



Nevada State Board of Pharmacy

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Date Posted: June 29, 2021

AMENDED AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, July 14, 2021 at 9:00 am. The meeting will continue, if necessary, on Thursday, July 15, 2021 at 9:00 am or until the Board concludes its business at the following location:

Pursuant to Governor Steve Sisolak's Emergency Directive 044, the meeting can be listened to or viewed live over Zoom remotely or at the following location:

Home2 Suites Las Vegas Strip South
7740 Las Vegas Blvd. South
Las Vegas, NV 89123

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.

The Nevada State Board of Pharmacy 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.

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 the June 2-3, 2021 Meeting Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Pharmacy License (NRS 639.2328) – Non-appearance (**FOR POSSIBLE ACTION**)
 - A. A & M Pharmacy LLC – Orlando, FL
 - B. Adelaide Apothecary – Lexington, KY
 - C. Benecard Central Fill of FL, LLC – Bonita Springs, FL
 - D. BILH Pharmacy Direct – Westwood, MA
 - E. BILH Specialty Pharmacy – Westwood, MA
 - F. Care Fusion Rx – Garden Grove, CA
 - G. Colton Pharmacy – Colton, CA
 - H. Lifeline Specialty Pharmacy – Ellicott City, MD
 - I. Gretna Xpress Pharmacy – Terrytown, LA
 - J. Medpack LLC – Brooklyn, NY
 - K. Optum Pharmacy 701 – Flint, MI
 - L. ReCept Pharmacy #75 – El Paso, TX
 - M. Truax Patient Services, LLC – Bemidji, MN
 - N. US MED, LLC – Miami, FL
 - O. XeCare LLC – New Albany, OH
- 4.2 Application for Out-of-State Compounding Pharmacy License (NRS 639.2328) – Non-appearance (**FOR POSSIBLE ACTION**)

- P. Crimson Valley Pharmacy, LLC – Saint George, UT
- Q. Excel Pharmacy – Saint Peters, MO
- R. MedQuickRx – Los Angeles, CA

4.3 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-appearance (**FOR POSSIBLE ACTION**)

- S. AZ Diabetic Supply Inc. – Vienna, VA
- T. Care Airways Corp – Boca Raton, FL
- U. CRI – Towson, MD
- V. Curitec, LLC – New Smyrna Beach, FL
- W. Maximum DME Corporation – Placentia, CA
- X. Monitor Medical, Inc. – Sugar Land, TX
- Y. Preferred Medical – Camphill, PA
- Z. Preferred Medical – Conway, AR
- AA. Preferred Medical – Jacksonville, FL
- BB. Preferred Medical – Kansas City, KS
- CC. Preferred Medical – Waco, TX
- DD. Sleep Central – Murray, KY
- EE. United States Medical Supply, LLC – Doral, FL
- FF. US MED, LLC – Miami, FL
- GG. Visible Supply Chain Management – West Jordan, UT
- HH. Wolf Medical – Sunrise, FL

4.4 Applications for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6942) – Non-appearance (**FOR POSSIBLE ACTION**)

4.5 Applications for Out-of-State Wholesaler License (NRS 639.233) – Non-appearance (**FOR POSSIBLE ACTION**)

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))

- II. AMAG Pharmaceuticals, Inc. – Waltham, MA
- JJ. Avadel CNS Pharmaceuticals, LLC – Chesterfield, MO
- KK. Corium, Inc. – Grand Rapids, MI
- LL. Covis Pharma US, Inc. – King of Prussia, PA
- MM. Darmerica, LLC – Casselberry, FL
- NN. Glenmark Therapeutics Inc. USA – Mahwah, NJ
- OO. Horizon Therapeutics USA, Inc. – Deerfield, IL
- PP. Juno Therapeutics Inc. – Bothell, WA
- QQ. Landmark Supply, Inc. – Highland Park, NJ
- RR. Nostrum Laboratories, Inc. – Kansas City, MO

SS. TechLab, Inc. – Radford, VA

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

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

TT. Owens & Minor Distribution, Inc. – Ontario, CA

UU. SRCL Expert Solutions LLC – Indianapolis, IN

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

Cardinal Health 200, LLC – Riverside, CA

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

VV. Amicus Therapeutics US, LLC – Philadelphia, PA

WW. APL Sales I LLC – Waltham, MA

XX. Applied Therapeutics, Inc. – Englewood Cliffs, NJ

YY. Celgene Corporation – Summit, NJ

ZZ. Dexcom, Inc. – San Diego, CA

AAA. G1 Therapeutics, Inc. – Research Triangle Park, NC

BBB. Helius Medical, Inc – Newtown, PA

CCC. Novavax, Inc. – Gaithersburg, MD

DDD. Parcus Medical, LLC – Sarasota, FL

EEE. Pharming Healthcare, Inc. – Warren, NJ

FFF. Tetrphase Pharmaceuticals, Inc. – Waltham, 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.**

