



NEVADA STATE BOARD OF PHARMACY

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MINUTES

April 11 & 12, 2018

BOARD MEETING

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

Board Members Present:

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

Board Members Absent:

Kirk Wentworth was absent on April 11 & 12, 2018.

Jason Penrod was absent on April 12, 2018.

Board Staff Present:

Larry Pinson Dave Wuest Paul Edwards Shirley Hunting
Brett Kandt Yenh Long Ray Seidlinger Kenneth Scheuber
Luis Curras Dena McClish Joe Dodge Sophia Long
Kristopher Mangosing

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

1. Public Comment April 11, 2018, 9:00 AM

There was no public comment.

2. Approval of March 7-8, 2018, Minutes

Melissa Shake recused from participation in this matter due to her absence from the March 2018 Board meeting.

Mr. Pinson suggested clarifications on p.8 and 9 to add “a minimum of 12 months” to the Board’s motions.

Board Action:

Motion: Kevin Desmond moved to approve the March 7 & 8, 2018 Meeting Minutes with the corrections noted by Board Staff.

Second: Darla Zarley

Action: Passed unanimously

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

- A. ABC Pharmacy – Ontario, CA
- B. George Pharmacy Care Corp. – Winters Springs, FL
- C. JSPLTC, LLC – Galloway, NJ
- D. Lynchburg Drug Store – Lynchburg, TN
- E. McClure’s Compounding Pharmacy – Georgetown, TX
- F. Orsini Pharmaceutical Services, LLC – Elk Grove Village, IL
- G. PMOA Inc. – Mobile, AL
- H. Steeplechase Express Rx – Houston TX
- I. Twin Oaks Specialty Pharmacy – Lubbock, TX

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

- J. Coordinated Care Network Pharmacy – Pittsburgh, PA
- K. Cre8 Pharmacy Group LLC/Cre8 Pharmacy – Coral Springs, FL
- L. Franako Pharmacy, Inc. – Lake Worth, FL

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

- M. Akcea Therapeutics, Inc. – Cambridge, MA
- N. Amicus Therapeutics US, Inc. – Cranbury, NJ
- O. Dermira, Inc. – Menlo Park, CA
- P. Granules Pharmaceuticals, Inc. – Chantilly, VA
- Q. Greenwich Biosciences, Inc. – Carlsbad, CA
- R. McKesson Medical-Surgical Inc. – Roseville, CA
- S. scPharmaceuticals Inc. – Burlington, MA
- T. Woodfield Distribution, LLC – Dayton, NJ

Applications for Out-of-State Medical, Devices, Equipment and Gases – Non Appearance:

- U. Abacoa Medical Supplies, Inc. – Boca Raton, FL
- V. Absolute First Medical Inc. – Sherman, TX
- W. Beyond Medical Solutions, LLC – Saddle Brook, NJ

- X. Case Baldwin Healthcare Systems, Inc. – Wichita, KS
- Y. McKesson Patient Care Solutions Inc. – Moorestown, NJ
- Z. Unicare Biomedical, Inc. – Laguna Hills, CA

Applications for Nevada Pharmacy – Non-Appearance:

- AA. AbacusRx Pharmacy – Henderson, NV
- BB. Raley’s Pharmacy #122 – Fernley, NV
- CC. Raley’s Pharmacy #116 – Reno, NV
- DD. Raley’s Pharmacy #124 – Reno, NV
- EE. Raley’s Pharmacy #120 – Tonopah, NV
- FF. Raley’s Pharmacy #123 – Yerington, NV
- GG. Smith’s Pharmacy #315 – Las Vegas, NV
- HH. Smith’s Pharmacy #376 – Las Vegas, NV

President Basch requested to have Items D & AA pulled from the Consent Agenda and have representatives from the companies appear at a future Board meeting.

Board Action:

Motion: Jason Penrod moved to approve the Consent Agenda with the exceptions of Items D & AA.

Second: Melissa Shake

Action: Passed unanimously

4. Discipline

- A. Craig Weingrow, MD (17-066-CS-S)

Craig Weingrow appeared and was sworn by President Basch prior to answering questions or offering testimony.

Jason Weiner was present as counsel representing Dr. Weingrow.

