



# Nevada State Board of Pharmacy

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Date Posted: August 25, 2020

## SECOND AMENDED AGENDA

### ◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, September 2, 2020 at 9:00 am. The meeting will continue, if necessary, on Thursday September 3, 2020 at 9:00 am or until the Board concludes its business at the following location:

Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical location for this meeting. The meeting can be listened to or viewed live over Zoom.

Via Videoconference at Zoom:  
<https://zoom.us/j/5886256671>

or

Via Teconference at 1 (669) 900-6833  
Meeting ID: 588 625 6671

#### 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 three minutes per person. You may call into the videoconference by following the link or calling the phone number listed above. The president may allow additional time to a given speaker as time allows and in his or her sole discretion.

Public comment may also be submitted to the Board at [pharmacy@pharmacy.nv.gov](mailto:pharmacy@pharmacy.nv.gov).

**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.

1. Call to Order and Roll Call – Establishment of Quorum
2. 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)

◆ 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.

3. Approval of July 15-16, 2020, Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Pharmacy License – Non-appearance (**FOR POSSIBLE ACTION**)
  - A. AdhereRx, Inc. – Gilbert, AZ
  - B. Blink Pharmacy Plus – Pittsburgh, PA
  - C. Epic Pharmacy – Oklahoma City, OK
  - D. First Choice Home Infusion LLC – Hendersonville, TN
  - E. LeMed Pharmacy III, LLC
  - F. Preferred Pharmacy Inc – Costa Mesa, CA
  - G. Solara Medical Supplies LLC – Chula Vista, CA
  - H. Stoneview Pharmacy – Gilbert, AZ
  - I. Vet Perfect, Inc. – Boca Raton, FL
  - J. Vivo Health Pharmacy at Home – Great Neck, NY
  - K. Zoetis US LLC – Lee’s Summit, MO
- 4.2 Application for Out-of-State Compounding Pharmacy License – Non-appearance (**FOR POSSIBLE ACTION**)
  - L. Burt’s Pharmacy, LLC – Newbury Park, CA
  - M. Cheveux LLC – Phoenix, AZ
  - N. Express Veterinary Pharmacy – Gilbert, AZ
  - O. Jungle Jim’s Pharmacy – Fairfield, OH

4.3 Applications for Out-of-State Medical, Devices, Equipment and Gases License – Non-appearance (**FOR POSSIBLE ACTION**)

- P. A Better Choice Medical Supply, LLC – Waterford, MI
- Q. BioTel INR, LLC – Indianapolis, IN
- R. Control Bionics Inc. – Milford, OH
- S. First Nation Group, LLC – Denver, CO
- T. Icon Medical Solutions Corp. – Leominster, MA
- U. Linde Gas North America, LLC – Livingston, TN
- V. Nephron Pharmacy LLC – West Columbia, SC
- W. Nitrous Oxide Corp – Tooele, UT
- X. Nitrous Oxide Corp – Yazoo City, MS
- Y. Recovery DME, Inc. – San Diego, CA
- Z. RGH Enterprises, Inc. – Jacksonville, FL
- AA. Secure Medical Products, Inc. – Deerfield Beach, FL
- BB. Sleep Data Holdings, LLC – San Diego, CA

4.4 Applications for Nevada Medical, Devices, Equipment and Gases License – Non-appearance (**FOR POSSIBLE ACTION**)  
None

4.5 Applications for Out-of-State Wholesaler License – Non-appearance (**FOR POSSIBLE ACTION**)

**Background Check Not Required by Law.**

4.5.1 Distributor for Single Manufacturer (NAC 639.593(7)(e))  
None

4.5.2 Manufacturer (NAC 639.593(7)(d))

- CC. Acertis Pharmaceuticals, LLC – Langhorne, PA
- DD. Bayshore Pharmaceuticals LLC – Short Hills, NJ
- EE. Estreno Pharmaceuticals, LLC – Sunrise, FL
- FF. Nestle HealthCare Nutrition, Inc. – Bridgewater, NJ
- GG. PCI of Illinois – Rockford, IL
- HH. Praxair Distribution, Inc. – Bethlehem, PA
- II. Profounda, Inc. – Orlando, FL
- JJ. Sovereign Pharmaceuticals, LLC – Forth Worth, TX
- KK. Tusker Medical, Inc. – Menlo Park, CA
- LL. Zealand Pharma US, Inc. – Marlborough, MA

