



NEVADA STATE BOARD OF PHARMACY

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MINUTES

August 31 – September 2, 2021

BOARD MEETING

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

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	Kristopher Mangosing
Brett Kandt	Joe Dodge	Dena McClish	Sophia Long
Courtney Lee	Darlene Nases	Leo Basch	Ken Scheuber
Monica Segedy			

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 August 31 2021, 9:00 AM

Bill Head from Pharmaceutical Care Management Association wanted to comment on Agenda Item 26.

President Park commented that Mr. Head can address the item when it is called upon in the Board Meeting.

◆ CONSENT AGENDA ◆

3. Approval of the July 14-15, 2021 Meeting Minutes

Board Action:

Motion: Wayne Mitchell moved to approve the July 14-15, 2021 Meeting Minutes.

Second: Jade Jacobo

Action: Passed unanimously.

4. 4.1 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-appearance (**FOR POSSIBLE ACTION**)

- A. Darlan Medical Incorporated – Springfield, VA
- B. EyeTech Digital Systems Inc. – Mesa, AZ
- C. Henry Schein Inc. – Whitestown, IN

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

Background Check Not Required by Law.

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

4.2.2 Manufacturer (NAC 639.593(7)(d))

- D. BeiGene USA, Inc. – San Mateo, CA
- E. Circassia Inc. – Morrisville, NC
- F. Dermavant Sciences, Inc. – Long Beach, CA
- G. Greenwich Biosciences, Inc. – Carlsbad, CA
- H. Immunocore Commercial LLC – Conshohocken, PA
- I. I 3 Pharmaceuticals, LLC – Warminster, PA
- J. Ohm Laboratories, Inc. – New Brunswick, NJ

- K. Posey Products, LLC – Neenah, WI
- L. Stradis Healthcare – Peachtree Corners, GA
- M. Stradis Healthcare – Waukegan, IL

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

- N. CTI BioPharma Corp. – Seattle, WA
- O. Glaukos Corporation – San Clemente, CA

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

- P. Almirall, LLC – Exton, PA
- Q. Alpine Health LLC – Secaucus, NJ
- R. MedMax Rx, Inc. – Plainview, NY

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

- S. Safecor Health, LLC – Columbus, OH

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

- T. Arcutis Biotherapeutics, Inc. – Westlake Village, CA
- U. Inogen, Inc. – Plano, TX
- V. Kala Pharmaceuticals, Inc. – Watertown, MA
- W. STAAR Surgical Company – Monrovia, CA

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

- X. McKesson Medical-Surgical Inc. – Bartlett, IL
- Y. McKesson Medical-Surgical Inc. – Garland, TX
- Z. McKesson Medical-Surgical Inc. – Hanover Park, IL

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

- AA. Pinnacle Pharma LLC – Charlotte, NC
- BB. Tri-Anim Health Services, Inc. – Grand Prairie, TX

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

- CC. CNS Rx Delivery, LLC – Sparks, NV
- DD. ER at Valley Vista – North Las Vegas, NV

4.4 Application for Out-of-State Pharmacy License (NRS 639.2328) – Non-appearance
(FOR POSSIBLE ACTION)

- EE. Telnet-RX Telepharmacy – Yorba Linda, CA
- FF. ValisureRX, LLC – New Haven, CT

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

- GG. Well Care Apothecary, LLC – Las Vegas, NV
- HH. Well Care Discount Pharmacy, LLC – Las Vegas, NV

Krystal Freitas recused herself from participation from Agenda Item 4DD due to her employment.

Board Action:

Motion: Jade Jacobo moved to approve Consent Agenda excluding item 4DD.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to approve Consent Agenda Item 4DD.

Second: Wayne Mitchell

Action: Passed unanimously (Freitas recused).

◆ REGULAR AGENDA ◆

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

A. Sheyanne Moore

Sheyanne Moore appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary of the Nevada Board of Pharmacy, provided background on her appearance regarding a completed evaluation that was requested by the Board. He commented that the counselor stated she is fit to work; however, she should continue bi-weekly meetings for a year. Since the motion did not state this information, he is bringing this request in front of the Board for approval.

Ms. Moore is in favor of the suggestion by her counselor.

Board Action:

Motion: Jade Jacobo moved to approve Pharmaceutical Technician in Training Registration for Sheyenne Moore with conditions that she continues her bi-weekly meetings with her counselor for one year.

Second: Wayne Mitchell

Action: Passed unanimously.

B. Clinton Rickman

Clinton Rickman appeared and was sworn in by President Park prior to answering questions and offering testimony.

Yenh Long, Deputy Secretary of the Nevada Board of Pharmacy, provided background on disclosure regarding trafficking controlled substances.

The Board questioned Mr. Rickman regarding the events that occurred with his disclosure and why he wants to become a Pharmaceutical Technician.

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

Board discussion ensued regarding Mr. Rickman's career in a pharmacy. Many Board members had reservations approving his licensure.

Board Action:

Motion: Jade Jacobo moved to deny Pharmaceutical Technician in Training Registration for Clinton Rickman.

Second: Rolf Zakariassen

Action: Passed unanimously.

26. Discussion and possible action to request an Attorney General Opinion pursuant to NRS 228.150 on whether Nevada law requires any pharmacist compounding or dispensing any prescription for a controlled substance or dangerous drug for a patient located in Nevada to be registered with the Board. **(FOR POSSIBLE ACTION)**

Mr. Kandt provided background to the Board on the agenda item.

President Park opened public comment.

Roger Morris, attorney with Quarles & Brady, commented that an Attorney General's Opinion (AGO) is needed on this matter and referred to written comments submitted by his firm.

Bill Head from Pharmaceutical Care Management Association commented that this interpretation of the law needs to be reviewed carefully, and he appreciates Board staff's openness on this issue.

Liz McMenemy from the Retail Association of Nevada commented that this interpretation of Nevada law may bring restrictions to pharmacies during the pandemic and questioned how this will help patient safety.

Mr. Wuest commented that Board staff is working with out-of-state pharmacists to grant temporary registrations while applications are pending.

Board discussion ensued regarding whether an AGO is necessary.

Board Action:

Motion: Jade Jacobo moved to seek a formal opinion from the AGO on whether Nevada law requires any pharmacist compounding or dispensing any prescription for a controlled substance or dangerous drug for a patient located in Nevada to be registered with the Board.

Second: Gener Tejero

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

Nay: Tomasso

Action: Motion carries.

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

B. Ma. Celestina Aguilar

Ma. Celestina Aguilar appeared and was sworn in by President Park prior to answering questions and offering testimony.

Courtney Lee, General Counsel of the Nevada Board of Pharmacy, provided background on disclosure regarding money laundering.

The Board questioned Ms. Aguilar on the events that occurred with her disclosure.

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

Board Action:

Motion: Jade Jacobo moved to approve Advance Practice Registered Nurse – Prescribe Registration for Ma. Celestina Aguilar.

Second: Krystal Freitas

Action: Passed unanimously.