Mr. Edwards summarized the facts of the case where Dr. Weingrow knowingly permitted Teresa Jaffer, Marecxy Rubio-Veronica and three unlicensed office staff members to falsify his signature or initials on his prescriptions. Investigators from the Nevada State Board of Medical Examiners and the Nevada State Board of Pharmacy obtained a sample of 580 prescriptions dispensed between October 14, 2017 and October 31, 2017. Not one of those 580 prescriptions were signed by Dr. Weingrow personally. Dr. Weingrow also allowed office staff access to his inventory of controlled substances and dangerous drugs to dispense to his patients when he was not present in the office. Dr. Weingrow and his office staff mailed controlled substances to patients who live out-of-town.

Mr. Edwards presented a Stipulation and Order regarding Dr. Weingrow for the Board's consideration. The Respondent admits that evidence exists to establish a basis for violations alleged in the Accusation.

Dr. Weingrow's Controlled Substance Registration shall be suspended. The suspension stayed, and his registration placed on probation for a minimum of five years. He shall surrender his Dispensing Practitioner Registration within three days, and will not be eligible to hold a Dispensing Practitioner Registration for a minimum of ten years. Dr. Weingrow shall dispose of his entire inventory with Board Staff present or with written approval. Dr. Weingrow shall pay a fine of \$1,000.00 and an administrative fee of \$4,000.00 within 60 days. Dr. Weingrow shall attend two of the next three Las Vegas Board Meetings, and shall create new policies and procedures to prevent these errors from occurring in the future.

After discussion, the Board expressed concern over the severity and quantity of violations by Dr. Weingrow and his office staff.

Board Action:

Motion: Jason Penrod moved to deny the Stipulation and Order presented by Board Staff and schedule the hearing for this case during the July 2018 Board Meeting.

Second: Melissa Shake

Action: Passed unanimously

B. Teresa Jaffer (17-066-TD-A-S)

Ms. Jaffer was not present.

Mr. Edwards explained that this case shares the same set of facts as Dr. Weingrow's case. He stated that Ms. Jaffer was a dispensing technician at Dr. Weingrow's office.

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

President Basch admitted Exhibits 1-4 into the record.

Mr. Edwards reviewed Exhibits 1-4 for the Board. He presented a copy of the certified mail receipt indicating that the Notice of Intended Action and Accusation was properly served to Ms. Jaffer, a letter notifying Ms. Jaffer of the date and time of her hearing, a letter from Ms. Jaffer surrendering her dispensing technician registration and a response from Board Staff.

Board Action:

Motion: Jason Penrod moved that Board Staff properly attempted service by mailing the Notice of Intended Action and Accusation to Ms. Jaffer.

Second: Kevin Desmond

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved that based on default the factual allegations in the Notice of Intended Action and Accusation are true.

Second: Kevin Desmond

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to find Teresa Jaffer guilty of the 1,2,3,5,7,8,9 & 10 Causes of Action.

Second: Kevin Desmond

Action: Passed unanimously

Mr. Edwards reviewed NRS 233B.121(6) which states that the voluntary surrender in a contested case shall be deemed to constitute disciplinary action against the licensee. Mr. Edwards explained that Board Staff would treat the voluntary surrender of Ms. Jaffer's registration the same as a revocation.

Board Action:

Motion: Jason Penrod moved to revoke Teresa Jaffer's Technician Dispensing Registration for a minimum of twelve months.

Second: Kevin Desmond

Action: Passed unanimously

C. Marecxy Rubio-Veronica (17-066-TD-B-S)

Ms. Rubio-Veronica was not present.

Mr. Edwards explained that his case shares the same set of facts as Dr. Weingrow's and Ms. Jaffer's case. He stated that Ms. Rubio-Veronica was a dispensing technician at Dr. Weingrow's office.

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

President Basch admitted Exhibits 1-4 into the record.

Mr. Edwards reviewed Exhibits 1-4 for the Board. He presented a copy of the certified mail receipt indicating that the Notice of Intended Action and Accusation was properly served to Ms. Rubio-Veronica, a letter notifying Ms. Rubio-Veronica of the date and time of her hearing, a letter from Ms. Rubio-Veronica surrendering her dispensing technician registration and a response from Board Staff.

Board Action:

Motion: Jason Penrod moved that Board Staff properly attempted service by mailing the Notice of Intended Action and Accusation to Ms. Rubio-Veronica.

Second: Robert Sullivan

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved that based on default the factual allegations in the Notice of Intended Action and Accusation are true.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to find Marecxy Rubio-Veronica guilty of the 1,2,3,5,7,8,9 & 10 Causes of Action.