GGG. Organon LLC – Kenilworth, NJ

4.6 Application for Nevada Wholesaler License (NRS 639.233) – Non-appearance
(FOR POSSIBLE ACTION)

4.7 Application for Nevada Pharmacy License (NRS 639.230) – Non-appearance
(FOR POSSIBLE ACTION)

HHH. Silver State Drug – Alamo – Alamo, NV

◆ REGULAR AGENDA ◆

5. Disciplinary hearings pursuant to NRS 639.247. **(FOR POSSIBLE ACTION)**

A. Aurora Bejto, RPH

(21-021-RPH-N)

B. Direct Compounding and Outsourcing, LLC

(19-070-PH-S)

- C. Scot Silber, RPH (19-070-RPH-S)
- D. Michael Thomas, PT (19-070-PT-A-S)
- E. Krystal Hernandez, PT (19-070-PT-B-S)
- F. Richard Jensen, RPH (21-036-RPH-A-N)
- G. Jerry Potmesil, RPH (21-036-RPH-B-N)
- H. Flying Diamond Pharmacy, LLC (21-036-PH-N)
- I. Steven Klomp, MD (19-265-CS-N)
- J. Sassan Kaveh, MD (21-051-CS-N)
- K. Jill Oliver, MD (20-007-PD-S)
- L. Karen Arcotta, MD (21-046-CS-S)
- M. Jeff Chen, MD (20-001-CS-N)

6. Applications for Pharmaceutical Technician in Training Registration (NAC 639.242) – Appearance. **(FOR POSSIBLE ACTION)**

- A. Aaron Borecki
- B. Lisa Fuentes
- C. Odetta Kilgore
- D. Barbara Piedra
- E. Clinton Rickman
- F. Julie Sonekeo
- G. David Tilsen

7. Applications for Pharmaceutical Technician Registration (NAC 639.240) – Appearance. **(FOR POSSIBLE ACTION)**

- A. Lizbeth Lara
- B. Antonio Madrid

8. Applications for Advance Practice Registered Nurse – Prescribe Registration (NAC 639.850) – Appearance. **(FOR POSSIBLE ACTION)**

- A. Lindsay McComas
- B. Aubree Teribury

9. Application for Nevada Pharmacy License (NRS 639.230) – Appearance **(FOR POSSIBLE ACTION)**

- A. Cure 4 The Kids Foundation Patient Pharmacy – Las Vegas, NV
- B. Elemental Pharmacy – Las Vegas, NV
- C. Elite Medical Center, an extension of Valley Hospital Pharmacy – Las Vegas, NV
- D. Genoa Healthcare, LLC – Las Vegas
- E. The Desert Hope Center – Las Vegas, NV
- F. The Medicine Shoppe Retail Pharmacy – Las Vegas, NV

10. Application for Nevada Compounding Pharmacy License (NRS 639.230)

– Appearance (**FOR POSSIBLE ACTION**)

The Medicine Shoppe LTC Pharmacy – Las Vegas, NV

11. Applications for Out-of-State Pharmacy License (NRS 639.2328) – Appearance
 - A. Ed Snell’s Pharmacy Shop & Oxygen – Pocatello, ID
 - B. Marley Drug, Inc. – Winston-Salem, NC
 - C. MedWiseRx – Austin, TX
 - D. Pyramids Infusion Center – Webster, TX
 - E. UCSD Home Infusion Pharmacy

12. Applications for Out-of-State Compounding Pharmacy License (NRS 639.2328) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Northmark Pharmacy – Cincinnati, OH
 - B. Soleo Health Inc. – Dublin, OH

13. Applications for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6942) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Cranial Technologies, Inc. – Las Vegas, NV
 - B. Patients Choice, LLC – North Las Vegas, NV

14. Application for Nevada Wholesaler License (NRS 639.233) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Biologic, LLC – Las Vegas, NV – Background Check completed in compliance with NRS 639.500 – Disqualifying Events - Disclosure
 - B. Dia-foot – Las Vegas, NV - Background Check completed in compliance with NRS 639.500 –No Disqualifying Events

