



# NEVADA STATE BOARD OF PHARMACY

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## MINUTES

April 14-15, 2021

## 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
Sophia Long	Ken Scheuber	Darlene Nases	

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 April 14 2021, 9:00 AM

Jaime Cordoba stated that he was in attendance in compliance with his Board Order.

Carol Schaye, Carol's Counseling, stated that she is a license counselor and available to testify for applicants on the agenda.

3. Approval of the March 3-4, 2021 Meeting Minutes

President Park requested a correction that Daniel Neil's disciplinary action should reflect a two-year revocation instead of one year.

4. 4.1 Applications for Out-of-State Pharmacy License – Non-appearance

- A. Atlo Pharmacy – Bellaire, TX
- B. Coram CVS/Specialty Infusion Services – Saint Louis, MO
- C. Minimed Distribution Corp – San Antonio, TX
- D. Script Partner Pharmacy LLC – Chesterfield, MO
- E. Vivo Health Pharmacy at CFAM – Lake Success, NY

4.2 Application for Out-of-State Compounding Pharmacy License – Non-appearance

- F. Chemistry Rx – Folcroft, PA
- G. National Treatment Delivery and Care LLC – Deerfield Beach, FL
- H. Rx Plus Solutions LLC – Warrenton, MO

4.3 Applications for Out-of-State Medical, Devices, Equipment and Gases License – Non-appearance

- I. Agiliti Health, Inc. – Phoenix, AZ
- J. Home Care Delivered, Inc. – Glen Allen, VA
- K. Mobility Prosthetic and Orthotic Services – Kingman, AZ
- L. NMN Spinco Inc. – Rocky Hill, CT
- M. Prism Medical Products, LLC – Fresno, CA

4.4 Applications for Nevada Medical, Devices, Equipment and Gases License – Non-appearance

- N. Prism Medical Products, LLC – Las Vegas, NV

4.5 Applications for Out-of-State Wholesaler License – Non-appearance

**Background Check Not Required by Law.**

4.5.1 Distributor for Single Manufacturer (NAC 639.593(7)(e))

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

- O. Essential Pharmaceuticals, LLC – Durham, NC
- P. Fresenius Medical Care North America – Ogden, UT
- Q. Hi-Tech Pharmacal Co., Inc. – Amityville, NY
- R. PCI of Illinois – Rockford, IL

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

- S. Dexcom, Inc. – Mesa, AZ
- T. Nabriva Therapeutics US, Inc. – King of Prussia, PA

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

- U. Axia Medical Solutions, LLC – Carlsbad, CA
- V. Fisher Scientific Company LLC – Tracy, CA

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

- W. Smiths Medical ASD, Inc – Dublin, OH

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

- X. Akebia Therapeutics, Inc. – Cambridge, MA
- Y. Humanigen, Inc. – Burlingame, CA
- Z. Provention Bio, Inc. – Red Bank, NJ
- AA. Upjohn US 1 LLC – Peapack, NJ
- BB. US Compounding, Inc. – Conway, AR
- CC. Vericel Corporation – Cambridge, MA

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

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

- DD. Wasatch Rx LLC – Sandy, UT

4.6 Application for Nevada Pharmacy License – Non-appearance

- EE. Corner Drug LLC – Winnemucca, NV
- FF. Safeway Pharmacy #0188 – Reno, NV

President Park disclosed that her employer has a business relationship with CVS Health but stated that she could participate in this matter fairly and without bias.

Rolf Zakariassen disclosed that he is employed by CVS Health but stated that he could participate in this matter fairly and without bias.

Board Action:

Motion: Wayne Mitchell

Second: Krystal Freitas

Action: Passed unanimously.

5. Disciplinary hearings pursuant to NRS 639.247.

A. Praveen Korivi, MD

(20-246-CS-S)

Praveen Korivi failed to appear.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case. Mr. Kandt called Shirley Hunting, Board Coordinator, as a witness.

Ms. Hunting appeared was sworn in by President Park prior to answering questions and offering testimony.

Ms. Hunting testified regarding the procedure notifying Dr. Korivi of the hearing.

Mr. Kandt requested that the following information be entered into the record as evidence:

1. The UPS tracking website as evidence of service as Exhibit 1.
2. The subsequent 21-day notice informing Dr. Korivi of the date and time of his hearing as Exhibit 2.

President Park admitted Exhibits 1 and 2 into the record.

Mr. Kandt requested that the Board find that the respondent was properly noticed and waived his right to a hearing.

Board Action:

Motion: Jade Jacobo moved to find that Dr. Korivi was properly served and has waived his right to a hearing.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested pursuant to NRS 622A.350 the Board accept the allegations as true and that the following documents be entered into the record as evidence:

1. Notice of Intended Action and Accusation, Statement to the Respondent and Notice of Hearing as Exhibit 3.
2. State of Florida Board of Medicine Order as Exhibit 4.
3. DEA Form 104 Surrender for Cause as Exhibit 5.
4. Notice of Suspension of Nevada Certificate of Registration No. CS21374 as Exhibit 6.

President Park admitted Exhibits 3-6 into the record.