Second: Darla Zarley

Action: Passed unanimously

Mr. Edwards explained that Board Staff would treat the voluntary surrender of Ms. Rubio-Veronica's registration the same as a revocation.

Board Action:

Motion: Jason Penrod moved to revoke Marecxy Rubio-Veronica's Technician Dispensing Registration for a minimum of one year.

Second: Darla Zarley

Action: Passed unanimously

D. Katrina R. Young, PT

(17-129-PT-S)

Ms. Young was not present.

Mr. Kandt summarized the facts of the case where Ms. Young was terminated from her employment as a pharmaceutical technician for diverting 50 to 100 Soma (carisoprodol) tablets each month from June 2015 to October 2017.

Mr. Kandt moved to have Exhibit 1 admitted into the record.

President Basch admitted Exhibit 1 into the record.

Mr. Kandt reviewed Exhibit 1 for the Board. He presented a returned certified mail envelope that shows Board Staff attempted to send Ms. Young's Notice of Intended Action and Accusation to her last address of record.

Board Action:

Motion: Jason Penrod moved that Board Staff properly attempted service by mailing the Notice of Intended Action and Accusation to Ms. Young.

Second: Melissa Shake

Action: Passed unanimously

Mr. Kandt moved to have Exhibits 2-4 admitted into the record.

President Basch admitted Exhibits 2-4 into the record.

Mr. Kandt reviewed Exhibits 2-4 with the Board. He presented a Report of Loss or Theft of Controlled Substances, a notification of termination statement from Janice Lyle, Asset Protection Smith's and a statement from Ms. Young admitting to diverting 50 to 100 Soma tablets a month.

Board Action:

Motion: Jason Penrod moved that the evidence supports the factual allegations in the Notice of Intended Action and Accusation.

Second: Darla Zarley

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to find Katrina R. Young guilty of the 1-4 Causes of Action.

Second: Darla Zarley

Action: Passed unanimously

Mr. Kandt stated that Board Staff recommends revocation of Ms. Young's Nevada Pharmaceutical Technician License.

Board Action:

Motion: Jason Penrod moved to revoke Katrina Young's Nevada Pharmaceutical Technician License.

Second: Darla Zarley

Action: Passed unanimously

E. Nazalene Kemal Zebari, R.Ph (17-038-RPH-S)

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

Jason Penrod disclosed that he is a Walmart employee, but stated that he could participate in this matter fairly and without bias.

Melissa Shake recused from participation in this matter due to her personal relationship with Ms. Zebari.

Nazalene Zebari appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt summarized the facts of the case where Ms. Zebari was terminated from her employment as a pharmacist at Walmart for fraudulently creating and filling a prescription for Singulair 10 mg tablets for personal use.

Mr. Kandt moved to have Exhibits 1-5 admitted into the record.

President Basch admitted Exhibits 1-5 into the record.

Mr. Kandt presented a letter from Ms. Zebari, CEU certificates on the topic of ethics and letters of support.

Ms. Zebari accepted responsibility for her actions and apologized to the Board for her lapse in judgement.

Board Action:

Motion: Jason Penrod moved that the evidence supports the factual allegations in the Notice of Intended Action and Accusation.

Second: Kevin Desmond

Action: Passed unanimously

Board Action:

Motion: Jason Penrod moved to find Nazalene Zebari guilty of the 1-4 Causes of Action.

Second: Kevin Desmond

Action: Passed unanimously

Mr. Kandt stated that Board Staff recommends revocation of Ms. Zebari's pharmacist license.

Board discussion ensued regarding possible penalties for Ms. Zebari.

Board Action:

Motion: Darla Zarley move to revoke Nazalene Zebari's pharmacist license for a minimum of one year.

Second: Robert Sullivan

Action: Passed unanimously

F. Debra F. Bowersox, R.Ph
G. Walgreens #05646

(16-090-RPH-S)
(16-090-PH-S)

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

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

Debra Bowersox, Olivia Consellyea, pharmaceutical technician, and Holly Priervo, Walgreens, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Bill Stilling was present as counsel representing the Respondents.

Mr. Stilling stated that Ms. Consellyea was subpoenaed for her involvement in this case.

Mr. Kandt summarized the facts of the case where Ms. Consellyea inadvertently filled a prescription for Phenobarbital 15mg. tablets rather than the Phenobarbital 60mg. tablets as prescribed. Ms. Bowersox was the verifying pharmacist and failed to detect the medication error. The canine patient Maggie Mae ingested approximately eleven tablets of the wrong medication before the error was detected.