15. Applications for Out-of-State Wholesaler License (NRS 639.233) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Amsino Medical, Inc. – Aurora, IL – Background Check Not Required – Manufacturer (NAC 639.593(7)(d)) – Disclosure
 - B. Crown Laboratories – Johnson City, TN – Background Check Not Required - Manufacturer and VAWD-Accredited (NAC 639.593(7)(c) and (d) - Disclosure
 - C. Solaris Pharma Corporation – Bridgewater, NJ – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events

16. Application for Out-of-State Outsourcing Facility (NRS 639.100) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Empower Pharmacy – Houston, TX
 - B. Exela Pharma Sciences, LLC – Lenoir, NC

17. Request for waiver from managing pharmacist pursuant to NRS 639.220 (3)

Kodilichi Izuora

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

Pharmerica Reno

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

Danielle Plummer

20. Application for Pharmacist Registration by Examination – Appearance **(FOR POSSIBLE ACTION)**

Adam Katschke

21. Application for Pharmacy Registration by Reciprocity – Appearance **(FOR POSSIBLE ACTION)**

Armin Aryan

22. Report from Michael Hillerby, Kaempfer Crowell, on 81st Session (2021) of Nevada Legislature.

23. Discussion and possible action on proposal to conduct future Board meetings at a physical location with public access, while 1) permitting members of the general public the option of attending via remote technology; 2) permitting applicants for licensure or renewal the option of appearing on their application via remote technology; and 3) requiring parties and witnesses in contested cases to appear in-person. **(FOR POSSIBLE ACTION)**

24. Approval of revised Pharmacy License Application **(FOR POSSIBLE ACTION)**

25. Approval of new Ambulatory Surgical Center and Recovery Center License Application **(FOR POSSIBLE ACTION)**

26. 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).

27. Executive Secretary Report:

- A. Financial Report

- 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
- H. PMP Integration

◆ WORKSHOP ◆

Thursday July 15, 2021 – 9:00 am

28. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2)
(FOR POSSIBLE ACTION):
- A. **Amendment of Nevada Administrative Code (NAC) Chapter 639.** The proposed amendment will implement the provisions of Senate Bill 408 requiring an applicant for registration as a pharmacist, pharmaceutical technician or pharmaceutical technician in training to undergo a criminal background check; increase the fees for the investigation or issuance or renewal of a license as a manufacturer or wholesaler; provide that an application for any certificate, license or permit issued by the Board is only valid for 1 year after the date it is received by the Board unless the Board extends its period of validity, and clarify the licensing requirements for an outsourcing facility or euthanasia technician.
 - B. **Amendment of Nevada Administrative Code (NAC) 453.510: Schedule I.** The proposed amendment to NAC 453.510 will add Eutylone (bk-EBDB, 1-(1,3-Benzodioxol-5-yl)-2-(ethylamino)butan-1-one, b-keto-ethylbenzodioxolylbutanamine) and fentanyl related substances (Fentanyl Carbamate (Ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate); Methyl methoxyacetyl fentanyl (some trade or other names: 2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide; (ortho-methyl methoxyacetyl)fentanyl; 2-methyl methoxyacetyl fentanyl); N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)propionamide (2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl); Fluoroacryl fentanyl; Fluoro furanyl fentanyl; Methyl acetyl fentanyl); Phenylpropanoyl fentanyl; Fluorobutyryl fentanyl); Phenyl fentanyl (some trade or other names: benzoyl fentanyl); Thiofuranyl fentanyl (some trade or other names: thiophene fentanyl).
to the list of controlled substances listed in Schedule I.
 - C. **Amendment of Nevada Administrative Code (NAC) 453.540: Schedule IV.** The proposed amendment to NAC 453.540 will add lemborexant and remimazolam, to the list of controlled substances listed in Schedule IV.
 - D. **Amendment of Nevada Administrative Code (NAC 639).** The proposed amendments will add a new section to implement the provisions of Senate Bill 190, requiring the Board to adopt regulations that establish a protocol to allow a pharmacist to dispense a self-administered hormonal contraceptive to any patient.

E. **Amendment of Nevada Administrative Code (NAC 639.)** The proposed amendments will create a new section to implement the provisions of Senate Bill 325 requiring the Board to adopt regulations that establish requirements to allow a pharmacist to dispense drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus.

29. Date and Location of Next Scheduled Board Meeting:

September 1-2, 2021 – Las Vegas, NV

30. 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)

31. 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.