Mr. Kandt requested that the Board make findings of fact consistent with paragraphs 1-6 of the accusation.

Board Action:

Motion: Jade Jacobo moved to make findings of fact as proposed by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested that the Board to make conclusions of law consistent with the five causes of action set forth in paragraphs 7-12 of the accusation.

Board Action:

Motion: Jade Jacobo moved to make conclusions of law as proposed by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested that the Board revoke Dr. Korivi's Certificate of Registration No. CS21374. Dr. Korivi may petition for reinstatement after one year with revocation effective immediately.

Board Action:

Motion: Jade Jacobo moved to revoke Dr. Korivi's Certificate of Registration No. CS21374. Dr. Korivi may petition for reinstatement after one year with revocation effective immediately.

Second: Wayne Mitchell

Action: Passed unanimously.

B. Frank Silver, MD (21-001-CS-S)

This matter was continued to a future Board Meeting.

C. Rose Parizo, APRN (18-062-CS-N)

Ms. Parizo appeared and was sworn in by President Park. Kevin Lazar appeared as counsel representing Ms. Parizo.

Brett Kandt prosecuted the case and presented a proposed Stipulation and Order for the Board's consideration.

Ms. Parizo testified and admitted to the factual allegations and charges set forth in the accusation.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to approve the Stipulation and Order as presented regarding case #18-062-CS-N.

Second: Gener Tejero

Action: Passed unanimously.

D. Jasmine Wells and Aesthetics Medspa and Training (18-062-N)

Brett Kandt stated that Ms. Wells has paid her citation and fine and vacated her appeal in this matter.

E. Abraham Fakhouri, MD (20-223-CS-S)

F. Gary Manley, PA-C (20-224-CS-S)

Todd Weiss appeared as counsel representing Dr. Fakhouri and Mr. Manley.

Dr. Fakhouri and Mr. Manley were not present.

Brett Kandt prosecuted the cases and advised that Case No. 20-223-CS-S and 20-224-CS-S are related and will be presented together.

President Park disclosed that she knows Mr. Manley through Roseman University but stated that she could participate in this matter fairly and without bias.

Krystal Freitas disclosed that she was a student of Mr. Manley but stated that she could participate in this matter fairly and without bias.

Mr. Kandt presented a proposed Stipulation and Order with Dr. Fakhouri for the Board's consideration.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Stipulation and Order as presented regarding case #20-223-CS-S.

Second: Krystal Freitas

Action: Passed unanimously.

Brett Kandt presented a proposed Stipulation and Order with Dr. Fakhouri for the Board's consideration.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Stipulation and Order as presented regarding case #20-224-CS-S.

Second: Rolf Zakariassen

Action: Passed unanimously.

6. Appearance pursuant to NRS 639.2445:

Rebekah Keechler, R.Ph

(07-013-RPH-N)

Yenh Long, Deputy Secretary for the Nevada Board of Pharmacy, provided background on Ms. Keechler's appearance before the Board regarding NRS. 639.2445.

Dave Wuest, Executive Secretary for the Nevada Board of Pharmacy, provided the Board complaints made against Ms. Keechler advising that she passed out at work due to alcohol and has a previous history of diversion. Ms. Keechler was very cooperative and agreed to not work in a Pharmacy until this issue was resolved.

Ms. Keechler requested help for her alcohol abuse and was evaluated by a medical doctor. The doctor advised that she is fit to work.

Ms. Keechler appeared and was sworn in by President Park prior to answering questions and offering testimony.

Board discussion ensued regarding her history of substance abuse and work history.

Ms. Keechler answered questions to the Board's satisfaction.

Mr. Wuest stated that this matter is not discipline but a mental health evaluation to determine if Ms. Keechler is fit to go back to work.

Board discussion ensued regarding the Stipulation and Order by the Board for Ms. Keechler.

Carol Schaye, Addiction and Substance Abuse Counselor, appeared and was sworn in by President Park prior to answering questions or offering testimony.

Ms. Schaye provided her findings on Ms. Keechler's evaluation to the Board.

Board discussion ensued regarding Ms. Schaye's credentials, what licensure Nevada Law requires in a physician, and Ms. Keechler's Stipulation adding the condition that she works less than 40 hours a week.

Board Action:

Motion: Richard Tomasso moved to approve Stipulation and Order recommended by the Board with conditions that she does a urinalysis test every month and work less than 40 hours a week.

Second: Gener Tejero

Mr. Wuest asked for clarification if the intent is to allow Ms. Keechler to return to work immediately.

Gener Tejero agreed that his intent was to allow Ms. Keechler to return to work immediately with the condition that she work less than 40 hours a week.

Aye: Mitchell, Zakariassen, Freitas, Tomasso, Tejero

Nay: Park, Jacobo

Action: Motion carries.

8. Applications for Pharmaceutical Technician in Training Registration– Appearance.

A. Alita Carter

Ms. Carter appeared and was sworn in by President Park prior to answering questions and offering testimony.



Courtney Lee, General Counsel for the Nevada Board of Pharmacy, provided background on Ms. Carter's disclosures which involved petty theft, domestic battery, and coercion with physical force.