4.5.3 Publicly Traded (NAC 639.593(7)(a))

- MM. BioCryst Pharmaceuticals, Inc. – Durham, NC
- NN. RGH Enterprises, Inc. – Jacksonville, FL

4.5.4 VAWD-Accredited (NAC 639.593(7)(c))

OO. NDC Distributors LLC – Brooklyn, NY

4.5.5 Manufacturer and VAWD-Accredited (NAC 639.593(7)(c) and (d))  
None

4.5.5 Publicly Traded and Manufacturer (NAC 639.593(7)(a) and (d))

PP. Apellis Pharmaceuticals, Inc. – Waltham, MA

QQ. AVEO Pharmaceuticals, Inc. – Boston, MA

RR. Dermira, Inc. – Menlo Park, CA

SS. Gamida Cell Inc – Boston, MA

TT. TG Therapeutics, Inc. – Edison, NJ

4.5.6 Publicly Traded and VAWD-Accredited (NAC 639.593(7)(a) and (c))  
None

4.5.7 **Background checks completed in compliance with NRS 639.500. No Disqualifying Events.**

UU. Puragraft – Kingwood, TX

VV. Takeda Pharmaceuticals America, Inc. – Florence, KY

4.6 Application for Nevada Pharmacy License – Non-apperance (**FOR POSSIBLE ACTION**)  
None

**◆ REGULAR AGENDA ◆**

5. Disciplinary hearings pursuant to NRS 639.247. 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. Kirash Mirkia, MD	(19-090-CS-S-A)
B. Victoria Wall, MD	(20-067-CS-S)
C. Katherine Kuehl	(19-035-RPH-B-S)
D. Walmart Pharmacy #10-3728	(18-096-PH-S)
E. Paul Luke	(19-066-PH-S)
F. Theodore Herrera	(19-079-IN-S)
G. Jerald Clyde, RPH	(19-061-RPH-S)
H. Smith's Pharmacy #336	(19-061-PH-S)
I. Abdel M. Khalek, MD	(19-003-CS-A-S)
J. Robert Chancellor, MD	(19-003-CS-B-S)
K. Lindsay Hoffman, PA-C	(19-003-CS-C-S)
L. Bernard Kofi Addo-Quaye, MD	(19-242-CS-A-S)

M. Mukwel Aiyuk, APRN  
N. Solomon Joshua, APRN

(19-242-CS-B-S)  
(19-242-CS-C-S)

6. Appeal hearings for citation and fine pursuant to NRS 639.2895(2). 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. Vinay Kumar Bararia, MD  
B. Victor Bruce, MD

(19-003-CS-D-S)  
(19-242-CS-D-S)

7. Petition for Reinstatement of Controlled Substance Registration and Request to Appear Before the Board – Appearance. 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)**

Joyce P. Chang, MD

8. Applications for Controlled Substances Registration – Appearance. 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. Roger Belcourt  
B. Andrew Podley

9. Applications for Pharmacist Registration by Examination – Appearance. 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. Tosin A. Adelokun  
B. Mark Harward  
C. Michael Shimoide

10. Applications for Pharmacist Registration by Reciprocity – Appearance. 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)**

Gabriel Castaneda

11. Application for Advanced Practice Registered Nurse Prescribe Registration – Appearance. 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. Patrick Smith, APRN
- B. Natalie Wynn, APRN

12. Application for Physician's Assistant Prescribe Registration – Appearance. 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)**

Tammy Hankins, PA

13. Application for Pharmacist Registration Renewal – Appearance. 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)**

Mark Robertson

14. Applications for Pharmaceutical Technician Registration Renewal – Appearance. 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)**