10. Applications for Controlled Substance Registration – Appearance (**FOR POSSIBLE ACTION**)

A. Jason Bellak

Jason Bellak appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on disclosures regarding substance abuse, a DUI, child abuse, and battery.

The Board questioned Mr. Bellak regarding the events that occurred with his disclosures and his license status with other pharmacy boards.

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

Board discussion ensued regarding Mr. Bellak's past discipline and a possible evaluation.

Board Action:

Motion: Jade Jacobo moved to approve for Controlled Substance Registration for Jason Bellak.

Second: Rolf Zakariassen

Board discussion ensued regarding if Mr. Bellak should receive an evaluation before approval of licensure.

Aye: Park, Jacobo, Freitas, Tomasso, Zakariassen

Nay: Mitchell, Tejero

Action: Motion carries.

B. Victor Bruce

Victor Bruce appeared and was sworn in by President Park prior to answering questions and offering testimony.

John Hunt appeared as counsel on behalf of Dr. Bruce.

Ms. Lee provided background on Dr. Bruce's federal conviction in 2014 for conspiracy to distribute oxycodone and his 2020 citation and fine from the Board for dispensing controlled substances without a registration.

Mr. Hunt and Dr. Bruce contested that Dr. Bruce had dispensed controlled substances without a registration.

Brett Kandt, General Counsel for the Board, objected to Dr. Bruce's arguing the merits of the citation and fine at this juncture since he dropped his appeal, waived his right to a hearing, and paid the fine.

The Board questioned Dr. Bruce regarding his disclosures and past work history.

Board discussion ensued regarding Dr. Bruce being a risk to the public.

Board Action:

Motion: Jade Jacobo moved to deny Victor Bruce's application for a controlled substance registration pursuant to NRS. 453.231 (1)(d) and (h).

Second: Wayne Mitchell

Action: Passed unanimously.

C. Mark Vellek

Wayne Mitchell disclosed that he has a business relationship with Mr. Vellek but stated that he could participate in this matter fairly and without bias.

Mark Vellek appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on disclosures regarding a record keeping issue.

Mr. Vellek clarified that he did not divert drugs, but the issue was his staff did not properly record keeping the drugs.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Controlled Substance Registration for Mark Vellek.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Allivet – Las Vegas, NV

Leticia Vasquez (Director of Compliance), Jerry Depa (Managing Pharmacist for Las Vegas, NV), and Mitchell Manor (Managing Pharmacist for Fishers, IN) appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Ms. Vasquez to speak on behalf of Allivet.

Ms. Lee provided background on Allivet’s disclosures regarding unlicensed practice and actions taken by other pharmacy boards due to their disciplinary actions.

The Board questioned Mr. Depa about the business model and his work history.

Mr. Depa answered Board’s questions and commented that he is working from home.

Mr. Wuest commented that Mr. Depa needs to request a permission from the Board to work outside of a pharmacy.

Board discussion ensued regarding if they should license this location and putting possible conditions on licensure.

Board Action:

Motion: Jade Jacobo moved to approve Allivet’s application for a Nevada Pharmacy License pending favorable inspection. Also, quarterly inspections for a year at the company’s expense.

Second: Richard Tomasso

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

Nay: Park

Action: Motion carries.

14. Applications for Out-of-State Pharmacy License (NRS 639.2328) – Appearance

A. Allivet – Fishers, IN

Ms. Lee commented that the disclosures are the same as Agenda Item 12A.

The Board questioned Allivet to see if they have a Nevada licensed pharmacist.

Ms. Vasquez commented that Stuart Tolman who is a pharmacist at this location is licensed with Nevada.

Board Action:

Motion: Richard Tomasso moved to approve Allivet's Out-of-State Pharmacy License.

Second: Jade Jacobo

Action: Passed unanimously.

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

B. Elemental Pharmacy – Las Vegas, NV

Richard Tomasso was excused from the meeting at 12:06pm.

Randy Case, Chief Executive Officer, and Jenner Sinang, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Nevada Board of Pharmacy Inspector, provided background on the application.

Mr. Dodge questioned Mr. Case regarding the business model, types of products being sold, and how he chose the location for the pharmacy.

Mr. Dodge questioned Mr. Sinang about how he found this position and his work history.

Mr. Case and Mr. Sinang answered Board's questions to their satisfaction.

The Board questioned Mr. Sinang regarding his work history as the documentation in the application is not clear. They do not know how he worked full-time in Nevada and Texas during the same time frame.

Mr. Sinang tried to clarify to the Board and explained that he is having a hard time putting his hours into words.

Board discussion ensued.

Mr. Case requested to table the application to work on clarifying Mr. Sinang's work history.

President Park tabled Elemental Pharmacy's application at Mr. Case's request.

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

A. Bayink-Raine Falter

Richard Tomasso rejoined the meeting at 12:38pm.

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

Ms. Lee provided background on Mr. Falter's appearance regarding amending his application to include prescribing controlled substances.

Mr. Falter commented that he was not aware that the Board of Nursing approved him to prescribe Schedule III-V drugs. He unknowingly turned it down with the Nevada Board of Pharmacy, so he is requesting approval to include controlled substances.

Board discussion ensued regarding his past disclosures and his request to amend his application to include controlled substances.

Mr. Wuest commented that Mr. Falter would still comply with the Nursing Agreement that he has with the Board of Nursing.

Board Action:

Motion: Jade Jacobo moved to approve amended application for Bayink-Raine Falter's to include prescribing controlled substances with conditions to continue to comply with his Board of Nursing agreement.

Second: Wayne Mitchell

Action: Passed unanimously.

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

C. Freedom Pharmacy – Las Vegas, NV

Paul Vo and Quang-Hai Tran, Co-owners, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on the application and disclosures for Mr. Tran and Mr. Vo.

Mr. Tran commented that he was at the wrong place at the wrong time. He was at a friend's house that got raided, and they arrested him. However, he was not charged.

Mr. Vo commented that his friends got in a fight where he tried to explain to the officer what happened. However, the police officer arrested him for disturbing the peace.

The Board questioned Mr. Vo and Mr. Tran on how they met, their business model, why they want to open a pharmacy in Nevada, and how they hired their managing pharmacist.

Mr. Tran and Mr. Vo answered questions to the Board's satisfaction.

Jade Jacobo disclosed that she knows the Managing Pharmacist, Hanson Truong, but stated that she could participate in this matter fairly and without bias.

Krystal Freitas disclosed that she has met the Managing Pharmacist, Hanson Truong, but stated that she could participate in this matter fairly and without bias.

Board suggested that Mr. Truong appear before the Board.

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

The Board questioned Mr. Truong on his work history and why he was interested in becoming the Managing Pharmacist for this business.

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

Board Action:

Motion: Jade Jacobo moved to approve Nevada Pharmacy License for Freedom Pharmacy pending a favorable inspection.

Second: Wayne Mitchell

Action: Passed unanimously.

D. ICare Pharmacy – Las Vegas, NV

Ming Quang Nguyen, Owner and Managing Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on the application and a disclosure regarding an administrative action against Mr. Nguyen regarding a Pharmaceutical Technician in Training working under him without an active registration.