Board discussion ensued regarding Ms. Carter's disclosures and why she wants to be a Pharmaceutical Technician in Training.

Ms. Carter answered questions to the Board's satisfaction.

Motion: Jade Jacobo moved to approved Alita Carter's Pharmaceutical Technician in Training registration.

Second: Krystal Freitas

Action: Passed unanimously.

#### C. Jennifer Shelley

Ms. Shelley appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Ms. Shelley's disclosure regarding aggravated assault.

Board discussion ensued regarding Ms. Shelley's disclosure and what occurred.

Ms. Shelley answered questions to the Board's satisfaction.

#### Board Action:

Motion: Jade Jacobo moved to approve Jennifer Shelley's Pharmaceutical Technician in Training registration.

Second: Wayne Mitchell

Action: Passed unanimously.

### 9. Applications for Controlled Substance Registration– Appearance.

#### A. Derek Appelblatt, DDS

Mr. Appelblatt appeared and was sworn in by President Park.

Jeffrey Whitehead appeared as counsel representing Mr. Appelblatt.

Mr. Whitehead requested a closed session for this matter.

Board Action:

Motion: President Park moved to go into closed session for Derek Appelblatt.

Second: Rolf Zakariassen

Action: Passed unanimously.

Board Action:

Motion: President Park moved to go into open session.

Second: Rolf Zakariassen

Action: Passed unanimously.

Mr. Wuest stated that no decision was made regarding Mr. Appelblatt's application during closed session.

Board Action:

Motion: Wayne Mitchell moved to approve Derek Appelblatt's controlled substance registration.

Second: Gener Tejero

Action: Passed unanimously.

24. Executive Secretary Report:

A. Financial Report

Mr. Wuest presented the financial report to the Boards satisfaction.

- B. Issuance of Temporary Licenses and Registrations
- C. Change of Address Business List
- D. Meetings with Other Health Care Regulatory Boards
- E. COVID-19 Response
- F. Licensing Software Update
- G. Licensing Activities Report

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

A. Intermountain Homecare Pharmacy – St. George – St. George, UT

James Wes Nance (Managing Pharmacist), Carrie Dunford (Internal Process Manager), and Mark Crosby (Pharmacy Director) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on the application.

The Board removed the Affidavit not to ship sterile compounding products into Nevada from Intermountain Homecare Pharmacy's application at Mr. Nance's request.

Board questioned Mr. Nance regarding the business model, products and services provided, policies and procedures regarding sterile compounding, and his work history.

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

Board Action:

Motion: Jade Jacobo moved to approve out-of-state compounding pharmacy license for Intermountain Homecare Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

5. Disciplinary hearings pursuant to NRS 639.247.

G. Eric Math, MD

(19-083-CS-S)

Hal Taylor appeared as counsel representing Dr. Math.

Dr. Math was not present.

Brett Kandt prosecuted the case and requested that the following documents be entered into the record as evidence:

1. Notice of Intended Action and Accusation, Statement to the Respondent and Notice of Hearing as Exhibit 1.
2. Answer and Notice of Defense by Eric Math, M.D. as Exhibit 2.
3. DEA Form 104 Surrender for Cause as Exhibit 3.
4. Notice of Suspension of Nevada Certificate of Registration No. CS04598 as Exhibit 4.
5. Plea agreement in federal case 3:19-cr-00026-LRH-WGC as Exhibit 5.

Mr. Taylor had no objection.

President Park admitted Exhibits 1-5 into the record.

Board discussion ensued.

Mr. Kandt requested Board to make findings of fact consistent with paragraphs 1-8 of the first amended accusation.

Board Action:

Motion: Jade Jacobo moved to make findings of fact as proposed by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested that the Board to make conclusions of law consistent with the five causes of action set forth in paragraphs 9-21 of the first amended accusation.

Board Action:

Motion: Jade Jacobo moved to make conclusions of law as proposed by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested that President Park enter his timesheet for prosecuting this matter into the record as Exhibit 6. The total amount for attorney fees was \$812.50. Mr. Taylor had no objection.

President Park admitted Exhibit 6 into the record.

Mr. Kandt requested that the Board award \$812.50 in attorney's fees pursuant to NRS 622.400 on the basis that they were reasonable, necessary and actually incurred.

Board Action:

Motion: Jade Jacobo moved to award \$812.50 in attorney's fees as proposed by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

Mr. Kandt requested that the Board revoke Dr. Math's Certificate of Registration No. CS04598. Dr. Math may petition for reinstatement after two years with revocation effective immediately. Dr. Math pay a \$5000 fine and \$812.50 in attorney fees within 30 days of the effective date of the Order.

Mr. Taylor requested that Dr. Math pay the \$812.50 attorney fees within 30 days of the effective date of the Order, and the \$5000 fine be paid before he applies for reinstatement.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to revoke Dr. Math's Certificate of Registration No. CS04598. Dr. Math may petition for reinstatement after two years with revocation effective immediately. Dr. Math pay a \$5000 fine and \$812.50 in attorney fees within 30 days of the effective date of the Order.