Mr. Kandt presented a Stipulation and Order for the Board's consideration. The Respondents admit that evidence exists to establish a basis for the violations alleged in the Accusation.

Ms. Bowersox shall receive a Letter of Reprimand, pay a fine of \$1,000.00 and complete two additional CEU on the topic of error prevention.

Walgreens #05646 shall pay an administrative fee of \$1,500.00.

Mr. Stilling stated that the Respondents agree to the Stipulation and Order presented by Board Staff.

Ms. Bowersox and Ms. Consellyea apologized to the Board, the patient, and the patient's family for their error.

Board Action:

Motion: Kevin Desmond moved to accept the Stipulation and Order as presented by Board Staff.

Second: Robert Sullivan

Action: Passed unanimously

The Board stressed the importance of all members of pharmacy staff following the standard operating procedures to ensure filling accuracy and patient safety.

5. Requests for Renewal of Pharmacist License:

A. Laura Dawly

Darla Zarley recused from participation in this matter do to her personal relationship with Ms. Dawly.

Laura Dawly appeared and was sworn by President Basch prior to answering questions offering testimony.

Mr. Edwards provided background information. He stated that Ms. Dawly disclosed past discipline in California on her online renewal application.

Mr. Edwards summarized the facts of the case where Ms. Dawly's California Pharmacist Registration was revoked. The revocation stayed, and her registration placed on probation for 3 years.

Ms. Dawly explained that she was the managing pharmacist at a pharmacy that was disciplined for multiple violations, including dispensing a prescription with incorrect dosage instructions, failing to complete quality assurance reports for multiple medication errors and filling and dispensing postdated prescriptions for morphine.

Ms. Dawly answered questions to the Board's satisfaction regarding her past discipline and current employment.

Board Action:

Motion: Jason Penrod moved to approve Laura Dawly's Request for Renewal of Pharmacist License with conditions. Ms. Dawly's Nevada Pharmacist License shall be placed on probation until her probation is lifted in California. Ms. Dawly shall notify Board Staff of any changes to her license status in California within one business day. Ms. Dawly must contact Board Staff to request removal of probation in Nevada. The Executive Secretary is authorized to lift Ms. Dawly's Nevada probation.

Second: Kevin Desmond

Action: Passed unanimously

B. Steven Levin

Steven Levin appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt explained that Mr. Levin disclosed that he had been the subject of a board citation or administrative action in another state on his Nevada Pharmacist Renewal Application.

Mr. Kandt summarized the facts of the case where Mr. Levin and Woodland Hills Pharmacy were disciplined for the sale of adulterated drugs and for the failure to properly store and deliver compounding medication.

Mr. Levin answered questions to the Board's satisfaction regarding his past discipline, his pharmacist license status in other states and additional compounding training.

Board Action:

Motion: Kevin Desmond moved to approve Steven Levin's Request for Renewal of Pharmacist License with conditions that Mr. Levin shall comply with his California Board Order, that Mr. Levin's Nevada Pharmacist license be placed on probation until his probation is lifted in California. Mr. Levin shall notify Board Staff of any changes to his license status in California within one business day. Mr. Levin must contact Board Staff to request removal of probation in Nevada. The Executive Secretary is authorized to lift Mr. Levin's Nevada probation.

Second: Melissa Shake

Action: Passed unanimously

C. Minh Tri Van Nguyen

Minh Nguyen appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Edwards provided background information. He explained that Mr. Nguyen disclosed past discipline in California on his Nevada Pharmacist Renewal Application.

Mr. Edwards summarized the facts of the case where Mr. Nguyen's California Pharmacist License was revoked, the revocation stayed and placed on probation for 3 years.

Board Action:

Motion: Jason Penrod moved to approve Minh Nguyen's Request for Renewal of Pharmacist License with conditions. Mr. Nguyen's Nevada Pharmacist license shall be placed on probation until his probation in California is lifted. Mr. Nguyen shall notify Board Staff of any changes to his license status in California within one business day. Mr. Nguyen must contact Board Staff to request removal of his Nevada probation. The Executive Secretary is authorized to lift Mr. Nguyen's probation.

Second: Kevin Desmond

Action: Passed unanimously

6. Request for Pharmacist License by Reciprocatation:

Scott D. Huft

Scott Huft appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt stated that Mr. Huft disclosed on his Application for Pharmacist License by Reciprocatation that he was disciplined by the Arizona State Board of Pharmacy in 1991 for the theft and use of cocaine and again in 2005 for diverting hydrocodone/apap tablets.