Eyosias Bekele

15. Application for Advanced Practice Registered Nurse Dispensing Registration – Appearance. 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)**

John Phoenix, APRN

16. Application for Intern Registration – Appearance. 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)**

Dustin Godoy

17. Applications for Out-of-State Compounding Pharmacy License – Appearance **(FOR POSSIBLE ACTION)**

- A. APS Pharmacy – Palm Harbor, FL
- B. Sisu Healthcare Solutions, Inc. – Tempe, AZ

18. Applications for Out-of-State Pharmacy License – Appearance **(FOR POSSIBLE ACTION)**

- A. Carepharm Pharmacy, LTC – Houston, TX
- B. Script2U LLC – Memphis, TN
- C. ScriptHero Pharmacy LLC – Columbus, OH

19. Application for Out-of-State Medical, Devices, Equipment and Gases License – Appearance (**FOR POSSIBLE ACTION**)

Medical Action Industries, Inc. – Arden, NC

20. Application for Nevada Medical, Devices, Equipment and Gases License – Appearance (**FOR POSSIBLE ACTION**)

Nevada Prime Healthcare LLC – Reno, NV

21. Application for Nevada Wholesaler License – Appearance (**FOR POSSIBLE ACTION**)

VAWD-Accredited (NAC 639.593(7)(c))

MD Logistics, LLC – Reno, NV

22. Applications for Out-of-State Wholesaler License – Appearance (**FOR POSSIBLE ACTION**)

**Background Check Not Required by Law.**

- 22.1 Distributor for Single Manufacturer (NAC 639.593(7)(e))  
None

- 22.2 Manufacturer (NAC 639.593(7)(d))

- A. Aurolife Pharma LLC – Dayton, NJ
- B. Clinical Solutions Wholesale, LLC – Franklin, TN
- C. Exelan Pharmaceuticals, Inc. – Boca Raton, FL
- D. Mizner BioScience, LLC – Boca Raton, FL

- 22.3 Publicly Traded (NAC 639.593(7)(a))  
None

- 22.4 VAWD-Accredited (NAC 639.593(7)(c))

- E. Owens & Minor Distribution, Inc. – Hebron, KY

- 22.5 Manufacturer and VAWD-Accredited (NAC 639.593(7)(c) and (d))  
None

22.6 Publicly Traded and Manufacturer (NAC 639.593(7)(a) and (d))  
None

22.7 Publicly Traded and VAWD-Accredited (NAC 639.593(7)(a) and (c))

F. Covetrus North America – Aurora, CO

G. Covetrus North America – Southaven, MS

22.8 **Background checks completed in compliance with NRS 639.500. No Disqualifying Events.**

H. Aleracare Wholesale, LLC – Phoenix, AZ

I. JanusTrade Group LLC – Eatontown, NJ

23. Application for Out-of-State Outsourcing Facility – Appearance (**FOR POSSIBLE ACTION**)

Farmakeio Outsourcing – Southlake, TX

24. Application for Nevada Pharmacy License – Appearance (**FOR POSSIBLE ACTION**)

Off-Site Rampart Pharmacy – Winnemucca, NV

25. Rehearing of Order in Case No. 20-008-PT-S on Application of Jevons Wang pursuant to NRS 639.252 (**FOR POSSIBLE ACTION**)

26. Discussion and possible action on Bill Draft Request for 2021 Nevada Legislative Session to amend NRS Chapter 639 regarding the licensing and regulation of the practice of pharmacy, including increasing fees for initial licensure and biennial renewal of a wholesaler license, and requiring criminal background checks for initial registration as a pharmacist or pharmaceutical technician. (**FOR POSSIBLE ACTION**)

27. Discussion and Possible Action on Advisory Opinion pursuant to NAC 639.150 in response to petition submitted by the Nevada Association of Nurse Anesthetists on authority of CRNAs to possess and administer anesthetic agents to patients. (**FOR POSSIBLE ACTION**)