Second: None

Action: Motion fails.

Mr. Kandt requested that the Board revoke Dr. Math's Certificate of Registration No. CS04598. Dr. Math may petition for reinstatement after five years with revocation effective immediately. Dr. Math pay a \$5000 fine and \$812.50 in attorney fees within 30 days of the effective date of the Order.

Mr. Taylor requested that Dr. Math can pay the \$5000.00 fine within five years.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to revoke Dr. Math's Certificate of Registration No. CS04598. Dr. Math may petition for reinstatement after five years with revocation effective immediately. Dr. Math pay a \$5000 fine and \$812.50 in attorney fees within 30 days of the effective date of the Order.

Second: Richard Tomasso

Action: Passed unanimously.

7. Petition for Reinstatement of Pharmacy Technician Registration and Request to Appear Before the Board – Appearance.

Breana Clark

Ms. Clark appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on Ms. Clark's disclosure. Ms. Clark's Pharmacy Technician registration was revoked in May 2012 for the diversion of controlled substances at the pharmacy that she worked for.

Mr. Wuest questioned Ms. Clark as to what she has been doing since her revocation and why she would like her registration reinstated.

Ms. Clark stated that she was working for Winco and Walmart, outside the pharmacy, since her revocation and stated that she has changed and would not repeat her past errors.

Board expressed concern regarding the quantity of controlled substances diverted.

Board Action:

Motion: Jade Jacobo moved to deny the petition of reinstatement for Breana Clark's Pharmacy Technician registration.

Second: Wayne Mitchell

Aye: Park, Mitchell, Jacobo, Zakariassen, Freitas, Tomasso

Nay: Tejero

Action: Motion carries.

8. Applications for Pharmaceutical Technician in Training Registration – Appearance.

B. Alexander Peralta

No representative on behalf of Mr. Peralta was present.

9. Applications for Controlled Substance Registration– Appearance.

B. Mich Gehrig Jr., DO

Mr. Gehrig appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Mr. Gehrig's disclosure regarding graffitiing property.

Board discussion ensued regarding Mr. Gehrig's disclosure.

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

Board Action:

Motion: Wayne Mitchell moved to approve Mich Gehrig's controlled substance registration.

Second: Krystal Freitas

Action: Passed unanimously.

C. Jessica Noar, DMD

Ms. Noar appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Ms. Noar's disclosure regarding shoplifting and a DUI. Also, she did want to advise that Ms. Noar changed her last name to Ms. Berger.

Board discussion ensued regarding Ms. Berger's disclosure.

Ms. Berger answered questions to the Board's satisfaction.

Ms. Berger stated that she is almost 19 months sober, continues to attend her AA meetings, and meets with her sponsor.

Board requested that Ms. Berger provide her legal history and recovery documentation after the meeting.

Board Action:

Motion: Krystal Freitas moved to approve Jessica Berger's controlled substance registration pending receipt and review of her legal history and recovery documentation to Board staff.

Second: Richard Tomasso

Action: Passed unanimously.

D. Nicole Prodany, DVM

Ms. Prodany appeared and was sworn in by President Park. Lyn Beggs appeared as counsel representing Ms. Prodany.

Mark Chase from the PRN program is present if Board has any questions regarding Ms. Prodany's contract with PRN.

Ms. Lee provided background on Ms. Prodany's disclosures regarding a DUI while on controlled substances.

Board discussion ensued regarding Ms. Prodaný's disclosure, her job as a veterinarian, and the changes in her life since these convictions.

Ms. Prodaný answered questions to the Board's satisfaction.

Board is hesitant to provide Ms. Prodaný a license due to her past with controlled substances, so they are looking to see if the Board can limit her license to a specific drug list.

Ms. Beggs commented that Ms. Prodaný has changed, and the Nevada Veterinary Board monitors her. In addition, she does not feel a list of drugs that Ms. Prodaný is allowed to use is appropriate as it will affect her job as a veterinarian. However, she requests the Board grant her licensure with conditions provided by the Board.

Board discussion ensued regarding the conditions that should be placed on Ms. Prodaný's controlled substance registration. They discussed mirroring conditions as set forth in the Wisconsin Order and extending those conditions 5 years from the original date of that order and that the Board staff visits Ms. Prodaný's practice site.

Board Action:

Motion: Jade Jacobo moved to approve Nicole Prodaný's controlled substance registration with the conditions as set forth in the Wisconsin Order and extending it five years from the original order date. In addition, the Board staff visits Ms. Prodaný's Practice site to see the conditions that she works in.

Second: Richard Tomasso

Aye: Park, Jacobo, Zakariassen, Freitas, Tomasso

Nay: Mitchell, Tejero

Action: Motion carries.

E. Anjmun Sharma, MD

Mr. Sharma appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Mr. Sharma's disclosure regarding administrative action by Colorado's Medical Board due to professional boundaries being crossed.

Board discussion ensued regarding Mr. Sharma maintaining his professional boundaries and the actions taken when working with female patients.

Mr. Sharma provided background on his current licenses and his good standing in other states. In addition, he stated that a chaperone is present when examining female patients.