The Board questioned Mr. Huft regarding his recovery, current employment and past discipline.

After discussion, the Board expressed concern regarding Mr. Huft's attitude and lack of accountability for his past mistakes.

Board Action:

Motion: Melissa Shake moved to deny Scott D. Huft's Application for Nevada Pharmacist License by Reciprocatation.

Second: Jason Penrod

Action: Passed unanimously

7. Request for Reinstatement of Revoked Pharmacist License:

Justin Curnutt

(15-051-RPH-S)

Justin Curnutt appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Kandt provided background information regarding Mr. Curnutt's case where his pharmacist license was revoked in 2016 for prescription and insurance fraud. He explained that Mr. Curnutt petitioned for reinstatement in April 2017, where he was granted a pharmacy intern license with conditions.

The Board questioned Mr. Curnutt regarding what he has done to comply with the conditions on his pharmacy intern license.

Mr. Curnutt answered the Board's questions regarding his current employment and continuing education

After discussion, the Board directed Mr. Curnutt to be more proactive in complying with the conditions on his license.

8. Request for Pharmaceutical Technician in Training License:

Chelsea R. Flores

Ms. Flores was not present.

Mr. Pinson stated that Ms. Flores was a student at Northwest Career College. Mr. Pinson explained that Board Staff was notified that Ms. Flores tested positive for marijuana.

Board Action:

Motion: Jason Penrod moved to deny Chelsea R. Flores' Application for Pharmaceutical Technician in Training License.

Second: Darla Zarley

Action: Passed unanimously

9. Application for Physician Assistant Prescribe - Appearance:

Sami N. Akhchin

Sami Akhchin appeared and was sworn by President Basch prior to answering questions or offering testimony.

Bridget Kelly was present as counsel representing Ms. Akhchin.

Mr. Edwards explained that while processing Ms. Akhchin's Application for Physician Assistant Prescribe, Board Staff discovered that Ms. Akhchin failed to disclose past disciplinary action regarding her Nevada Pharmaceutical Technician Trainee Registration.

Ms. Kelly explained that Ms. Akhchin did not intend to hide her past discipline and stated that she forgot about the past discipline that occurred in 2007. Ms. Kelly also explained that the credentialing department at Ms. Akhchin's place of employment led her to believe that she was properly license and cleared to start work.

Mr. Wuest explained that Ms. Akhchin contacted Board Staff to correct the issue and stated that she has been honest and forthright.

Ms. Akhchin answered questions to the Board's satisfaction regarding her work history and past discipline.

After discussion, the Board stressed that the licensee is responsible for ensuring that they are properly licensed before they begin practice, even if they are utilizing services from a credentialing company.

Ms. Akhchin apologized to the Board for her oversight and accepted responsibility for her mistake.

Board Action:

Motion: Jason Penrod moved to approve Sami Akhchin's Application for Physician Assistant Prescribe pending receipt by the Board Office of a complete and accurate application.

Second: Darla Zarley

Action: Passed unanimously

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

A. Coram CVS/specialty Infusion Services – Phoenix, AZ

Sherry Pass, managing pharmacist, and Lauren Paul, Director of Pharmacy Affairs CVS Coram, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Ms. Paul presented an updated application for Coram CVS/ Specialty Infusion Services that listed Ms. Pass as the managing pharmacist.

Joe Dodge, Inspector Nevada State Board of Pharmacy, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Dodge questioned Ms. Paul and Ms. Pass regarding Coram CVS/ Specialty Infusion Services' policies and procedures, past inspections, employee training and mailing procedures.

The Board questioned Ms. Pass regarding her work and management experience.

Ms. Paul and Ms. Pass answered questions to the Board's satisfaction.

Board Action:

Motion: Kevin Desmond moved to approve Coram CVS/ Specialty Infusion Services Ownership Change Application for Out-of-State Compounding Pharmacy license.

Second: Darla Zarley

Action: Passed unanimously

- B. Coram CVS/specialty infusion service #48090 – Centennial, CO

This matter was continued to a future Board Meeting.

- C. Lei Compounding – San Jose, CA

Paul Yamamoto, pharmacist and Vice President of Pharmacy Services, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Yamamoto stated that Lei Compounding is a 503A pharmacy that provides sterile and non-sterile compounded products.