The Board questioned why he wants to open a pharmacy, his management experience, the reason for his termination at Walgreens, and how he plans to bring in business into the pharmacy.

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

The Board requested further clarification regarding Mr. Nguyen's relationship with Dr. Julie Wu and the benefits that she will receive from his pharmacy.

Mr. Nguyen commented that he met Ms. Wu through his girlfriend, and their relationship will not provide any special benefits at her practice or his pharmacy.

The Board further clarified that his pharmacy or Dr. Wu's practice should not receive any financial incentives for any referrals.

Board Action:

Motion: Jade Jacobo moved to approve Nevada Pharmacy License for Icare Pharmacy pending a favorable inspection.

Second: Wayne Mitchell

Action: Passed unanimously.

G. The Medicine Shoppe Retail Pharmacy – Las Vegas, NV

Krystal Freitas disclosed that Jed Anisco was a former student but stated that she could participate in this matter fairly and without bias.

President Park disclosed that Jed Anisco was affiliated with Roseman University but stated that she could participate in this matter fairly and without bias.

Chris Dang appeared as counsel on behalf of The Medicine Shoppe Retail Pharmacy.

Michael Tadros, Compliance Manager, and Jed Anisco, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge commented that The Medicine Shoppe was granted a temporary license, and Board staff completed their pre-inspection. He found no issues.

The Board questioned Mr. Tadros about the business model and how they found Mr. Anisco. Also, they questioned Mr. Anisco regarding his work history.

Mr. Tadros and Mr. Anisco answered questions to the Board's satisfaction.

President Park requested a Letter of Authorization from Mrs. Meriona Tadros confirming that Michael Tadros can speak on behalf of the company.

Board Action:

Motion: Jade Jacobo moved to approve Nevada Pharmacy License for The Medicine Shoppe Retail Pharmacy pending receipt of the Letter of Authorization for Mr. Tadros to speak on behalf of the company.

Second: Krystal Freitas

Action: Passed unanimously.

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

The Medicine Shoppe LTC Pharmacy – Las Vegas, NV

This matter was continued to a future Board Meeting.

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

E. LV Pharmacy and Medical Supplies – Las Vegas, NV

Angela Balian, Owner and Managing Pharmacist, and Marianna Alaverdyan, Co-Owner, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on the application.

The Board questioned Ms. Balian on the business model, what type of products that they will be selling, her work history as a Managing Pharmacist, and how she knows Ms. Alaverdyan.

The Board questioned Ms. Alaverdyan on her work history, what her role will be in the pharmacy, and if she will have access to the pharmacy.

Ms. Balian and Ms. Alaverdyan answered questions to the Board's satisfaction.

Board Action:

Motion: Jade Jacobo moved to approve Nevada Pharmacy License for LV Pharmacy and Medical Supplies pending a favorable inspection.

Second: Wayne Mitchell

Action: Passed unanimously.

F. Talas Harbor at Lake Mead – Las Vegas, NV

Murray Robison (Managing Pharmacist), Natalie Lambertson (Co-owner), and Ronald Steward (Co-owner) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on the application. She requested clarification on the company's ownership as she found only Ronald Steward listed on the Nevada Secretary of State website; however, the application has three owners listed.

Mr. Stewart commented that they did a change of ownership recently which he filed with the Nevada Secretary of State.

Ms. Lee commented that the current application with the Board does not reflect the proper ownership and asked if they would like to table the application to update their application.

Mr. Stewart requested to table the application so that he can update the application to reflect the change of ownership.

President Park tabled Talas Harbor at Lake Mead's application at Mr. Stewart's request.

14. Applications for Out-of-State Pharmacy License (NRS 639.2328) – Appearance

B. Summit Pharmacy Inc. – Phoenix, AZ

Stephen Persons, Managing Pharmacist, and Scott Lake, Chief Executive Officer, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Chris Dang appeared as counsel on behalf of Summit Pharmacy.

Ms. Lee provided background on the application and their disclosures. Summit Pharmacy disclosed the following administrative actions: 1) They did not notify the Alabama Prescription Drug Monitoring database about all dispensed controlled substances. 2) Hawaii, Florida, and Michigan took action due to the pharmacy not notifying the Boards of their Alabama disclosure in timely manner. 3) Texas charged the pharmacy with an administrative penalty due to not accurately reporting their discipline on their renewal application.

Mr. Persons agreed with Ms. Lee's summary and stated that Summit has paid all finds regarding the company's discipline.

Board Action:

Motion: Jade Jacobo moved to approve ownership change for Out-of-State Pharmacy License for Summit Pharmacy.

Second: Wayne Mitchell

Action: Passed unanimously.

15. Applications for Out-of-State Compounding Pharmacy License (NRS 639.2328) – Appearance (**FOR POSSIBLE ACTION**)

A. Nutrishare, LLC – Elk Grove, CA

Rodney Okamoto, Managing Pharmacist and Former Owner, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Okamoto commented that this application is for a change of ownership.

Mr. Dodge requested if Mr. Okamoto would like to remove the affidavit regarding not shipping sterile products into Nevada. Mr. Okamoto agreed.

The Board questioned Mr. Okamoto regarding if they have a Nevada registered pharmacist on staff, their business model, ownership change, the products that they are shipping into Nevada, and compounding procedures.

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

Board Action:

Motion: Jade Jacobo moved to approve ownership change for Out-of-State Compounding Pharmacy License for Nutrishare, LLC.

Second: Wayne Mitchell

Action: Passed unanimously.

B. Westcliff Compounding Pharmacy – Newport Beach, CA

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

The Board questioned Mr. Pavlovich on if they have a Nevada registered pharmacist on staff, how they sterile compound their products, the results of their California inspection, and how many prescriptions a day that they would compound.

Mr. Dodge requested if Mr. Pavlovich would like to remove the affidavit regarding not shipping sterile products into Nevada. Mr. Pavlovich agreed.

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

Mr. Dodge commented that they had a favorable California Board of Pharmacy inspection.

Mr. Pavlovich commented that this is not a change in ownership, but it is for a change in activity at the pharmacy to provide sterile products into Nevada.

The Board requested clarification on the pharmacy's disclosure regarding wholesaling without a license.

Board Action:

Motion: Wayne Mitchell moved to approve Westcliff Compounding Pharmacy to ship sterile compounded products into Nevada.

Second: Gener Tejero

Action: Passed unanimously.

C. Women's International Pharmacy, Inc. – Youngtown, AZ

David Hill (Chief Executive Officer and President), Susan Mogen (Managing Pharmacist), Michelle Violi (Manager) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Mogen commented that the Managing Pharmacist position has changed to her, and she has been granted a temporary Nevada Pharmacist registration.

The Board questioned Mr. Hill about their business model and any operational changes.

The Board questioned Ms. Mogen regarding her work history, why she wanted to become the Managing Pharmacist, and the products that they would be shipping into Nevada.

Mr. Hill and Ms. Mogen answered questions to the Board's satisfaction.