Board Action:

Motion: Jade Jacobo moved to approve Anjmun Sharma's controlled substance registration.

Second: Wayne Mitchell

Action: Passed unanimously.

10. Applications for Advance Practice Registered Nurse – Prescribe Registration– Appearance.

A. Carrie Bowman

Ms. Bowman appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on Ms. Bowman's disclosures regarding a DUI, domestic battery, violence, and excessive speeding.

Ms. Bowman stated that she is almost 18 years sober and continues to work on her recovery.

Board discussion ensued regarding the status of her registrations in other states, the continuation of her AA classes, and her plans to practice in Nevada.

Ms. Bowman answered questions to the Board's satisfaction.

Board Action:

Motion: Wayne Mitchell moved to approve Carrie Bowman's Advance Practice Registered Nurse – Prescribe registration.

Second: Jade Jacobo

Action: Passed unanimously.

11. Application for Nevada Pharmacy License – Appearance

B. Grover C. Dils Medical Center – Caliente, NV

Melissa Rowe, Chief Executive Officer, and Trent Decker, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on the application. In addition, Grover C. Dils is requesting a waiver from the Board to allow Mr. Decker to manage two pharmacies. Mr. Dodge commented that Nevada Law does not allow a Managing Pharmacist to manage more than

one licensed pharmacy. However, the Board can provide a waiver if the hospital has fewer than a hundred beds which Grover C. Dils meets the requirements.

Mr. Dodge questioned Mr. Decker regarding the business model for a retail pharmacy in the hospital looks like and where they would be located at.

Board discussion ensued regarding pharmacy hours and how Mr. Decker will split his hours between both pharmacies.

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

Board Action:

Motion: Krystal Freitas moved to approve the Nevada pharmacy license for Grover C. Dils Medical Center.

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to approve the Pharmacist-in-Charge (PIC) waiver for Trent Decker to manage both licensed pharmacies at Grover C. Dils Medical Center.

Second: Krystal Freitas

Action: Passed unanimously.

D. Silver State Drug – Caliente, NV

Andrew Bleak, Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on the application. He stated that Mr. Bleak had appeared at a prior board meeting attempting to purchase Jolly's Pharmacy in 2016, but the Board had concerns regarding Mr. Bleak's financial partners. He stated Mr. Bleak is requesting a change of ownership of Jolly's Drug Store and will rename it to "Silver State Drug".

Mr. Dodge questioned Mr. Bleak regarding the business model for the pharmacy.

Mr. Bleak answered questions to the Board's satisfaction. He stated that Mr. Katsche, his financial partner from 2016, will have no financial interest in the company. Mr. Bleak also stated that no compounding services will be provided at Silver State Drug.

Board Action:

Motion: Gener Tejero moved to approve Nevada pharmacy license for Silver State Drug.

Second: Jade Jacobo

Action: Passed unanimously.

E. Value Pharmacy – North Las Vegas, NV

Kristy Tran, Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Bill Stilling appeared as counsel representing Value Pharmacy.

Gener Tejero disclosed that he has a business relationship with Mr. Stilling but stated that he could participate in this matter fairly and without bias.

Jade Jacobo disclosed that she has a business relationship with Ms. Tran but stated that she could participate in this matter fairly and without bias.

Mr. Dodge provided background on the application and stated that Value Pharmacy was granted a temporary license in January 2021. He questioned Ms. Tran about her work history.

Ms. Tran answered questions to the Board's satisfaction.

Leo Basch, Nevada Board of Pharmacy Inspector, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Basch provided the findings of his pre-inspection for Value Pharmacy. He commented that the inspection went well.

Mr. Dodge explained that Value Pharmacy did not appear at the previous Board meeting due to the ownership of the pharmacy. Ms. Tran's husband who is a dentist was listed as a 90 percent owner which Nevada Law does not allow. Due to this regulation, Ms. Tran changed the ownership so she is now 90 percent owner while her husband holds 10 percent.

Board questioned Ms. Tran regarding the business model of Value Pharmacy and her husband's involvement with the pharmacy.

Ms. Tran answered questions to the Board's satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve Nevada pharmacy license for Value Pharmacy.

Second: Richard Tomasso

Action: Passed unanimously.

#### C. Right Dose Pharmacy – Las Vegas, NV

Ugonna Nnodim, Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park disclosed that she graduated with Mr. Nnodim but stated that she could participate in this matter fairly and without bias.

Mr. Dodge provided background on the application. He stated that Right Dose Pharmacy was granted a temporary license and that Luis Curras, Nevada Board of Pharmacy Inspector, was available to discuss the results of their pre-inspection.

Mr. Dodge questioned Mr. Nnodim about his work history.

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

Mr. Curras appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Curras provided the findings of his pre-inspection for Right Dose Pharmacy. He stated that during his first visit the pharmacy was still in the building process and had not establish hardware or software. Mr. Nnodim commented that he was having suppliers' problems due to COVID. Mr. Curras stated that he came back for a second inspection, and Mr. Nnodim addressed the concerns of Board staff and had a positive inspection.

