



Nevada State Board of Pharmacy

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July 6, 2016

AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, July 20, 2016 at 9:00 am. The meeting will continue, if necessary, on Thursday, July 21, 2016 at 9:00 am or until the Board concludes its business at the following location:

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

Please Note:

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 had rendered a decision in the contested case and assuming this happens before adjournment, then you may advise the board or commission that it 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 Comments and Discussion of and Deliberation Upon Those Comments: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. (NRS 241.020)
2. Approval of June 1, 2016, Minutes for Possible Action
3. Applications for Out-of-State Pharmacy – Non Appearance for Possible Action:
 - A. 1RX Central Pharmacy & Medical Supplies – Stuart, FL
 - B. Acro Pharmaceutical Services LLC – Sharon Hill, PA
 - C. Apex Specialty Pharmacy – Riverside, MO
 - D. Avella of Deer Valley, Inc. #38 – Phoenix, AZ
 - E. Benevere Specialty Pharmacy – Collierville, TN
 - F. California Specialty Pharmacy – Whittier, CA
 - G. Fresenius Medical Care North America – DFW Airport, TX
 - H. Medication Management Program – Columbus, OH
 - I. MedShop Pharmacy, Incorporated – Alabaster, AL
 - J. Patient Direct Rx – Horsham, PA
 - K. Premier Health Pharmacy – College Point, NY
 - L. Talon Compounding – San Antonio, TX
 - M. Vickers Priority Care Pharmacy, LLC – Carbon Hill, AL
 - N. Walgreens #03707 – San Francisco, CA

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

- O. 1 Stop Pharmacy – Stafford, TX
- P. McDaniel Pharmacy – Port Gibson, MS
- Q. Synergy Pharmacy, LLC – Starkville, MS
- R. The Diennet Pharmacy – Beverly Hills, CA
- S. Walgreens #15331 – San Francisco, CA

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

- T. Animas Corporation – West Chester, PA
- U. Cardinal Health 200, LLC – Solon, OH
- V. Crealta Pharmaceuticals – Lake Forest, IL
- W. Focus Health Group Inc. – Knoxville, TN
- X. Horizon Pharma USA Inc. – Lake Forest, IL
- Y. HZNP USA, Inc. – Lake Forest, IL
- Z. Jacobus Pharmaceutical Company, Inc. – Plainsboro, NJ

- AA. Keysource Medical – Cincinnati, OH
- BB. Linde Gas North America LLC – Sacramento, CA
- CC. Linde LLC – Sacramento, CA
- DD. Medsource Pharmaceuticals – Rancho Santa Margarita, CA
- EE. Midwest Medical Supply Co., L.L.C. – Earth City, MO
- FF. Midwest Medical Supply Co., L.L.C. – Phoenix, AZ
- GG. Noramco, Inc. – Athens, GA
- HH. Noramco, Inc. – Wilmington, DE
- II. Par Pharmaceutical, Inc. – Montebello, NY
- JJ. Puma Biotechnology, Inc. – Los Angeles, CA
- KK. Remedy Repack, Inc. – Indiana, PA
- LL. Somerset Therapeutics, LLC – Mendham, NJ
- MM. Time-Cap Laboratories, Inc. – Farmingdale, NY
- NN. ZO Skin Health, Inc. – Irvine, CA

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

- OO. AZ Diabetic Supply Inc. – Vienna, VA
- PP. Medline Industries, Inc. – Rialto, CA
- QQ. Neurotech NA, Inc. – Minnetonka, MN
- RR. Pro Oxygen Plus – St. Petersburg, FL

Application for Nevada Medical, Devices, Equipment and Gases – Non Appearance for Possible Action:

- SS. AA Medical – Las Vegas

Applications for Nevada Pharmacy – Non Appearance for Possible Action:

- TT. Desert View Hospital – Pahrump
- UU. Medical Development Company of Nevada, LLC – Las Vegas
- VV. Quail Surgical and Pain Center – Reno
- WW. Red Rock Pain Surgery Center – Las Vegas
- XX. Sav-on Pharmacy #3207 – Henderson

◆ REGULAR AGENDA ◆

4. Discipline for Possible Actions: 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.

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|----|-----------------------------|------------------|
| A. | Lisa Harris Baker, R.Ph | (16-014-RPH-S) |
| B. | Wal-Mart Pharmacy #10-5269 | (16-001-PH-S) |
| C. | Daniel Shalala, R.Ph | (14-073-RPH-A-S) |
| D. | Christopher Peters, R.Ph | (14-073-RPH-B-S) |
| E. | Pathway Specialty Compounds | (14-073-PH-S) |
| F. | Lucas Meyers, R.Ph | (15-028-RPH-B-S) |

G. Walgreens #03922

(15-028-PH-S)

5. Applications for Nevada Pharmacy – Appearance for Possible Action:
 - A. Admix Infusion – Las Vegas
 - B. Nevada Infusion – Reno
 - C. Professional Rx Pharmacy – Las Vegas

6. Application by Examination for Pharmacist License – Appearance for Possible Action:

Ronald H. Engberson

7. Application for Physicians Assistant Dispense – Appearance for Possible Action:

Heather Rohrer, PA

8. Application for Controlled Substance License – Appearance for Possible Action:

Ronald H. Foote, MD

9. Application for Practitioner Dispensing – Appearance for Possible Action:

Carmen F. Jones, MD

10. Renewal Application for Controlled Substance and Practitioner Dispensing – Appearance for Possible Action:

Jin Ok Lee, MD

11. Applications for Pharmaceutical Technician in Training Registration – Appearance for Possible Action:
 - A. Jeffrey H. Clutters
 - B. Anna Ramirez

12. Applications for Out-of-State Compounding Pharmacy – Appearance for Possible Action:
 - A. ASPCares – McAllen, TX
 - B. Assurance Infusion – Houston, TX
 - C. SMP Pharmacy Solutions #2 – Miami, FL
 - D. Tailor Made Compounding – Nicholasville, KY
 - E. US Compounding – Conway, AR
 - F. Wedgewood Village Pharmacy, LLC – Swedesboro, NJ

13. Application for Out-of-State Pharmacy – Appearance for Possible Action:

Medstar Pharmacy LLC – Palmetto Bay, FL

14. Applications for Nevada Medical, Devices, Equipment and Gases – Appearance for Possible Action:
 - A. A-Class Medical Supplies – Las Vegas
 - B. All Medical “R” Us – Las Vegas
 - C. Helix Medical Equipment Inc. – Las Vegas
 - D. Ozomor Medical Supplies, Inc. – Las Vegas

15. Request for Approval to Seek Attorney General Opinion, For Discussion and Possible Action:

Board Staff requests the Board’s Approval to request the Attorney General’s Opinion, pursuant to NRS 228.150, regarding the correct interpretation and application of statutes and regulations regarding Dispensing Practitioners, as that term is defined in NRS 639.0125.

16. Board Staff Request for Review and Possible Reconsideration of Out-of-State Wholesaler Application – Appearance for Possible Action:

Alexso, Inc. – Los Angeles, CA

17. Budget – Fiscal Year 2016-2017 for Possible Action

18. General Counsel Report for Possible Discussion:
 - A. Procedural Update on Pending Litigation Involving Strategic Pharmaceuticals Solutions, Inc., d/b/a VetSource Home Delivery
 - B. Review of Settlement Process for Administrative Actions

19. Executive Secretary Report for Possible Discussion:
 - A. Financial Report
 - B. Temporary Licenses
 - C. Staff Activities
 1. Speaking Engagements:
 - a. Coalition of Carson City
 - b. Division of Behavioral Health
 - c. Webinar Nationwide-SureScripts
 - d. Q & B Meeting
 2. Governor’s Drug Summit Meeting
 3. Legislative Commission on Regulations
 - D. Reports to Board
 1. Collaborative Efforts: BOME; DEA; FBI
 - E. Board Related News
 - F. Activities Report

◆ WORKSHOP for Possible Action ◆

Thursday, July 21, 2016– 9:00 am

20. Proposed Regulation Amendment Workshop – The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations.

A. Amendment of Nevada Administrative Code (NAC) 639.7102 Use of computer system for issuance and transmission of prescription The regulation currently allows the Board to approve a computer system for issuance and transmission of a prescription to a pharmacy only if the computer system limits access to the prescribing practitioner. The proposed amendment would allow the Board to approve computer systems that allow prescribers to designate delegates who have the authority to access the system to perform prescription–related functions on the practitioner’s behalf.

B. Amendment of Nevada Administrative Code (NAC) 639.7105 Electronic transmission of prescription The regulation currently requires that only a practitioner may access a computer system used for issuance and transmission of a prescription to a pharmacy. The proposed amendment would allow a practitioner to authorize delegates to access such a computer system to perform prescription–related functions on the practitioner’s behalf.

◆ PUBLIC HEARING ◆

Thursday, July 21, 2016 – 9:00 am

21. Notice of Intent to Act Upon a Regulation for Possible Action:

A. Amendment of Nevada Administrative Code (NAC) 639.921 Sharing of information between two or more pharmacies. The proposed amendment would allow for the sharing of information concerning prescriptions between the computerized system of two or more pharmacies that are commonly owned or contractually related.

B. Amendment of Nevada Administrative Code (NAC) 639.NEW LANGUAGE New language to be added to NAC Chapter 639, pursuant to the Good Samaritan Drug Overdose Act, SB 459 (2015), establishing standardized procedures or protocols for the furnishing of opioid antagonists by pharmacists and other appropriate entities to persons at risk of experiencing and opioid-related overdose or to a family member, friend or other person in a position to assist persons at risk of experiencing an opioid-related drug overdose.

C. Amendment of Nevada Administrative Code (NAC) 639.NEW LANGUAGE and 453C.NEW LANGUAGE Additional new language to be added to NAC Chapter 639 and NAC Chapter 453C, pursuant to the Good Samaritan Drug Overdose Act, SB 459 (2015), establishing standardized procedures or protocols for the furnishing of

opioid antagonists by pharmacists and other appropriate entities to persons at risk of experiencing and opioid-related overdose or to a family member, friend or other person in a position to assist persons at risk of experiencing an opioid-related drug overdose.

22. Date and Location of Next Scheduled Board Meeting:

September 7-8, 2016 – Reno, Nevada

23. Public Comments and Discussion of and Deliberation Upon Those Comments: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. (NRS 241.020)

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, Nevada, 89509, or call Shirley Hunting at (775) 850-1440, as soon as possible.

Anyone desiring supporting materials or additional information regarding the meeting is invited to call Shirley Hunting at (775) 850-1440 or email at shunting@pharmacy.nv.gov.

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 and bop.nv.gov:

Elko County Courthouse – Elko
Washoe County Courthouse – Reno

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