Mr. Dodge commented that he reviewed their Arizona Inspection, and everything looked satisfactory.

Board Action:

Motion: Wayne Mitchell moved to approve ownership change for Out-of-State Compounding Pharmacy License for Women's International Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

16. Applications for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6942) – Appearance (**FOR POSSIBLE ACTION**)

A. Ivie Services LLC – Las Vegas, NV

This application was withdrawn.

B. National Seating & Mobility, Inc. – Henderson, NV

Tom Flynn, Branch Manager, and Karen Shell, Director of Compliance, appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Ms. Shell to speak on behalf of the company.

Ms. Long provided background on the application.

The Board questioned Mr. Flynn regarding the change of ownership and any issues with their previous inspections.

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

Ms. Long commented that changes regarding MDEG administrator need to be notified to the Board within 3 days.

Board Action:

Motion: Wayne Mitchell moved to approve location change for Nevada Medical, Devices, Equipment and Gases License for National Seating & Mobility pending favorable inspection.

Second: Gener Tejero

Action: Passed unanimously.

C. Owens Healthcare – Medical Equipment, Inc. – Reno, NV

John Friesen (Owner), Todd Dodds (Vice President), and Matthew Rotter (MDEG Administrator) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on the application and a disclosure regarding a misfill.

Mr. Dodds commented that protocols have been put in place to ensure that a misfill will not occur again.

The Board questioned Mr. Rotter on his experience becoming an MDEG Administrator and if he will be the administrator for more than one location.

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

Board Action:

Motion: Krystal Freitas moved to approve Nevada Medical, Devices, Equipment and Gases License for Owens Healthcare pending favorable inspection.

Second: Gener Tejero

Action: Passed unanimously.

D. Pacific Pulmonary Services – Las Vegas, NV

Sylvia Corona, Customer Service Manager, and Shontaia Dixon, Compliance Manager, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on the application.

The Board questioned Ms. Dixon on the intent behind the location change.

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

The Board questioned Ms. Corona on her disclosure regarding diverting controlled substances.

Ms. Corona explained the events that occurred with her disclosure.

The Board requested Ms. Corona to provide court documents so that they confirm the charges and disciplinary actions taken.

Mr. Wuest commented if they would like to table the application so that Ms. Corona can retrieve her court documents. Ms. Corona agreed.

President Park tabled Pacific Pulmonary Services application at Ms. Corona's request.

E. Patients Choice LLC – North Las Vegas, NV

Daniel Scott Graves Jr. (MDEG Administrator), Todd Davis (Compliance Manager), Del Rinquest (Chief Executive Officer) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee commented that the company's name should be changed to "Patients Choice NV LLC".

Ms. Lee provided background on the application and unlicensed activity at this location. The company ceased operations, paid the fine, and they are now requesting Nevada licensure.

Mr. Graves commented that they ceased operations and removed products from their location.

Mr. Rinqest thanked Kenneth Scheuber, Nevada Board of Pharmacy Investigator, for explaining the process and helping him understand the errors that they made and how to correct it.

President Park questioned Mr. Graves regarding his experience as an MDEG Administrator.

Mr. Graves provided his background and advised that he is accredited with Assistive Technology Professional (ATP).

Board Action:

Motion: Jade Jacobo moved to approve Nevada Medical, Devices, Equipment and Gases License for Patients Choice NV LLC pending favorable inspection.

Second: Wayne Mitchell

Action: Passed unanimously.

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

Lincare, Inc. – Nashville, TN

Colin Waller, Compliance Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Mr. Waller to speak on behalf of the company.

Ms. Long provided background on the application and disclosures regarding shipping products with a prescription file that was out of date.

The Board questioned Mr. Waller regarding protocols to ensure that prescriptions are up-to-date and who the products are being shipped to.

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

Board Action:

Motion: Jade Jacobo moved to approve Out-of-State Medical, Devices, Equipment and Gases License for Lincare, Inc.

Second: President Park

Action: Passed unanimously.

18. Application for Nevada Wholesaler License (NRS 639.233) – Appearance
(FOR POSSIBLE ACTION)

Safco Dental Supply LLC – Sparks, NV – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events – No Disclosure

Theodore Vucenich, Site Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Mr. Vucenich to speak on behalf of the company.

Mr. Wuest provided background on application.

The Board questioned Mr. Vucenich about the business model and why they are opening a location in Nevada.

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

Board Action:

Motion: Jade Jacobo moved to approve Nevada Wholesaler License for Safco Dental Supply LLC.

Second: Krystal Freitas

Action: Passed unanimously.

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

Ms. Long presented the proposed changes to the pharmacy application.

Gener Tejero suggested including the pharmacist registration number in section 1 of the pharmacy application.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Pharmacy License Application as proposed by Ms. Long.

Second: Jade Jacobo

Action: Passed unanimously.

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

Ms. Long presented the proposed Ambulatory Surgical Center and Recovery Center License Application.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Ambulatory Surgical Center and Recovery Center License Application as presented by Ms. Long.

Second: Wayne Mitchell

Action: Passed unanimously.

28. Executive Secretary 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

Mr. Wuest presented the Executive Secretary Report to the Board's satisfaction.

Public Comment at September 31 2021, 5:00pm

There was no public comment.

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	Kristopher Mangosing
Brett Kandt	Joe Dodge	Dena McClish	Sophia Long
Courtney Lee	Darlene Nases	Leo Basch	Ken Scheuber
Monica Segedy	Peter Keegan		

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 September 1 2021, 9:00 AM

There was no public comment.

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

A. David Potter, MD (19-260-CS-N)

Lyn Beggs appeared as counsel representing David Potter.

Dr. Potter was not present for the hearing.

Brett Kandt prosecuted the case and made an opening statement that Dr. Potter had diverted dangerous drugs from a Pyxis automated medication dispensing system at the hospital where he was employed.

Mr. Kandt and Ms. Beggs stipulated to the entry into the record of the "Statement of Dr. David Potter" on pages 904-905 of the supporting materials. President Park admitted the statement into evidence.

Ms. Beggs represented that Dr. Potter is no longer practicing medicine in Nevada.

Mr. Kandt made reference to the proposed order on pages 906-910 and noted with regard to proposed finding of fact no. 5 that Dr. Potter failed to renew his certificate of registration no. CS28902. The Board cannot revoke an expired registration, which is forfeited pursuant to NRS 639.180(6).

In addition, the proposed order requires a fine of \$1,000 and \$500 to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter.

Mr. Kandt requested that the Board make Findings of Fact, Conclusions of Law, and impose discipline consistent with the proposed order.

Board Action:

Motion: Richard Tomasso moved to make Findings of Fact consistent with paragraphs 1-6 of the proposed order.

Second: Wayne Mitchell

Action: Passed unanimously.

Board Action:

Motion: Richard Tomasso moved to make Conclusions of Law consistent with those set forth in the proposed order.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Richard Tomasso moved to impose discipline as set forth in paragraphs 1-8 of the proposed order.

Second: Wayne Mitchell

Action: Passed unanimously.

N. Gail Popelka Krivan, MD

(21-090-CS-N)

Wayne Mitchell recused himself from this matter as he worked with Dr. Krivan.

Lyn Beggs appeared as counsel representing Dr. Krivan.

Dr. Krivan appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt provided background on the charges of Dr. Krivan violating Federal and State law related to prescribing controlled substances to treat acute or chronic pain, her resulting

discipline by the Nevada State Board of Medical Examiners, and a proposed Stipulation and Order on pages 1079-1084.

Dr. Krivan's Certificate of Registration No. CS10632 is suspended; the suspension is stayed and respondent is placed on probation for a period of one year subject to the following: 1) public reprimand; 2) a fine of \$2,500 for the violations; 3) \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; 4) respondent establish and put into practice all necessary policies and procedures to ensure that any controlled substance prescription issued for the treatment of acute or chronic pain complies with the provisions of Federal and State law; and 5) respondent shall comply with all Federal and State laws regarding controlled substances and dangerous drugs, and have no additional charges filed while on probation.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the proposed Stipulation and Order for Dr. Gail Krivan.

Second: Rolf Zakariassen

Board discussion ensued.

Action: Passed unanimously (Mitchell recused).

I. Jocelyn Santiago, RPH	(19-064-RPH-S)
J. Walgreens Pharmacy #4579	(19-064-PH-S)

Bill Stilling appeared as counsel representing Ms. Santiago and Walgreens.

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

Jocelyn Santiago appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt provided background on the charges of a misfiled prescription and a proposed Stipulation and Order on pages 992-997.

Ms. Santiago, Certificate of Registration No. 15240, stipulates to the following penalties: 1) a fine of \$250; 2) \$250 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; and 3) respondent completes two extra hours of continuing education on error prevention within 60 days.

Walgreens Pharmacy #4579, Certificate of Registration No. PH01283, stipulates to the following penalties: 1) a fine of \$1,000 and 2) \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to approve the proposed Stipulation and Order for Jocelyn Santiago and Walgreens Pharmacy #4579.

Second: Wayne Mitchell

Board discussion ensued regarding what processes or changes have occurred at Walgreens to ensure that misfills will not happen again.

Mr. Stilling answered the Board's questions to their satisfaction.

Action: Passed unanimously.

D. Walgreen's Pharmacy #5814	(18-117-PHN-S)
E. Shanela Blas-Catacutan, RPH	(18-117-RPH-A-S)
F. Rexequiel Ner, RPH	(18-117-RPH-B-S)

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

Bill Stilling appeared as counsel representing Shanela Blas-Catacutan, Rexequiel Ner, and Walgreens.

Shanela Blas-Catacutan and Rexequiel Ner appeared and were sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on the case regarding a duplication error on a prescription.

Ms. Lee provided a proposed Stipulation and Order for the Board's consideration.

The Order stipulates to the following penalties for Walgreens #5814 Certificate of Registration No. PHN01519: 1) The respondent pay a fine of \$500 2) The respondent shall pay a fine of \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

The Order stipulates to the following penalties for Ms. Blas-Catacutan Certificate of Registration No. 17360: 1) The respondent pay a fine of \$500 2) The respondent shall pay a fine of \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter 3) The respondent shall complete 2

additional hours of continuing education regarding record keeping within 90 days of the effective Order date.

The Order stipulates to the following penalties for Mr. Ner Certificate of Registration No. 18472: The respondent pay a fine of \$500 2) The respondent shall pay a fine of \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter 3) The respondent shall complete 2 additional hours of continuing education regarding record keeping within 90 days of the effective Order date.

Mr. Stilling requested to see if general error prevention would suffice their continuing education requirement.

Board discussion ensued.

Sophia Long, Nevada Board of Pharmacy Counsel, commented that if the Board, Mr. Stilling, and his clients agree to changing the continuing education requirement in the Order, it will be allowed.

Board Action:

Motion: Krystal Freitas moved to approve the Stipulation and Order as proposed by Ms. Lee with changes to the continuing education requirement to state record keeping or error prevention.

Second: Wayne Mitchell

Action: Passed unanimously.

G. Walgreen's Pharmacy #5814
H. Shanela Blas-Catacutan, RPH

(18-042-PHN-S)
(18-042-RPH-S)

Ms. Lee presented Stipulated Facts for the Board's consideration.

Mr. Stilling had no objections to the Stipulated Facts.

Ms. Lee read the Stipulated Facts into the record that Ms. Blas-Catacutan erroneously performed the final data entry, data verification, and production verification for the prescription which was supposed to contain Methylphenidate 5mg. Ms. Blas-Catacutan failed to detect that Methadone 5mg was filled instead and marked it as accurate during her final product review. Thereafter, the patient ingested one tablet which resulted in a visit to the hospital where the child experienced symptoms of mood swings.

Ms. Lee recommended penalties for Walgreens Pharmacy #5814 and Ms. Blas-Catacutan for the Board's consideration.

Walgreens Pharmacy# 5814 would receive the following penalties for Certificate of Registration No. PHN01519: 1) The respondent will receive a public reprimand 2) The respondent will pay a fine of \$3,000 3) The respondent will pay \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Ms. Blas-Catacutan would receive the following penalties for Certificate of Registration No. 17360: 1) The respondent will receive a public reprimand 2) The respondent will pay a fine of \$2,000 3) The respondent will pay \$598 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter 4) The respondent completes two extra hours of continuing education regarding error prevention or verification processes within 90 days of the effective Order date.

Mr. Stilling suggested that the Walgreens reprimand be removed from the penalties.

Board discussion ensued.

Ms. Lee requested the Board to make Conclusions of Law consistent with paragraphs 7-10 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to make Conclusions of Law consistent with paragraphs 7-10 of the Notice of Intended Action and Accusation.

Second: Rolf Zakariassen

Action: Passed unanimously.

Board discussion ensued regarding if Walgreens should be reprimanded.

Ms. Lee requested that the attorney's fees and costs be entered into the record on the basis that they were reasonable, necessary and actually incurred.

President Park entered the attorney's fees and costs into the record.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of a \$1,598 on the basis that they were reasonable, necessary and actually incurred.

Second: Richard Tomasso

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to approve the penalties for Walgreens Pharmacy #5814 as recommended by Ms. Lee which includes 1) The respondent will receive a public reprimand 2) The respondent will pay a fine of \$3,000 3) The respondent will pay \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Second: Rolf Zakariassen

Action: Passed unanimously.

Board Action:

Motion: Krystal Freitas moved to approve the penalties for Ms. Blas-Catacutan: 1) The respondent will receive a public reprimand 2) The respondent will pay a fine of \$2,000 3) The respondent will pay \$598 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter 4) The respondent completes two extra hours of continuing education regarding error prevention or verification processes within 90 days of the effective Order date.

Second: Rolf Zakariassen

The Board questioned Ms. Blas-Catacutan about how this occurred and the process for mislabels.

Ms. Blas-Catacutan answered questions to the best of her knowledge.

Board staff suggested that Holly Prievo provide insight as she knows more about the processes.

Holly Prievo, Healthcare Supervisor for Walgreens, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park disclosed that she has a professional relationship with Ms. Prievo but stated that she could participate in this matter fairly and without bias.

Ms. Prievo provided further clarification to Board regarding the prescription filling process for Walgreens and the process for misfills.

Action: Krystal Freitas and Rolf Zakariassen withdrew their motion.

Board discussion ensued regarding possible discipline for Ms. Blas-Catacutan.

Board Action:

Motion: Wayne Mitchell moved to approve the following penalties for Ms. Blas-Catacutan: 1) The respondent will receive a public reprimand 2) The respondent will pay a fine of \$2,000 3) The respondent will pay \$598 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter 4) The respondent completes ten additional hours of continuing education regarding error prevention, pediatrics, and dosing or verification processes within 90 days of the effective Order date.

Second: Gener Tejero

Action: Passed unanimously.

K. Ravi Krishnan, MD

(17-090-CS-S)

Lyn Beggs appeared as counsel representing Dr. Ravi Krishnan.

Dr. Krishnan was not present for the hearing.

Mr. Kandt provided background on the charges of Dr. Krishnan permitting his practice manager to access, possess, furnish and/or administer dangerous drugs, and presented and a proposed Stipulation and Order on pages 1017-1022.

Dr. Krishnan, Certificate of Registration No. CS10632, stipulates to the following penalties: 1) public reprimand; 2) a fine of \$2,500; 3) \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; 4) respondent establish policies and procedure within his practice; 5) respondent shall not dispense without obtaining a dispensing practitioner registration; and 6) respondent shall comply with all federal and state laws regarding controlled substances and dangerous drugs, and have no additional charges filed while on probation.

Ms. Beggs commented that Dr. Krishnan did not dispense any controlled substances to patients.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to approve the proposed Stipulation and Order for Dr. Ravi Krishnan.

Second: Gener Tejero

Action: Passed unanimously.

L. Jill Oliver, MD

(20-007-CS-S)

Jill Oliver and Dianne Racosas, Dispensing Technician, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Jill Oliver did not have counsel and is representing herself.

Ms. Lee clarified that Dr. Oliver answered the original Notice of Intended Action and Accusation and not the amended notice.

Ms. Lee would like confirmation if Dr. Oliver would like to apply her response to the First Amended Notice of Intended Action and Accusation. Dr. Oliver confirmed.

Ms. Lee provided background on the case regarding Dr. Oliver allowing a technician to dispense without a registration.

Dr. Oliver and Ms. Racosas explained that it was an oversight on their part. She knew that the application was sent in and was at fault for not following up on the status.

Ms. Lee requested that the Board move to make jurisdiction consistent with paragraph 1 and the Factual Allegations as stated in paragraphs 2-8 of the First Amended Notice of Intended Action and Accusation.

Board Action:

Motion: Wayne Mitchell moved to make jurisdiction consistent with paragraph 1 and the Factual Allegations as stated in paragraphs 2-8 of the First Amended Notice of Intended Action and Accusation as proposed by Ms. Lee.

Second: Gener Tejero

Board discussion ensued.

Action: Passed unanimously.

Ms. Lee requested the Board make Conclusions of Law consistent with paragraphs 9-15 of the First Amended Notice of Intended Action and Accusation.

Board Action:

Motion: Krystal Freitas move to make Conclusions of Law consistent with paragraphs 9-15 of the First Amended Notice of Intended Action and Accusation as proposed by Ms. Lee.

Second: Wayne Mitchell

Action: Passed unanimously.

Ms. Lee requested the Board to find the attorney's fees and costs of \$1,331.50 were reasonable, necessary and actually incurred.

Board Action:

Motion: President Park moved to award the attorney's fees and costs of a \$1,331.50 on the basis that they were reasonable, necessary and actually incurred.

Second: Wayne Mitchell

Action: Passed unanimously.

Ms. Lee recommended the proposed discipline for Dr. Oliver. The penalties would include the following: 1) The respondent will receive a public reprimand 2) The respondent pay a fine of \$2,000 3) The respondent pay \$1,331.50 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Board discussion ensued on if the discipline is sufficient for Dr. Oliver.

Board Action:

Motion: Richard Tomasso moved to approve the following penalties for Dr. Oliver: 1) The respondent will receive a public reprimand 2) The respondent pay a fine of \$5,000 3) The respondent pay \$1,331.50 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Second: Wayne Mitchell

Action: Passed unanimously.

11. Applications for Technician Dispensing in Training Registration – Appearance (**FOR POSSIBLE ACTION**)

Dianne Racosas

Ms. Lee provided background on appearance regarding Ms. Racosas dispensing without a registration.

Ms. Lee commented to the Board that Ms. Racosas paid her fines.

President Park questioned Ms. Racosas to ensure that unlicensed practice will not happen again.

Ms. Racosas answered questions to the Board's satisfaction. Also, she wanted to apologize for her error.

Board staff commented that Ms. Racosas sent in an updated application which reflects her disclosure.

Board Action:

Motion: Wayne Mitchell moved to approve Dianne Racosas Technician Dispensing in Training Registration.

Second: Jade Jacobo

Action: Passed unanimously.

6. Appeal hearing pursuant to NRS 639.2895(2) **(FOR POSSIBLE ACTION)**

B. American Buffalo Xpress

(20-226-N)

Gerald Sargent, Managing member of American Buffalo Xpress, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt made an opening statement that American Buffalo Xpress engaged in the business of receiving, storing and delivering prescription drugs for Walmart, Inc., from Sacramento, CA, into Nevada and to the pharmacies located in Nevada. American Buffalo Xpress is not licensed to engage in business as an authorized warehouse in Nevada.

On May 10, 2021, a Cease and Desist/Citation and Fine was served upon American Buffalo Xpress; On June 4, 2021, American Buffalo Xpress appealed. Kandt noted that neither the Cease and Desist/Citation and Fine nor the appeal request were included in the Board materials; Kandt had those documents entered in the record.

Mr. Sargent made an opening statement that he does not believe that American Buffalo Xpress required a license for these activities and only stored the drugs in a storage facility for only a few hours.

Mr. Kandt called Monica Segedy, Nevada Board of Pharmacy Investigator, as a witness. Ms. Segedy was sworn in by President Park prior to answering questions and offering testimony.

Ms. Segedy testified as to the investigation and determination that American Buffalo Xpress engaged in the business of receiving, storing and delivering prescription drugs for Walmart, Inc., from Sacramento, CA, into Nevada and to the pharmacies located in Nevada. Segedy testified that beginning in August 2020, American Buffalo Xpress operated from Security Self Storage, 355 E. Greg Street, Sparks, Nevada, Unit #218; this facility lacked climate control or an alarm system.

Mr. Kandt requested that Mr. Sargent stipulate to entering a document entitled "Statement of Gerald D. Sargent" into the record. Mr. Sargent had no objection.