Board discussion ensued regarding why he wants to open a pharmacy, what type of products and services will be provided, and his plan if he gets deployed due to being in the military.

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

#### Board Action:

Motion: Jade Jacobo moved to approve the Nevada pharmacy license for Right Dose Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

Public Comment April 14 2021, 5:00 PM

Pippa Stewart requested to have her matter heard first on April 15, 2021.

Alan Kruger requested what time he will be appearing on April 15, 2021.

Jay Hays requested what time he will be appearing on April 15, 2021.

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
Sophia Long	Ken Scheuber	Darlene Nases	

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.

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.

Public Comment April 15 2021, 9:00 AM

There was no public comment.

10. Applications for Advance Practice Registered Nurse – Prescribe Registration– Appearance.

D. Pippa Stewart

Ms. Stewart appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on Ms. Stewart's disclosure regarding misdemeanor theft.

Ms. Stewart commented that it was a time card inaccuracy at her job which she was arrested and put in jail for. However, she was not presented the inaccuracies by her previous

employer and pleaded “no contest”. She was placed on probation, paid restitution, and had the charges expunged.

Board discussion ensued regarding the court documents that were provided to the California Board of Nursing.

President Park offered Ms. Stewart the opportunity to table her application in order to retrieve and submit her court documents to the Board for review.

President Park tabled Ms. Stewart’s application at her request.

#### B. Bayink-Raine Falter

Mr. Falter appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Chase from the PRN program was present if Board has any questions regarding Mr. Falter’s contract with PRN.

Ms. Lee provided background on Mr. Falter’s disclosures regarding disorderly conduct, DUI, and battery charges.

Board discussion ensued regarding what Mr. Falter has been doing since the charges, the restrictions placed on his license by the Nevada State Board of Nursing, and the reason for the license request.

Mr. Falter answered questions to the Board’s satisfaction.

Mr. Falter commented that he has been sober since December 2016. He has changed for the better and continues to have a good support network and sponsor.

#### Board Action:

Motion: Jade Jacobo moved to approve Bayink-Raine Falter’s Advance Practice Registered Nurse – Prescribe registration with the condition that he continue his monitoring as set forth by the Nevada State Board of Nursing.

Second: Richard Tomasso

Action: Passed unanimously.

#### 18. Application for Pharmacist Registration by Reciprocity – Appearance

Alan Kruger

Alan Kruger appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on Mr. Kruger's appearance to the Board. In August 2015 he was charged in Florida with assault with a deadly weapon, which was reduced to unlawfully exhibiting a weapon for which he successfully completes probation. He was disciplined by pharmacy boards in Kansas Board, Alabama, and Louisiana for his failure to properly disclose the criminal action in Florida.

Mr. Kruger stated that at the time of the charges he did have a concealed weapons permit.

Board discussion ensued regarding Mr. Kruger's disclosures and why he is requesting licensure in Nevada.

Mr. Kruger answered questions to the Boards satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve the pharmacist registration by reciprocity for Alan Kruger.

Second: Krystal Freitas

Aye: Jacobo, Freitas, Tejero, Mitchell, Zakariassen, Tomasso

Nay: Park

Action: Motion carries.

12. Applications for Nevada Compounding Pharmacy License – Appearance

Vegas Pharmacy – Las Vegas, NV

Bradly Lende, Managing Pharmacist and Part-Owner, and Brandon Lende, Part-Owner, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on Vegas Pharmacy and stated that Vegas Pharmacy was issued a temporary license. Mr. Dodge stated that he conducted the pre-inspection.

Mr. Dodge reported a positive pre-inspection for Vegas Pharmacy.

Board questioned Mr. Lende regarding his business model, his disclosure relating to a DUI in 2014, and his experience as a pharmacy manager/owner.

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

Board Action:

Motion: Gener Tejero moved to approve Nevada compounding pharmacy license for Vegas Pharmacy.

Second: Rolf Zakariassen

Action: Passed unanimously.

14. Applications for Out-of-State Pharmacy License – Appearance

A. Accredo Health Group, Inc. – Lenexa, KS

Richard Palombo, Senior Director, and Doug Lang, Managing Director of Compliance at Express Scripts, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Accredo’s disclosures regarding administrative actions taken by the Board of Pharmacy in Texas, Michigan, Alabama, Kansas, and Maine.

Mr. Palombo added that none of the discipline disclosed was directly related to the Lenexa location.

Board questioned Accredo on their business model, their policies and procedures, and products and services provided.

Mr. Lang and Mr. Palombo answered questions to the Boards satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve out-of-state pharmacy license for Accredo Health Group, Inc.

Second: Krystal Freitas

Action: Passed unanimously.

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

C. ZooPharm, LLC – Laramie, WY

Daniel Hagerman, Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on application.



The Board removed the Affidavit not to ship sterile compounding products into Nevada from ZooPharm's application at Mr. Hagerman's request.

Board questioned Mr. Hagerman about the business model, his work history, administrative actions taken against Zoopharm and their parent company, and policies and procedures regarding sterile compounding and staff training.

