



Nevada State Board of Pharmacy

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Date Posted: October 8, 2020

THIRD AMENDED AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, October 14, 2020 at 9:00 am. The meeting will continue, if necessary, on Thursday October 15, 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 Teleconference 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.

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 September 2-3, Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Pharmacy License – Non-appearance (**FOR POSSIBLE ACTION**)
 - A. Advanced InfusionCare – Dallas, TX
 - B. ApothecoRX – New York, NY
 - C. Ascension Michigan Pharmacy – Farmington Hills, MI
 - D. Biologics by McKesson – Cary, NC
 - E. Biologics by McKesson – Cary, NC
 - F. Complete Medical Supplies, Inc – Coral Springs, FL
 - G. divvyDOSE – Moline, IL
 - H. Eagle Pharmacy – Virginia Beach, VA
 - I. Galaxy Pharmacy – Long Beach, CA
 - J. LA Pharmacy LLC – Alhambra, CA
 - K. Magnolia Pharmacy – Cumming, GA
 - L. MedWiseRx – Tucson, AZ
 - M. MK Pharmacy – Houston, TX
 - N. Morris Apothecary LLC – Parsippany, NJ
 - O. Pharmxpress Pharmacy – Tampa, FL
 - P. Princeton Medical Pharmacy LLC – Princeton, NJ
 - Q. Spring Creek Pharmacy, LLC – Edmond, OK
- 4.2 Application for Out-of-State Compounding Pharmacy License – Non-appearance (**FOR POSSIBLE ACTION**)
 - S. Saveway Market Pharmacy – Salmon, ID

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

- T. Bonds Therapeutics LLC – Columbiana, OH
- U. Capital Medical Corporation – Tallahassee, FL
- V. DJO, LLC – Carlsbad, CA
- W. Gordian Medical, Inc. – Irvine, CA
- X. Gordian Medical II, Inc. – Spring, TX
- Y. Gordian Medical IV, Inc. – Riverside, CA
- Z. Gordian Medical V, Inc. – Houston, TX
- AA. Gordian Medical VI, Inc. – Irvine, CA
- BB. Hanger Clinic – Salt Lake City, UT
- CC. Mendtronix Inc. – Poway, CA
- DD. Nexel Health – Katy, TX
- EE. Next Level Medical Supply LLC – Ft. Lauderdale, FL
- FF. Permobil, Inc. – Lebanon, TN
- GG. SourceMark, LLC – Hebron, KY

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))

- HH. Exelead, Inc. – Indianapolis, IN
- II. RVL Pharmaceuticals, Inc. – Sayreville, NJ
- JJ. Slayback Pharma, LLC – Princeton, NJ
- KK. Time-Cap Laboratories, Inc. – Melville, NY
- LL. QED Therapeutics, Inc. – Brisbane, CA

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

- MM. McKesson Medical-Surgical Government Solutions LLC – Henrico, VA
- NN. McKesson Medical-Surgical Minnesota Supply Inc. – Henrico, VA

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

- OO. MD Logistics, LLC – Plainfield, IN
- PP. RxCrossroads 3PL LLC – Mason, OH

4.5.5 Manufacturer and VAWD-Accredited (NAC 639.593(7)(c) and (d))

QQ. MD Logistics, LLC – Plainfield, IN

RR. MD Logistics, LLC – Plainfield, IN

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

SS. Rhythm Pharmaceuticals, Inc. – Boston, MA

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

TT. McKesson Medical-Surgical Inc. – Clear Brook, VA

UU. McKesson Medical-Surgical Inc. – Rock Hill, SC

VV. McKesson Specialty Distribution, LLC

WW. McKesson Specialty Distribution, LLC

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

XX. SC Wholesale – St. George, UT

4.6 Application for Nevada Compounding Pharmacy License – Non-appearance
(FOR POSSIBLE ACTION)

YY. Renown Pharmacy – Reno, NV

4.7 Application for Ambulatory Surgery Center License- Non-appearance **(FOR POSSIBLE ACTION)**

ZZ. Affordable Excellence Surgery Center – Las Vegas, NV

AAA. Desert Orthopaedic Pain Center – Las Vegas, NV

BBB. First Specialty Surgery Center – Las Vegas, NV

CCC. Signature Surgery Center – Las Vegas, NV

DDD. Ultimate Specialty Surgery Center – Las Vegas, NV

◆ 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. Katherine Kuehl, RPH | (19-035-RPH-B-S) |
| B. Lily Akana, PT | (19-075-PT-S) |
| C. Ashley Carrier, APRN | (19-089-CS-S) |
| D. Theodore Herrera | (19-079-IN-S) |

- E. Jerald Clyde, RPH (19-061-RPH-S)
- F. Smith's Pharmacy #366 (19-061-PH-S)
- G. Abdel M. Khalek, MD (19-003-CS-A-S)
- H. Robert Chancellor, MD (19-003-CS-B-S)
- I. Lindsay Hoffman, PA-C (19-003-CS-C-S)
- J. Bernard Kofi Addo-Quaye, MD (19-242-CS-A-S)
- K. Mukwel Aiyuk, APRN (19-242-CS-B-S)
- L. Jeff Chen, MD (20-001-CS-N)
- M. Kirash Mirkia, MD (19-090-CS-S-A)

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)**

Vinay Kumar Bararia, MD (19-003-CS-D-S)

7. Petition for Reinstatement of Pharmacist 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)**

Daniel Niel, RPH

8. 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)**

Michael Shimoide

9. Applications for Pharmaceutical Technician in Training 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. Gina Chiofolo
- B. Jasmine McLaurie