President Park admitted the statement into the record. Kandt questioned Ms. Segedy on the statement. Mr. Sargent had no questions for the witness and the witness was excused.

Mr. Kandt called David Wuest, Nevada Board of Pharmacy Executive Secretary, as a witness.

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

Mr. Wuest testified as to the investigation and determination that the drugs delivered by American Buffalo Xpress were not dispensed to the patients but were destroyed after Walmart was notified. Mr. Sargent had no questions for the witness and the witness was excused.

Mr. Sargent testified that American Buffalo Xpress required a license for these activities and only stored the drugs in the storage facility for only a few hours.

Board discussion ensued.

Mr. Kandt requested that the Board make Findings of Fact consistent with paragraphs 1-4 of the Statement of the Respondent and Notice of Hearing.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraphs 1-4 of the Statement of the Respondent and Notice of Hearing.

Second: Krystal Freitas

Board discussion ensued.

Action: Passed unanimously.

Mr. Kandt requested that the Board make the Conclusions of Law consistent with paragraph 10 of the Statement of the Respondent and Notice of Hearing.

Sophia Long, Board Counsel, advised that this is an appeal hearing and, the only decision for the Board is whether to uphold the fine for unlicensed activity or dismiss the citation for American Buffalo Xpress.

Board Action:

Motion: Jade Jacobo moved to uphold the cite and fine for American Buffalo Xpress.

Second: Richard Tomasso

Action: Passed unanimously.

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

P. Robert Thomas Hall, RPH

(20-023-RPH-N)

Robert Thomas Hall appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt made an opening statement on the charges that Mr. Hall falsified prescriptions for himself and his admissions in his Answer and Notice of Defense at pages 1105-1106.

Mr. Hall apologized to the Board for his actions. He commented that he was overworked and was not thinking properly and meant no harm to Sandra Deveny, APRN.

Mr. Kandt called Monica Segedy, Nevada Board of Pharmacy Investigator, as a witness. Ms. Segedy was sworn in by President Park prior to answering questions and offering testimony.

Ms. Segedy testified as to the investigation and determination that Mr. Hall misappropriated the credentials of APRN Deveny to falsify prescriptions for himself. Segedy provided foundation testimony for signed statement from Mr. Hall dated July 15, 2021.

Mr. Kandt requested that the statement be entered into the record. Mr. Hall had no objection.

President Park admitted the statement into the record.

Mr. Sargent had no questions for the witness and the witness was excused.

The Board questioned Mr. Hall on the charges and sought clarification on his prior discipline from the California Board of Pharmacy for falsifying a prescription for his wife.

Mr. Kandt requested that the Board make Findings of Fact consistent with paragraphs 1-5 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraphs 1-5 of the Notice of Intended Action and Accusation.

Second: Rolf Zakariassen

Action: Passed unanimously.

Mr. Kandt requested that the Board make Conclusions of Law consistent with the four causes of action set forth in paragraphs 14-17 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to make Conclusions of Law consistent with the four causes of action set forth in paragraphs 14-17 of the Notice of Intended Action and Accusation.

Second: Rolf Zakariassen

Action: Passed unanimously.

Mr. Kandt recommended the following penalties for Mr. Hall: 1) respondent's Certificate of Registration No. 07756 be revoked; 2) respondent may not work in any facility licensed by the Board until he petitions for reinstatement; 3) respondent may not petition for reinstatement for a period of one year and if he does petition must appear before the Board; and 4) a fine of \$1,000, with the order effective immediately.

Board Action:

Motion: Jade Jacobo moved to revoke Robert Thomas Hall's Certificate of Registration No. 07756; respondent may not work in any facility licensed by the Board until he petitions for reinstatement; respondent may not petition for reinstatement for a period of one year and if he does petition must appear before the Board; and a fine of \$1,000, with the order effective immediately.

Second: President Park

Gener Tejero recommended that revocation be stayed.

Board discussion ensued on discipline.

Aye: Park, Jacobo, Freitas, Tomasso, Zakariassen

Nay: Tejero, Mitchell

Action: Motion carries.

6. Appeal hearing pursuant to NRS 639.2895(2) (**FOR POSSIBLE ACTION**)

C. Sandra Bledsoe, D/B/A VIP Faces (21-042-S)

This matter was continued to a future Board Meeting.

D. Sandra Bledsoe, D/B/A Revenge MD (21-042-B-S/21-042-C-S)

This matter was continued to a future Board Meeting.

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

Z. Bashir Rashid, MD
AA. Minesh Amin, DO

(18-060-CS-A-S)
(18-060-CS-B-S)

Bridget Kelly appeared as counsel on behalf of Bashir Rashid.

Bashir Rashid was not present for the hearing.

Minesh Amin appeared representing himself and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt provided background on the charges of permitting registered nurses (RNs) to access, possess, furnish and/or administer dangerous drugs without supervision to patients with whom respondents did not establish a bona fide therapeutic relationship.

Kandt presented a proposed Stipulation and Order on pages 1197-1202.

Dr. Rashid, Certificate of Registration No. CS14470, stipulates to the following penalties: 1) public reprimand; 2) a fine of \$2,500; 3) \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; 4) respondent establish policies and procedure within his practice; and 5) respondent shall comply with all federal and state laws regarding controlled substances and dangerous drugs.

Board Action:

Motion: Krystal Freitas moved to approve the proposed Stipulation and Order for Dr. Bashir Rashid.

Second: Jade Jacobo

Board discussion ensued.

Aye: Park, Jacobo, Freitas, Tejero, Zakariassen

Nay: Mitchell, Tomasso

Action: Motion carries.

Kandt presented a proposed Stipulation and Order on pages 1212-1217.

Dr. Amin, Certificate of Registration No. CS19177, stipulates to the following penalties: 1) public reprimand; 2) a fine of \$1,000; 3) \$1,000 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; 4)

respondent establish policies and procedure within his practice; and 5) respondent shall comply with all federal and state laws regarding controlled substances and dangerous drugs.

Board Action:

Motion: Jade Jacobo moved to approve the proposed Stipulation and Order for Dr. Minesh Amin.

Second: Krystal Freitas

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

Nay: Tomasso

Action: Motion carries.

7. Petition to Modify Order of Reinstatement (17-006-CS-S)

Craig Weingrow, MD

Jeffrey Setness appeared as counsel on behalf of Dr. Craig Weingrow.

Dr. Craig Weingrow appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt referred to the petition beginning at page 1396 and explained Dr. Weingrow, Certificate of Registration No. CS20272, was petitioning for modification of his Order of Reinstatement entered July 31 ,2020, to prescribe, order, possess, and administer testosterone pellets.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to modify the Order of Reinstatement to include the authority to prescribe, order, possess, and administer testosterone.

Second: Rolf Zakariassen

Action: Passed unanimously.

28. Executive Secretary Report:

A. Financial Report

Mr. Wuest provided the Financial Report to the Board's satisfaction.

6. Appeal hearing pursuant to NRS 639.2895(2) **(FOR POSSIBLE ACTION)**

C. Aircare SMRT, LLC

(20-062-S)

No representative was present on behalf of Aircare SMRT, LLC.