28. Discussion and possible action on medical interns and residents' controlled substance registration fee (**FOR POSSIBLE ACTION**)

29. Annual review to consider and suggest amendments to and deletions from the provisions of NAC 639.501-.5019 (**FOR POSSIBLE ACTION**)

30. Discussion and possible action on approval of Immunize Nevada - Nevada Immunization Learning Exchange - CE Programs (**FOR POSSIBLE ACTION**)



31. Approval of Revised Wholesaler Application (**FOR POSSIBLE ACTION**)
32. Petition for Exemption from the requirement of a lavatory with toilet and washbasin within or adjoining the pharmacy. NAC 639.530(4). (**FOR POSSIBLE ACTION**)  
  
Rx2U, LLC. – Las Vegas, NV
33. General Counsel Report. Note: The Board may exclude the public for a report on potential or existing litigation pursuant to NRS 241.015(3)(b)(2).
34. Executive Secretary Report:
  - A. Financial Report
  - B. Issuance of Temporary Licenses and Registrations
  - C. Meetings with Other Health Care Regulatory Boards
  - D. COVID-19 Response
    - Emergency Regulation Update
  - E. Presentation to GME UNLV
  - F. Licensing Software Update
  - G. Licensing Activities Report
  - H. PMP Integration

◆ PUBLIC HEARING ◆

Thursday September 3, 2020 – 9:00 am

35. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(2) (**FOR POSSIBLE ACTION**):
  - A. **Amendment of Nevada Administrative Code (NAC) 453.520 Schedule II.** The proposed amendment adds such drug products to the list of controlled substances in schedule II in conformity with the federal regulations of the Uniform Controlled Substances Act. (LCB File No. R084-20)
  - B. **Amendment of Nevada Administrative Code (NAC) 639: Pharmacy Technician Ability to Administer Immunizations.** The proposed amendment will authorize a pharmacy technician with appropriate training to administer immunizations under the direct supervision of a pharmacist. (LCB File No. R142-20)

◆ WORKSHOP ◆

Thursday September 3, 2020 – 9:00 am

36. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2)  
**(FOR POSSIBLE ACTION):**

**Amendment of Nevada Administrative Code (NAC) 639.742, 639.743, 639.744, and 639.745: Dispensing Practitioners.** The proposed amendments will modify the supervision of dispensing technician by dispensing practitioners. These amendments will authorize dispensing practitioners in group practices to share inventory of certain medications and centralize activities. The proposed amendments will increase the fees for the application for an initial registration, and the biennial renewal of a registration, as a registered dispensing technician.

37. Request for Approval of Change of Managing Pharmacist pursuant to NRS 639.220  
**(FOR POSSIBLE ACTION)**

ACRx Specialty Pharmacy

38. Adoption of Emergency Regulation pursuant to NRS 233B.0613 **(FOR POSSIBLE ACTION).**

**Amendment of Nevada Administrative Code (NAC) 639: Pharmacy Technician Ability to Administer Immunizations.** The proposed emergency amendment in response to COVID-19 will authorize a pharmacy technician with appropriate training to administer immunizations under the direct supervision of a pharmacist. (LCB File No. R142-20)

39. Date and Location of Next Scheduled Board Meeting:

October 14-15, 2020 – Las Vegas, NV

40. 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)
41. Adjournment

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, 985 Damonte Ranch Parkway, Suite 206, Reno, NV, 89521, or call Kristopher Mangosing 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 [shunting@pharmacy.nv.gov](mailto:shunting@pharmacy.nv.gov) or 985 Damonte Ranch Parkway, Suite 206, Reno, Nevada, 89521.

No Continuing Education credit, will be given for attending this Board meeting.

This notice has been posted at [www.notice.nv.gov](http://www.notice.nv.gov) and [www.bop.nv.gov](http://www.bop.nv.gov) pursuant to Governor's Declaration of Emergency Directive 006.

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 [www.bop.nv.gov](http://www.bop.nv.gov).

Elko County Courthouse – Elko  
Washoe County Courthouse – Reno

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