



# Nevada State Board of Pharmacy

431 W. PLUMB LANE • RENO, NEVADA 89509  
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444  
E-mail: [pharmacy@pharmacy.nv.gov](mailto:pharmacy@pharmacy.nv.gov) • Website: [bop.nv.gov](http://bop.nv.gov)

February 15, 2018

## AMENDED AGENDA

### ◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, March 7, 2018 at 9:00 am. The meeting will continue, if necessary, on Thursday, March 8, 2018 at 9:00 am or until the Board concludes its business at the following location:

Hyatt Place  
1790 E Plumb Ln  
Reno, Nevada

#### Please Note:

**In regulating the practice of pharmacy, the Nevada State Board of Pharmacy has a duty to carry out and enforce the provisions of Nevada law to protect the health, safety and welfare of the public.**

The Nevada State Board of Pharmacy may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting;

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

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

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

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

◆ CONSENT AGENDA ◆

The Consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

1. Public Comment: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020) **(For Possible Action)**
2. Approval of January 10-11, 2018, Minutes **(For Possible Action)**
3. Applications for Out-of-State Pharmacy – Non Appearance: **(For Possible Action)**
  - A. Billet Pharmacy – Peoria, AZ
  - B. Confidential Drug – Indianapolis, IN
  - C. Dohmen Life Science Services, LLC – Chesterfield, MO
  - D. Excel Care Pharmacy – Chino, CA
  - E. GEM Edwards Pharmacy – Hudson, OH
  - F. Good Health Pharmacy – Irvine, CA
  - G. Honeybee Health – Culver City, CA
  - H. Integrated HMO Pharmacy – Omaha, NE
  - I. Lifeline Rx LLC – West New York, NJ
  - J. Medminder Systems Inc. – Needham, MA
  - K. Pet Value Mart – Concord, CA
  - L. PillPack Miami – Terr Doral, FL
  - M. Right Choice Pharmacy – Sherman Oaks, CA
  - N. RxCrossroads – Louisville, KY
  - O. Skyline Pharmacy, Inc. – New York, NY
  - P. Transcript Pharmacy – Flowood, MS
  - Q. US Pharmanet, LLC – Tomball, TX

Applications for Out-of-State Compounding Pharmacy – Non Appearance: **(For Possible Action)**

- R. Katy Pharmacy – Katy, TX
- S. Medical Home Pharmacy – Trenton, NJ
- T. Pharmacy Care Center, LLC – Miami Lakes, FL
- U. Rx One Pharmacy – Cypress, TX

Applications for Out-of-State Wholesaler – Non Appearance: **(For Possible Action)**

- V. Baxter Healthcare Corporation – Round Lake, IL
- W. Fresenius Kabi, LLC – Bensenville, IL
- X. Fresenius Kabi, LLC – Lake Zurich, IL
- Y. Galil Medical Inc. – Arden Hills, MN
- Z. Kaleo, Inc. – Richmond, VA

- AA. Kuehne + Nagel Inc. – Plainfield, IN
- BB. Masters Drug Company, Inc. – Fairfield, OH
- CC. Masters Drug Company, Inc. – Mason, OH
- DD. Masters Drug Company, Inc. – Mason, OH
- EE. OptiNose US, Inc. – Yardley, PA
- FF. Osprey Therapeutics, Inc. – Carlsbad, CA
- GG. Pharmox LLC – Kingsland, GA
- HH. Redmond and Greer Pharmacy Supply 2 – Garland, TX
- II. RxCrossroads Third Party Logistics Division – Louisville, KY
- JJ. RxCrossroads Third Party Logistics Division – Louisville, KY
- KK. Virbac AH Inc. – Kansas City, MO
- LL. WellGistics LLC – Lakeland, FL
- MM. Woodfield Distribution, LLC – Pompano Beach, FL