Mr. Dodge questioned Mr. Yamamoto regarding Lei Compounding's past inspections, policies & procedures, recall procedures, clean room specifications and product testing.

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

Board Action:

Motion: Kevin Desmond moved to approve Lei Compounding's Application for Out-of-State Compounding Pharmacy license pending receipt by the Board Office of a Letter of Authorization allowing Mr. Yamamoto to speak on behalf of the company.

Second: Darla Zarley

Action: Passed unanimously

- D. Roadrunner Pharmacy – Phoenix, AZ

Lee Martin, managing pharmacist, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Mr. Martin stated that Roadrunner Pharmacy is a veterinary only compounding pharmacy that provides sterile and non-sterile compounding services.

Mr. Dodge questioned Mr. Martin regarding Roadrunner Pharmacy's past inspections, PCAB accreditation, training, clean room specifications, policies and procedures and product testing.

Board Staff recommended the Board request a copy of Roadrunner Pharmacy's PCAB Accreditation documentation, observations and responses.

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

The Board removed the affidavit not to ship sterile products into Nevada from the record at Mr. Martin's request.

Board Action:

Motion: Kevin Desmond moved to approve Roadrunner Pharmacy's Ownership Change Application pending receipt of Roadrunner Pharmacy's PCAB accreditation and responses and the pharmacy's most recent Arizona inspection.

Second: Melissa Shake

Action: Passed unanimously

11. Applications for Out-of-State Outsourcing Facility – Appearance:

A. Cantrell Drug Company – Little Rock, AR

This matter was continued to a future Board Meeting.

B. Leiters Health – Englewood, CO

Mr. Yamamoto stated that he would provide a Letter of Authorization allowing him to speak on behalf of Leiters Health.

Mr. Yamamoto explained that Leiters Health is a FDA registered 503B Outsourcing Facility that provides sterile compounded products.

Mr. Dodge questioned Mr. Yamamoto regarding Leiters Health's past FDA inspections, aseptic technique and products and services provided

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

Board Action:

Motion: Kevin Desmond moved to approve Leiters Health's Application for Out-of-State Outsourcing Facility License pending receipt by the Board Office of a Letter of Authorization allowing Mr. Yamamoto to speak on behalf of the company.

Second: Melissa Shake

Action: Passed unanimously

C. Stokes Healthcare Inc. – Mt. Laurel, NJ

This matter was continued to a future Board Meeting.

12. Application for Nevada Pharmacy – Appearance:

Goodwill Pharmacy, Inc. – Las Vegas, NV

Darla Zarley disclosed that Marie Baraga was a former student, but stated that she could participate in this matter fairly and without bias.

Marie Baraga, managing pharmacist, and Arun Pasricha, owner, appeared and were sworn by President Basch prior to answering questions or offering testimony.

Mr. Edwards explained that during the March 2018 Board meeting, the Board offered Mr. Pasricha the option to table their application to provide them time to meet and interview the managing pharmacist.

The Board updated Goodwill Pharmacy, Inc.'s application to reflect Ms. Baraga as the managing pharmacist at Mr. Pasricha's request.

Ms. Baraga explained that Goodwill Pharmacy is a retail pharmacy that will provide delivery service.

Ms. Baraga answered questions to the Board's satisfaction regarding her past work and management experience.

Board Action:

Motion: Darla Zarley moved to approve Goodwill Pharmacy's Application for Nevada Pharmacy License pending a positive inspection and receipt of a complete and accurate application.

Second: Robert Sullivan

Action: Passed unanimously

13. Application for Nevada Medical, Devices, Equipment and Gases – Appearance:

Prosthetics Advancement Lab, LLC – Las Vegas, NV

Janet Chao, MDEG Administrator, appeared and was sworn by President Basch prior to answering questions or offering testimony.

Ms. Chao explained that Prosthetics Advancement Lab, LLC creates prosthetic eyes for patients.

The Board modified Prosthetics Advancement Lab, LLC's Application to reflect an ownership change and to remove Ms. Chao from the list of practitioner business owners.

Ms. Chao answered questions to the Board's satisfaction regarding her past employment history and training.

Board Action:

Motion: Darla Zarley moved to approve Prosthetics Advancement Lab, LLC's Ownership Change Application for Nevada MDEG License.

Second: Kevin Desmond

Action: Passed unanimously

14. Petition for regulatory interpretation of NRS 454.213 from Vita Heaven, LLC, made pursuant NAC 649.150.

Mr. Edwards explained that Board Staff received a petition for regulatory interpretation from Dr. Jason Burke at Hangover Heaven, LLC.

Mr. Edwards provided a brief explanation of Hangover Heaven, LLC's business model.

Mr. Edwards directed the Board's attention to NRS 454.213 which addresses Dr. Burke's questions, which state that a nurse may only possess a prescription drug pursuant to a patient specific order.

Mr. Edwards indicated that because the law appears to directly answer Dr. Burke's questions there was no need for Board interpretation.

15. Discussion and determination on Nevada State Board of Pharmacy adherence to National Association of Board of Pharmacy requirements for conducting inspections of sterile compounding pharmacies that ship across state lines.

Mr. Pinson provided background information regarding NABP's Multistate Pharmacy Inspection Blueprint Program.

Mr. Dodge described NABP's universal sterile compounding inspection form, inspection procedures, inspection reporting and the training that inspectors are required to complete to participate in this program.

After discussion, the Board expressed support for participating in NABP's Multistate Pharmacy Inspection Blueprint Program.

Public Comment April 11, 2018, 3:30 PM

There was no public comment.

16. General Counsel Report

Mr. Kandt explained that Board Staff would be appearing before the Legislative Commission's Sunset Committee on April 23, 2018. He invited the Board Members and the public to watch the meeting online.

17. Executive Secretary Report:

A. Financial Report:

Mr. Pinson presented the financials to the Board's satisfaction.

1. Treasurer's Report

President Basch stated that Mr. Wentworth spoke positively of the Board's finances.

B. Temporary Licenses

One temporary license was issued since the last meeting.

C. Staff Activities:

1. Meetings with other health care boards
2. AB 474 meetings and continuing education

Mr. Pinson stated that Board Staff has had numerous meetings and presented to various groups regarding the implementation of AB 474.

3. ISU student has finished her externship with us

Mr. Pinson stated that Ciera Nielsen has completed her rotation with the Board of Pharmacy and spoke positively of her work during that time.

4. Nevada State Board of Medicine –AB 474 Subcommittee

Mr. Edwards provided a brief update on the most recent Nevada State Board of Medical Examiners AB 474 Subcommittee meeting.

5. Attorney General's Opioid Taskforce
 6. Attorney General's Opioid Antagonist Training
 7. NASCSA Executive Meeting
- D. Reports to Board:
1. Implementation of electronic Board books which will contain the agenda and supporting material

Yenh Long presented her Certified Public Manager enhancement project to upgrade the paper Board books with electronic Board books. Ms. Long discussed the benefits of upgrading to electronic Board books and proposed a plan to enact the changes during the next few Board meetings

- E. Board Related News
- F. Activities Report

Public Comment April 12, 2018, 9:00 AM

There was no public comment.

18. 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 for the registration of veterinarians to dispense controlled substances or dangerous drugs.**

Mr. Edwards explained that the proposed regulation establishes the requirements for a licensed veterinarian to obtain a certificate of registration to dispense controlled substances or dangerous drugs and revises the fees for a licensed veterinarian to dispense controlled substances or dangerous drugs.

The Board discussed grammatical corrections to the proposed regulation.

President Basch opened the Public Comment.

James Boyle, Strategic Pharmaceutical Solutions, appeared and was sworn by President Basch.

Mr. Boyle asked the Board if the proposed regulation would affect the consignment regulations.

After discussion, the Board agreed that the proposed regulation would not affect the consignment regulations.

Board Action:

Motion: Kevin Desmond moved to adopt the proposed amendment with corrections as discussed.

Second: Melissa Shake

Action: Passed unanimously

B. Amendment of Nevada Administrative Code Chapter 639 to add a new section thereto authorizing the State Board of Pharmacy to issue an order for a hearing to show cause.

Mr. Kandt explained that the proposed amendment would enact requirements for the issuance of an order to appear at a hearing to show cause to a respondent who fails to comply with an order imposing discipline.

President Basch opened the Public Comment.

There was no public comment.

Board Action:

Motion: Melissa Shake moved to adopt the proposed amendment.

Second: Robert Sullivan

Action: Passed unanimously

C. 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)

This matter was continued to a future Board Meeting.

19. Date and Location of Next Scheduled Board Meeting:

June 6-7, 2018 – Reno, Nevada

20. Public Comment April 12, 2018, 12:00 PM

There was no public comment.