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

Board Action:

Motion: Krystal Freitas moved to approve out-of-state compounding pharmacy license for ZooPharm, LLC.

Second: Jade Jacobo

Action: Passed unanimously.

10. Applications for Advance Practice Registered Nurse – Prescribe Registration– Appearance.

C. Jordan Hays

Mr. Hays appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on Mr. Hay's disclosures regarding marijuana, petty theft, minor possession of alcohol, and firearms.

Board discussion ensued regarding his education and work history and why he is looking for a license in Nevada.

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

Board Action:

Motion: Jade Jacobo moved to approve Jordan Hays Advance Practice Registered Nurse – Prescribe registration.

Second: Rolf Zakariassen

Action: Passed unanimously.

14. Applications for Out-of-State Pharmacy License – Appearance

B. Nextcare Pharmacy – Houston, TX

Nextcare Pharmacy withdrew their application.

### C. ScriptCo Pharmacy – Woodway, TX

Mark McCormick (CEO), Shailendra Gupta (CCO), and Courtney Sullens (Managing Pharmacist) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on disclosure for the company regarding Mr. Gupta being charged for larceny.

Mr. Gupta provided background on disclosure to the Board and stated that it was dismissed.

Board questioned Mr. McCormick on the business model, his work history, and how will his company address counseling for the medications.

Mr. McCormick answered questions to the Boards satisfaction.

#### Board Action:

Motion: Jade Jacobo moved to approve out-of-state pharmacy license for ScriptCo Pharmacy.

Second: Wayne Mitchell

Action: Passed unanimously.

### 15. Applications for Nevada Medical, Devices, Equipment and Gases License – Non-appearance

#### Kinex Medical Company – Las Vegas, NV

Michael Buckholdt (President), Leann Wilhem (Compliance Officer), and Sandra Sorenson (MDEG Administrator) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Kinex previously appeared at the March 4, 2021 Board meeting regarding a new MDEG application, but tabled application because of inconsistent employment information provided for proposed MDEG administrator Sorenson.

Kelly Dove appeared as counsel representing Kinex.

Ms. Lee provided background on the Kinex application and the issuance of a cease and desist with a citation and fine (“C&D”) on March 8, 2021 for unlicensed activity. Ms. Dove

acknowledges receipt of the C&D on or about March 16, 2021 (mail receipts state March 13, and March 15, 2021 for Las Vegas, Nevada and Waukesha, Wisconsin addresses).

Ms. Dove stated that it was a regulatory error which is why Kinex kept operating after the cease and desist was issued. She noted Kinex paid the fine on April 9, 2021 and wants to be compliant. Ms. Dove indicated that the Hauck Street location closed on March 30, 2021, and ceased operations.

Board members questioned Kinex representatives as to why they continued operating after several notices, how their subcontracting with Gable works, why the Board of Pharmacy was not contacted on their licensing issue, and their business model. In addition, Board members questioned Kinex on Ms. Sorenson's work history.

Board discussion ensued regarding Kinex not complying with Nevada law, inconsistencies with information provided, and the relationship with Gable and Kinex at this location.

Mr. Buckholdt represented to the Board that he is taking measures within the company to ensure that there will be no future violations.

Board discussion ensued regarding restrictions that should be placed on a Kinex license.

Board Action:

Motion: Jade Jacobo moved to approve Nevada MDEG license for Kinex Medical Company with conditions, Kinex MDEG license be placed on probation for one year. Kinex shall have quarterly inspections at the company's expense. Kinex shall provide an action plan with cause analysis due in ten days regarding why unlicensed activity continued after Kinex received a cease and desist.

Second: Gener Tejero

Aye: Park, Jacobo, Freitas, Mitchell, Zakariassen, Tejero

Nay: Tomasso

Action: Motion carries.

16. Applications for Out-of-State Wholesaler License – Appearance

- A. Danox Environmental Services Inc. – Cumming, GA – Background check completed. Disqualifying events – Disclosure

Matthew Danner, Owner, and Kevin Cox, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt provided background on Mr. Danner's disclosure regarding a DUI.

Board questioned Mr. Danner about his business model and services provided.

Mr. Danner answered questions to the Boards satisfaction.

Mr. Cox commented that Danox Environmental Services is a reverse distributor and has plans to work with a client in Nevada doing clinical trials for a Schedule I CBD product.

Board Action:

Motion: Jade Jacobo moved to approve out-of-state wholesaler license for Danox Environmental Services Inc.

Second: Krystal Freitas

Action: Passed unanimously.

11. Application for Nevada Pharmacy License – Appearance

A. Atlas Pharmacy and Medical Supply – Las Vegas, NV

Obidike Iheanacho, Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada Board of Pharmacy, provided background on Atlas Pharmacy's application. He stated that Mr. Iheanacho appeared previously, but his application was tabled for him to resubmit an accurate work history.

Board discussion ensued regarding the importance of proper record keeping to ensure public safety.

Board Action:

Motion: Jade Jacobo moved to approve the Pharmacy License for Atlas Healthcare dba Atlas Pharmacy and Medical Supply pending favorable inspection and two additional inspections within in one year at the company's expense.

Second: Gener Tejero

Action: Passed unanimously.

17. Application for Nevada Wholesaler License – Non-Appearance

Lincare, Inc. – Sparks, NV – Background Check Not Required - Manufacturer (NAC 639.593(7)(d)) – Disclosure

Austin Carne, Facility Manager, and Collin Waller, Licensing Administrator, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee outlined past discipline and penalties in other states.

Mr. Waller stated that the disclosures were not directly related to the Sparks, NV location.

Mr. Waller and Mr. Carne answered questions to the Boards satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve Nevada wholesaler license for Lincare, Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

16. Applications for Out-of-State Wholesaler License – Appearance

B. Elanco US, Inc. – Shawnee Mission, KS – Background Check Not Required –  
Manufacturer (NAC 639.593 (7)(d)) -Disclosure

Roxanne Estela, Advisor of State Licensing and Permits, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt provided background on administrative action taken by Idaho where Elanco shipped products into Idaho without a license.

Ms. Jacobo questioned Ms. Estela asking if there will be changes to the products since this is a change in ownership application.

Ms. Estela stated no changes to their products.

Board Action:

Motion: Jade Jacobo moved to approve the change of ownership for out-of-state wholesaler license – Elanco US, Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

19. Request to Engage in the Practice of Pharmacy at a Site Other than a Licensed Pharmacy – Appearance

A. Corey Colombino

B. Quynh Nhu Doan

President Park recused from participation in this matter due to the association with Roseman University.

Ms. Jacobo was acting president during this matter.

Corey Colombino and Quynh Nhu Doan appeared and were sworn in by Jade Jacobo prior to answering questions and offering testimony.

Mr. Wuest provided background on appearance for Mr. Colombino and Ms. Doan. Nevada Law requires an appearance in front of the Board if a pharmacist requests to engage in the practice of pharmacy outside a licensed pharmacy.

Board questioned Mr. Colombino and Ms. Doan on what type of services that they will be offering, how they will get their patients, and hours of operation.

Mr. Colombino and Ms. Doan answered questions to the Boards satisfaction.

Board Action:

Motion: Krystal Freitas moved to approve the request for Corey Colombino and Quynh Nhu Doan to provide pharmacy services at a site other than a licensed pharmacy.

Second: Wayne Mitchell

Action: Passed unanimously (Park recused).

- C. Amy Hale
- D. Raquel Vertrees

Amy Hale and Raquel Vertrees appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park disclosed that Ms. Hale and Ms. Vertrees were students at Roseman University but stated that she could participate in this matter fairly and without bias.

Ms. Jacobo disclosed that she works at the same employer as Ms. Hale and Ms. Vertrees but stated that she could participate in this matter fairly and without bias.

Mr. Wuest provided background on appearance for Ms. Hale and Ms. Vertrees. Nevada Law requires an appearance in front of the Board if they request to engage in the practice of pharmacy outside a licensed pharmacy.

Board questioned Ms. Hale and Ms. Vertrees on what type of services that they will be offering and where they will be performing services.

Ms. Hale and Ms. Vertrees answered questions to the Boards satisfaction.

Ms. Long commented that Item H in their documentation states that they will be the manager of Pharmacy Technicians. However, they are not a licensed pharmacy so that should be removed.

President Park offered Ms. Hale and Ms. Vertrees to modify their request with the removal of Item H.

Ms. Hale and Ms. Vertrees confirmed that Item H should be removed.

Board Action:

Motion: Jade Jacobo moved to approve Amy Hale and Raquel Vertrees request to provide pharmacy services at a site other than a licensed pharmacy; pending updated documentation with the removal of Item H.

Second: Rolf Zakariassen

Action: Passed unanimously.

22. Request for Exemption from the requirement of a lavatory with toilet and washbasin within or adjoining the pharmacy. NAC 639.530(4).

Desert Wind Hospital, LLC – Las Vegas, NV

Mr. Wuest commented that Desert Wind Hospital's request for exemption had been withdrawn after Board staff inspected the facility and determined that it is compliant with Nevada law.

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).

Mr. Kandt gave a brief overview of relevant legislation under consideration at the current Legislative Session.

21. Approval of Revised Personal History Application and Designated Representative Application.

Ms. Long presented the updated Personal History Application and Designated Representative Application to the Boards satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve the revised Personal History Application and Designated Representative Application.

Second: Krystal Freitas

Action: Passed unanimously.

20. Request for Approval of Change of Managing Pharmacist pursuant to NRS 639.220  
Modern Rx – Las Vegas, NV

No representative on behalf of Modern Rx was present.

13. Applications for Out-of-State Compounding Pharmacy License – Appearance  
B. Meds in Motion – Draper, UT

No representative on behalf of Meds in Motion was present.

8. Applications for Pharmaceutical Technician in Training Registration– Appearance.  
B. Alexander Peralta

No representative on behalf of Mr. Peralta was present.

Public Comment April 15 2021, 5:00 PM

There was no public comment.

25. Date and Location of Next Scheduled Board Meeting:  
June 2-3, 2021 – Las Vegas, NV

27. Adjournment