fees	\$ 1,512,000		\$ 1,512,000	\$ -	\$ -	\$ 1,508,610	\$ 1,512,000	\$ -
Registration Fees	\$ 668,834		\$ 668,834	\$ 67,288	\$ -	\$ 601,546	\$ 668,834	\$ -
Recovered Costs	\$ -	\$ 15,000	\$ 15,000	\$ 6,487	\$ -	\$ 8,513	\$ 15,000	\$ -
CC Processing Fees	\$ -	\$ 75,000	\$ 75,000	\$ 1,002	\$ -	\$ 73,998	\$ 75,000	\$ -
Change MGR RPh	\$ -	\$ 7,500	\$ 7,500	\$ 650	\$ -	\$ 6,850	\$ 7,500	\$ -
Inspections	\$ -	\$ 750	\$ 750	\$ -	\$ -	\$ 75	\$ 750	\$ -
Interest Income	\$ 15,000		\$ 15,000	\$ 496	\$ -	\$ 5,456	\$ 5,952	\$ (9,048)
Indirect Grant Income	\$ 2,670	\$ (2,670)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Late Fees	\$ 17,530		\$ 17,530	\$ 1,595	\$ -	\$ 15,935	\$ 17,530	\$ -
Unclaimed Property Refund	\$ -	\$ 28,050	\$ 28,050	\$ -	\$ -	\$ 28,050	\$ 28,050	\$ -
Total Revenues	\$ 6,483,596	\$ 249,570	\$ 6,733,166	\$ 80,984	\$ 4,393,502	\$ 2,249,633	\$ 6,724,118	\$ (9,048)
EXPENSES								
Payroll	\$ 3,340,540		\$ 3,340,540	\$ 243,523	\$ -	\$ 3,004,997	\$ 3,248,521	\$ (22,019)
Operating	\$ 825,000		\$ 825,000	\$ 42,166	\$ -	\$ 755,661	\$ 797,727	\$ (27,273)
Equipment	\$ 30,000		\$ 30,000	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ -
In-State Travel	\$ 110,000		\$ 110,000	\$ 1,551	\$ -	\$ 108,449	\$ 110,000	\$ -
Out-of-State Travel	\$ 65,000		\$ 65,000	\$ -	\$ -	\$ 65,000	\$ 65,000	\$ -
DAG Cost	\$ 12,000		\$ 12,000	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ -
Aid for Education	\$ 2,000		\$ 2,000	\$ -	\$ -	\$ 2,000	\$ 2,000	\$ -
Reserve	\$ 2,099,056	\$ 249,570	\$ 2,348,626	\$ -	\$ -	\$ -	\$ 2,458,870	\$ 110,244
Total Expenses	\$ 6,483,596	\$ 249,570	\$ 6,733,166	\$ 287,241	\$ -	\$ 3,978,007	\$ 6,724,118	\$ (9,048)
Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -