



NEVADA STATE BOARD OF PHARMACY

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MINUTES

December 2, 2020

BOARD MEETING

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

Board Members Present:

Helen Park	Jade Jacobo	Krystal Freitas	Gener Tejero
Wayne Mitchell	Rolf Zakariassen	Richard Tomasso	

Board Staff Present:

Dave Wuest	Yenh Long	Shirley Hunting	Courtney Lee
Brett Kandt	Joe Dodge	Dena McClish	Kristopher Mangosing
Shannon Reichman			

President Park 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.

Dave Wuest stated that this Board Meeting is being held over Zoom and is in compliance with the Governor's directive and Open Meeting Laws for Nevada.

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

President Park performed the roll call. All Board members were present and a quorum was established.

2. Public Comment December 2, 2020 9:10 AM

There was no Public Comment.

3. Approval of November 10, 2020 Minutes

Board Action:

Motion: Krystal Freitas moved to approve the November 10, 2020 minutes.

Second: Wayne Mitchell

Action: Passed unanimously.

4. 4.1 Applications for Out-of-State Pharmacy License – Non-appearance
(**FOR POSSIBLE ACTION**)

- A. Alto Pharmacy – Plano, TX
- B. Be Well Pharmacy – Fort Worth, TX
- C. Capsule Pharmacy – New Providence, NJ
- D. Elevate Rx – The Woodlands, TX
- E. Good Day Pharmacy – Middleburg, FL
- F. Good Shepherd Health – Memphis, TN
- G. MedWiseRx – Gainesville, FL
- H. OnePoint Patient Care – Morton Grove, IL
- I. Orphan Pharmacy Services, LLC – Syosset, NY
- J. Pet's Choice Pharmacy, LLC – Belleville, KS
- K. RVL Pharmacy LLC – Sayreville, NJ
- L. Seven Cells – Stuart, FL
- M. Sterling Pharmacy – Richmond, TX
- N. Watson Rx Solutions, Inc. – Florence, AL
- O. White Rock Pharmacy – Dallas, TX

4.2 Application for Out-of-State Compounding Pharmacy License – Non-appearance (**FOR POSSIBLE ACTION**)

- P. Archway Apothecary – Covington, LA
- Q. Cedarmak Pharmacy – West Hollywood, CA
- R. Lucile Packard Children's Hospital Outpatient Pharmacy – Palo Alto, CA
- S. Mountain View Pharmacy – Bountiful, UT

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

- T. Bridgeway Health Advisors, LLC – West Jordan, UT
- U. Hu-Friedy Mfg. Co., LLC – Des Plaines, IL
- V. Joint Active Systems, Inc. – Effingham, IL

- W. Teleflex LLC – Olive Branch, MS
- X. UPS Supply Chain Solutions, Inc. – Harrisburg, PA

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))

- Y. Abraxis BioScience, LLC – Summit, NJ
- Z. Alembic Pharmaceuticals, Inc. – Bridgewater, NJ
- AA. Carlsbad Technology, Inc. – Carlsbad, CA
- BB. Innate Pharma, Inc. – Rockville, MD
- CC. Meridian Bioscience Corporation – Cincinnati, OH
- DD. Mylan Specialty L.P. – Morgantown, WV
- EE. Oncopeptides, Inc. – Waltham, MA
- FF. Rhodes Pharmaceuticals L.P. – Coventry, RI
- GG. Validus Pharmaceuticals LLC – Parsippany, NJ

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

- HH. McKesson Medical-Surgical Inc.
- II. McKesson Specialty Distribution, LLC
- JJ. McKesson Specialty Distribution, LLC
- KK. Medical Specialties Distributors, LLC – City of Industry, CA
- LL. Medical Specialties Distributors, LLC – Garland, TX
- MM. Medical Specialties Distributors, LLC – Jacksonville, FL
- NN. Medical Specialties Distributors, LLC – Stoughton, MA
- OO. MSD – Moon Township, PA
- PP. O&M Halyard, Inc. – Mechanicsburg, PA

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

None

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))

QQ. Sharp Clinical Services, Inc. – Bethlehem, PA

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.**
None

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

RR. Physicians' Surgery Center of Nevada – Carson City, NV

Wayne Mitchell stated that there were no services provided marked on the application for Consent Agenda Item 4E.

Rolf Zakariassen stated that the services provided that were listed on Consent Agenda Item 4P were not clear.

President Park asked that Board Staff follow up on the Order of Correction in California before approving the application for Consent Agenda Item 4R.

Board Action:

Motion: Jade Jacobo moved to approve the Consent Agenda with exception to Items 4E, 4P, and 4R, and they be pulled for further clarification by Board Staff.

Second: Wayne Mitchell

Action: Passed unanimously.

Board Action:

Motion: Wayne Mitchell moved to approve Consent Agenda Item 4E pending clarification by Board Staff on services provided by the entity.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: President Park moved to approve Consent Agenda Item 4R pending positive review by Board Staff that corrective action for California has been addressed.

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Rolf Zakariassen moved to have Consent Agenda Item 4P's application be sent back for clarification

Second: Gener Tejero

Action: Passed unanimously.

5. Applications for Pharmaceutical Technician Registration-- Appearance.

Mitchell Fairless

Mitchell Fairless appeared and was sworn by President Park prior to answering questions or offering testimony.

Mr. Fairless voluntarily and knowingly waived his right to notice under NRS 241.033 and 241.034.

Dave Wuest, Executive Secretary, provided background.

Mr. Fairless disclosed that in 2014 he was charged with driving under the influence of marijuana.

Mr. Fairless described his rehabilitation and stated that this matter has been expunged.

Brett Kandt, General Counsel, stated that applicants for any certificate, license or registration from the Board must disclose any conviction as defined in NRS 639.006, regardless of whether the conviction has been expunged or sealed, and the laws of any other jurisdiction are not relevant on this point.

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

Board Action:

Motion: Jade Jacobo moved to approve the Pharmaceutical Technician Registration application for Mitchell Fairless pending a positive PRN-PRN evaluation.

Second: Wayne Mitchell

Action: Passed unanimously.

6. Application for Ambulatory Surgery Center

Desert Wind Hospital, LLC – Las Vegas, NV

Abraham Shaulson, owner, Vincent Pigula, managing pharmacist, Andrew Brick-Turin, Chief Financial Officer, and Brian Bulfer, Advanced Pharmaceuticals Consulting, appeared and were sworn by President Park prior to answering questions or offering testimony.

Maria Nutile was present as legal counsel for Desert Wind Hospital, LLC.

Ms. Nutile waived the twenty-one day notice for Desert Wind Hospital, LLC.

Mr. Wuest provided background and stated that Desert Wind Hospital, LLC is appearing for ownership change.

Ms. Nutile described the services to be provided and the staff that will be opening and running the hospital.

Mr. Wuest questioned Mr. Pigula about his work history and experience in a mental health pharmacy setting.

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

Mr. Shaulson answered questions regarding his previous businesses and testified that he has never been charged, convicted of a felony or gross misdemeanor in any state. Mr. Shaulson stated that he has no completed or pending administrative actions.

Mr. Bulfer provided his work history and experience and described the hospital's opening procedure. Mr. Bulfer answered questions to the Board's satisfaction.

Mr. Brick-Turin provided an explanation of his responsibilities with Desert Wind Hospital, LLC and answered questions to the Board's satisfaction.

Board Action:

Motion: Richard Tomasso moved to approve the application for Desert Wind Hospital, LLC, pending receipt of the Florida inspection.

Wayne Mitchell offered a friendly amendment to include quarterly inspections by the Nevada Board of Pharmacy at the company's expense.

Mr. Tomasso accepted the friendly amendment and restated the motion.

Motion: Richard Tomasso moved to approve the application for Desert Wind Hospital, LLC pending receipt of the company's recent Florida inspection. Desert Wind Hospital, LLC shall be subject to quarterly inspections by the Nevada Board of Pharmacy at the expense of the company.

Second: Wayne Mitchell

Action: Passed unanimously.

7. Application for Nevada Medical Device, Equipment & Gases License
VieMed – Reno, NV

Yenh Long, Deputy Executive Secretary, provided background on VieMed.

Brett Stoute, MDEG Administer, appeared and was sworn by President Park prior to answering questions or offering testimony.

Mr. Stoute reported to the Board what equipment and services will be provided.

Ms. Long questioned Mr. Stoute about his work history and experience, as well as policies and procedures of the business. Mr. Stoute answered questions about VieMed's employees and their positions with the company.

After discussion, Mr. Stoute stated that he would not be relocating to Nevada.

President Park offered Mr. Stoute the opportunity to table VieMed's application in order to hire a qualified MDEG Administrator who would be present at the facility during business hours.

The Board tabled VieMed's application at Mr. Stoute's request.

8. General Counsel Report.

There was no report.

9. Executive Secretary Report:

- A. Financial Report

Mr. Wuest stated that the financial report will be available at a future Board Meeting, and that the financial audit has been completed and will also be available at a future Board Meeting.

- B. Issuance of Temporary Licenses and Registrations
- C. Change of Address Business List

Mr. Wuest stated that there is an updated list of change of addresses on current licensees which can be found in the Board Book

- D. Meetings with Other Health Care Regulatory Boards

E. COVID-19 Response

Mr. Wuest recognized Luis Curras, Leo Basch, Rolf Zakariassen, Kirk Wentworth, President Park and Roseman University Interns for their assistance with Nevada's COVID-19 vaccine response.

F. Licensing Software Update

G. Licensing Activities Report

H. PMP Integration

10. Date and Location of Next Scheduled Board Meeting:

January 13-14, 2021 – Las Vegas, NV

11. Public Comment December 2, 2020 11AM

There was no public comment.

12. Adjournment