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

- NN. 405-86<sup>th</sup> St Pharmacy Inc. – Brooklyn, NY
- OO. ActiCare Health, Inc. – Livermore, CA
- PP. American Bracing Solutions, Inc. – Largo, FL
- QQ. Bracing Partners, Inc. – Largo, FL
- RR. Carestream Medical Ltd. – Altamonte Springs, FL
- SS. Caring for Your Pain Bracing, Inc. – Penellas Park, FL
- TT. Continuum Services LLC – Gainesville, FL
- UU. First Stop Medical Supply, Inc. – Pinellas Park, FL
- VV. Gordian Medical V, Inc. – Houston, TX
- WW. Harrisonville Home Health Equipment, Inc. – Harrisonville, MO
- XX. Heart HomeCare LLC – San Diego, CA
- YY. Matheson Tri-Gas, Inc. – Tualatin, OR
- ZZ. Medequip, Inc. – Aliso Viejo, CA
- AAA. Podimetrics Incorporated – Somerville, MA
- BBB. SD Orthotics – National City, CA
- CCC. Universal Medical Solutions – San Diego, CA

Application for Nevada Medical, Devices, Equipment and Gases – Non Appearance: **(For Possible Action)**

- DDD. Brace Yourself – Las Vegas, NV

Applications for Nevada Pharmacy – Non Appearance: **(For Possible Action)**

- EEE. Aeva Specialty Pharmacy – Las Vegas, NV
- FFF. ASPCares – Henderson, NV
- GGG. FKF group HC, LLC – Henderson, NV
- HHH. Green Valley Surgery Center LLC – Las Vegas, NV
- III. Henderson Hospital Emergency Room – Henderson, NV
- JJJ. Las Vegas Scripts Rx LLC – Henderson, NV
- KKK. Stonecreek Surgery Center, LLC – Las Vegas, NV

**◆ REGULAR AGENDA ◆**

4. Discipline: Note The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of any of the below named parties. **(For Possible Action)**

- |    |                        |                 |
|----|------------------------|-----------------|
| A. | Steven D. Devin, R.Ph  | (17-008-RPH-N)  |
| B. | Roy E. Elsner, R.Ph    | (17-092-RPH-N)  |
| C. | Pill Box               | (17-092-PH-N)   |
| D. | Michael L. Gerber, HMD | (17-015-PD-N)   |
| E. | Jose Ferran, R.Ph      | (17-039-RPH-S)  |
| F. | Ian Knickerbocker, PT  | (17-039-PT-A-S) |
| G. | Tiffany Buie, PT       | (17-039-PT-B-S) |

5. Requests for Renewal of Pharmacist License: Note: The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of any of the below named parties. **(For Possible Action)**

- A. Mimi Clayton
- B. Kristen Gorski
- C. Ireogbu Esomonu
- D. Daryl S. Wolfe

6. Request for Reinstatement of Revoked Pharmacist License: Note: The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of any of the below named parties. **(For Possible Action)**

Zachary Hansen

7. Applications for Out-of-State Compounding Pharmacy – Appearance : **(For Possible Action)**

- A. Coram CVS/specialty Infusion Services – Phoenix, AZ
- B. Coram CVS/specialty infusion service #48078 – Phoenix, AZ
- C. Coram CVS/specialty infusion service #48090 – Centennial, CO
- D. Promise Pharmacy – Palm Harbor, FL

8. Application for Nevada Wholesaler – Appearance: **(For Possible Action)**

Reichman Distribution Inc. – Las Vegas, NV

9. Applications for Nevada Pharmacy – Appearance: **(For Possible Action)**

- A. Direct Compounding, LLC – Henderson, NV
- B. Goodwill Pharmacy, Inc. – Las Vegas, NV

- C. Santa Maria Pharmacy – Las Vegas, NV
10. Applications for Nevada Medical, Devices, Equipment and Gases – Appearance: (For Possible Action)
- A. Brace it – Las Vegas, NV
  - B. Onpharma Company – Carson City, NV
11. Regulation of Oxygen as a Medical Gas under 21 USC 360ddd-1 for Possible Discussion
12. General Counsel Report
13. Executive Secretary Report:
- A. Financial Report:
    - 1. Treasurer’s Report
  - B. Temporary Licenses
  - C. Staff Activities
    - 1. Meetings with other Health Care Boards
    - 2. AB 474 Meetings and Continuing Education
    - 3. ISU Student
    - 4. Dental Society South
    - 5. Governor’s Opioid State Action Accountability Taskforce
    - 6. Legislative Committee on Health Care
  - D. Reports to Board
  - E. Board Related News:
    - 1. NABP Annual Meeting
  - F. Activities Report

◆ WORKSHOP ◆

March 7, 2018 – 1:30 pm

14. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2) (for Possible Action):

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in proposed regulations:

- A. **Amendment of Nevada Administrative Code Chapter 639 to add a new section thereto providing for the prescribing or dispensing of controlled substances for the treatment of pain in conformance with Assembly Bill 474 from the 2017 Nevada Legislative Session.** To further define “acute pain” and “course of treatment.” To clarify “initial prescription” as defined in section 51 of AB 474. To clarify “written informed consent” in sections 53 and 54 of AB 474 for practice groups. To clarify “making a good faith effort to obtain and review the medical records of the patient” in paragraph (c) of subsection 1 of section 54 of AB 474. To clarify the

application of section 57 of AB 474 requiring a practitioner, other than a veterinarian, to consider certain factors before prescribing a controlled substance listed in schedule II, III or IV.

- B. Amendment of Nevada Administrative Code (NAC) 453.510: Schedule I** The proposed amendment to NAC 453.510 will add newly identified synthetic drugs to the list of controlled substances listed in Schedule I. The DEA added eleven more drugs as schedule 1 controlled substances. Tetrahydrofuran-4-yl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide) Fub-AMB, MMB-Fubinaca (2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide)

◆ PUBLIC HEARING ◆

March 7, 2018 – 1:30 pm

15. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(2): **(For Possible Action)**

- A. Amendment of Nevada Administrative Code Chapter 639 to add a new section thereto providing for the dispensing of drugs with prescription readers.** Enacts provisions of Senate Bill 131 (79th Session 2017) requiring certain pharmacies to, upon request, provide a prescription reader or advice on obtaining a prescription reader. (LCB File No. R131-17) To comply with Senate Bill No. 131 of the 79th Legislative Session, a retail community pharmacy that dispenses drugs will be required to notify each person to whom a drug is dispensed that a prescription reader is available to the person.
- B. Amendment of Nevada Administrative Code 639.879: Scope of authority to dispense.** Amends provisions relating to the dispensing of controlled substances, dangerous drugs, poisons, and devices by an advanced practice registered nurse. (LCB File No. R132-17) This regulation revises the amounts of controlled substances, dangerous drugs, poisons, and devices that an advanced practice registered nurse is authorized to prescribe.
- C. Amendment of Nevada Administrative Code Chapter 639 to add a new section providing for the dispensing of certain drugs by veterinarians through consignment.** (LCB File No. R146-17) The regulation will allow a

licensed veterinarian to take legal ownership but not physical possession of a dangerous drug or Schedule IV or V controlled substance from a licensed wholesaler, prescribe the drug to a patient, and then consign to a licensed pharmacy for dispensing to the patient

16. Date and Location of Next Scheduled Board Meeting:

April 11-12, 2018 – Las Vegas, Nevada

17. Public Comments: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020) **(For Possible Action)**

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Pharmacy, 431 W Plumb Lane, Reno, NV, 89509, or call Shirley Hunting at (775) 850-1440, as soon as possible.

Supporting materials or additional information regarding the meeting may be obtained from Shirley Hunting at (775) 850-1440, email at [shunting@pharmacy.nv.gov](mailto:shunting@pharmacy.nv.gov) or 431 W Plumb Lane, Reno, Nevada.

Continuing Education credit of 4 hours, including 1 hour of law, will be given per day of Board meeting attendance. You are required to attend the board meeting for a full day to receive CE credit including the law credit.

This notice has been posted at the following locations and is available for viewing at [www.notice.nv.gov](http://www.notice.nv.gov) and [bop.nv.gov](http://bop.nv.gov).

Elko County Courthouse – Elko  
Washoe County Courthouse – Reno

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