10. Application for Veterinarian Authority to Dispense Drugs 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. Carrie Lambert, DVM

11. Applications for Out-of-State Compounding Pharmacy License – Appearance

(FOR POSSIBLE ACTION)

- A. APS Pharmacy – Palm Harbor, FL
- B. Carolina Infusion – Ridgeland, SC
- C. Hunt Valley PharmaLAB – Cockeysville, MD
- D. Olympia Pharmacy – Orlando, FL
- E. Option Care – Roseville, MN
- F. Pope Shenouda LLC – Holiday, FL
- G. Procure Pharmaceutical Services – Burgettstown, PA

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

- A. ActiveStyle, Inc. – Reno, NV
- B. Evolve Prosthetics & Orthotics – Henderson, NV
- C. First Care Medical Supply LLC – Las Vegas, NV
- D. Nevada Limb & Brace, LLC – Henderson, NV

13. Application for Nevada Wholesaler License – Appearance (**FOR POSSIBLE ACTION**)
None

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

Background Check Not Required by Law.

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

14.2 Manufacturer (NAC 639.593(7)(d))

- A. Sheffield Pharmaceuticals LLC – New London, CT
- B. Sun Pharmaceuticals Industries, Inc. – Billerica, MA
- C. Zydus Pharmaceuticals (USA) Inc. – Pennington, NJ

14.3 Publicly Traded (NAC 639.593(7)(a))
None

14.4 VAWD-Accredited (NAC 639.593(7)(c))
None

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

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

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

14.8 **Background checks completed in compliance with NRS 639.500. Disqualifying Events.**

D. Apnar Pharma LP – Chino, CA

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

None

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

- A. Optum Compounding Services, LLC – Phoenix, AZ
- B. Imprimis NJOF, LLC – Ledgewood, NJ
- C. KRS Global Biotechnology, Inc. – Boca Raton, FL
- D. Nephron Sterile Compounding Center, LLC – West Columbia, SC
- E. Olympia Pharmacy – Orlando, FL
- F. QuVa Pharma, Inc. – Sugar Land, TX
- G. QuVa Pharma, Inc. – Temple, TX
- H. Sincerus Florida, LLC – Pompano Beach, FL
- I. Wedgewood Connect, LLC – San Jose, CA

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

- A. Plus One Pharmacy, LLC – Las Vegas, NV
- B. All City Pharmacy LLC – Las Vegas, NV

17. Request for Pharmacist Applicant to Retake the Nevada MPJE Exam – Appearance: (**FOR POSSIBLE ACTION**)

- A. Sathish Ariarra Cariappa
- B. Matthew Phillips

18. 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**)

Natalie Wynn, APRN

19. Request to Engage in the Practice of Pharmacy at a Site Other than a Licensed Pharmacy – Appearance (**FOR POSSIBLE ACTION**)

A. KayLynn Bowman, RPH

B. James Kim, RPH

20. Approval of Revised Wholesaler Application **(FOR POSSIBLE ACTION)**
21. Rehearing of Order in Case No. 20-008-PT-S on Application of Jevons Wang pursuant to NRS 639.252 **(FOR POSSIBLE ACTION)**
22. Applications for Controlled Substance 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)**

Kim Kemmerly, DMD

23. 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).
24. 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. Licensing Software Update
 - F. Licensing Activities Report
 - G. PMP Integration

◆ PUBLIC HEARING ◆

Thursday October 15, 2020 – 9:00 am

25. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(2) **(FOR POSSIBLE ACTION):**

Amendment of Nevada Administrative Code (NAC) 453.510 Schedule I; 453.550 Schedule V. The proposed amendment adds certain substances to schedule 1; provides that certain drug products are not a controlled substance; and removes certain drug products from schedule V. (LCB File No. R090-20)

◆ WORKSHOP ◆

Thursday October 15, 2020 – 9:00 am

26. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2)
(FOR POSSIBLE ACTION):
- A. **Amendment of Nevada Administrative Code (NAC) 639.501 Inspections; provision of self-assessment form.** The proposed amendment to NAC 639.501 will remove the requirement to complete an assessment of workplace and modifies the requirement of an annual inspection.
 - B. **Amendment of Nevada Administrative Code (NAC) 639.** The proposed amendment adds a new section thereto authorizing the issuance of a citation to and assessment of an administrative fine against a registered pharmacist and a licensed pharmacy pursuant to NRS 639.2895 for a prescription misfill in violation of Nevada law in certain instances.
 - C. **Amendment of Nevada Administrative Code (NAC) 639.010 Definitions, (NAC) 639.403 Application required for pharmacist to engage in practice of pharmacy at site other than licensed pharmacy; exemption for pharmacists who administer immunizations, (NAC) 639.406 Hearing to approve or deny application from pharmacist, (NAC) 639.409 Grounds for revocation, suspension or placement of restrictions on approval granted to pharmacist to practice pharmacy at site other than licensed pharmacy, (NAC) 639.412 Application for licensed pharmacy to use services of one or more pharmacists at site other than licensed pharmacy, (NAC) 639.415 Hearing to approve or deny application from licensed pharmacy, (NAC) 639.418 Grounds for revocation, suspension or placement of restrictions on approval granted to licensed pharmacy to use services of one or more pharmacists at site other than licensed pharmacy.** The proposed amendment to these regulations will modify the locations where a pharmacist may practice pharmacy.

27. Date and Location of Next Scheduled Board Meeting:

December 2-3, 2020 – Las Vegas, NV

28. 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)
29. 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 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 and www.bop.nv.gov pursuant to Governor's Declaration of Emergency Directive 006.