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

B. Kord T Strebel, MD	(19-053-CS-S)
C. Thomas E. Strebel, RPH	(19-053-RPH-S)
M. Sassan Kaveh, MD	(21-051-CS-N)
N. Alyssa Cocjin	(20-109-TD-N)
O. Sowjanya Reganti, MD	(20-109-CS-A-N)
P. Vodur Suresh Reddy, MD	(20-109-CS-B-N)
Q. Emily Guerard, MD	(20-109-CS-C-N)
R. Santhosh Ambika, MD	(20-109-CS-D-N)
S. Tejvir Singh, MD	(20-109-CS-E-N)
T. Aaron Bowman, MD	(20-109-CS-F-N)
U. Juan Cattoni, MD	(20-109-CS-G-N)
V. Ghayda Alrass, RPH	(21-065-RPH-N)

These matters were continued to a future Board Meeting.

Public Comment on September 1 2021, 5:00pm

There was no public comment.

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	Kristopher Mangosing
Brett Kandt	Joe Dodge	Dena McClish	Ken Scheuber
Courtney Lee	Darlene Nases	Leo Basch	

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 September 2 2021, 9:00 AM

There was no public comment.

29. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2)
(FOR POSSIBLE ACTION):

- A. **Amendment of Nevada Administrative Code (NAC 639).** The proposed amendments will add a new section to implement the provisions of Assembly Bill 177 requiring the Board to adopt regulations that establish requirements for certain pharmacies to provide certain information regarding a prescription in English and another language upon the request of a prescribing practitioner, a patient or an authorized representative of a patient.

This matter was continued to a future Board Meeting.

- B. **Amendment of Nevada Administrative Code (NAC) 639.240, and 639.242 639.256.** The proposed amendment to NAC 639.240, and 639.242 will amend the requirements necessary for an applicant to obtain a registration as a pharmaceutical technician and pharmaceutical technician in training.

Ms. Long provided the proposed changes to the Board.

Board discussion ensued.

President Park opened public comment on this workshop.

Liz McMenamin, Retail Association of Nevada, is in favor of the proposed language.

Board Action:

Motion: Jade Jacobo moved to approve proposed language for Nevada Administrative Code (NAC) 639.240, and 639.242 639.256 as proposed by Ms. Long and move forward to Public Hearing.

Second: Wayne Mitchell

Action: Passed unanimously.

C. **Amendment of Nevada Administrative Code (NAC) 639.208.** The proposed amendment to NAC 639.208 will amend the requirements necessary for an applicant to obtain a registration as a pharmacist by reciprocity.

Ms. Long provided the proposed changes to the Board.

Board discussion ensued.

President Park opened public comment on this workshop.

Liz McMenamin, Retail Association of Nevada, is in favor of the proposed language.

Board Action:

Motion: Jade Jacobo moved to approve proposed language for Nevada Administrative Code (NAC) 639.208 proposed by Ms. Long and move forward to Public Hearing.

Second: Krystal Freitas

Action: Passed unanimously.

D. **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.

Mr. Wuest provided proposed language to the Board.

President Park opened public comment for this workshop.

Christina Madison, Associate Professor of Roseman University, commented that she appreciates the Board working on this with her. She is in favor of the proposed language which can help this epidemic.

Liz McMenamin, Retail Association of Nevada, is in favor of the proposed language.

Ken Kunke, Nevada Pharmacy Alliance, appreciates the Board working with them on this language. He is in favor of the proposed language.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve proposed language for Amendment of Nevada Administrative Code (NAC 639.) proposed by Mr. Wuest and moved forward to Public Hearing.

Second: Krystal Freitas

Action: Passed unanimously.

19. Applications for Out-of-State Wholesaler License (NRS 639.233)
– Appearance (**FOR POSSIBLE ACTION**)

B. Avanos Medical Sales, LLC – Tucson, AZ – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events – Disclosure

Nancy Cline, Facility Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on the application and their disclosures regarding not notifying other Boards of Pharmacy of changes in a timely manner and improper record keeping.

The Board questioned Ms. Cline on the products they will be shipping into Nevada, what steps were implemented to ensure that changes are notified in a timely manner, when these processes started, and why they operated without the proper licensure.

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

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to approve Out-of-State Wholesaler License for Avanos Medical Sales, LLC.

Second: Rolf Zakariassen

Action: Passed unanimously.

C. Avid Medical, Inc. – Tocino, VA – Background Check Not Required – Manufacturer (NAC 639.593(7)(d)) – Disclosure

Sarah Golas, Licensing Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Ms. Golas to speak on behalf of the company.

Mr. Wuest provided background on the application and their disclosures from their parent company regarding unlicensed practice and not properly notifying Colorado of a designated representative change.

The Board questioned Ms. Golas on what products are being shipped into Nevada and what occurred with their South Carolina administrative action.

Sharon Moll, Designated Representative, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Golas and Ms. Moll answered questions to the Board's satisfaction.

Board Action:

Motion: Krystal Freitas moved to approve Out-of-State Wholesaler License for Avid Medical, Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

D. Bioventus, LLC – Cordova, TN – Background Check Not Required - Manufacturer (NAC 639.593(7)(d)) – Disclosure

Michael Kiser, Facility Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on application and disclosures regarding unlicensed practice and not properly notifying Maine and Utah of disciplinary action.

The Board questioned Mr. Kiser on the events that occurred with the disclosures.

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

Board Action:

Motion: Krystal Freitas moved to approve ownership change for Out-of-State Wholesaler License for Bioventus, LLC.

Second: Rolf Zakariassen

Action: Passed unanimously.

E. Endo Aesthetics LLC – Malvern, PA – Background Check Not Required – Manufacturer (NAC 639.593(7)(d)) – No Disclosure

Kristin Kennedy (Executive Director and Counsel), Mary-Lou Schoonover (State Licensing Manager), Brian Buesch (Vice of President of Technical Operations for Five Star Products), Christopher Thomas (Manager of Warehouse Operations), and Tara Margarella (Senior Medical Director) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on the application and disclosures from the FDA Form 483 that they received for another location.

The Board questioned Endo Aesthetics on the findings of the FDA Form 483 and if Chris Thomas is a designated representative for another location.

Mr. Thomas and Ms. Schoonover answered questions to the Board's satisfaction.

Board discussion ensued regarding changing the Designated Representative as Chris Thomas can only be the representative for one location based on Nevada Law.

Ms. Schoonover commented that they can make a change to the Designated Representative.

Board Action:

Motion: Jade Jacobo moved to approve Out-of-State Wholesaler License for Endo Aesthetics LLC.

Second: Krystal Freitas

Action: Passed unanimously.

- A. AuroLogistics LLC – East Windsor, NJ – Background Check Not Required – VAWD-Accredited (VAWD-Accredited (NAC 639.593(7)(c)) – Disclosure

Jennifer Schneider, Licensing Specialist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Ms. Schneider to speak on behalf of the company.

Mr. Wuest provided background on the application and their disclosures regarding unlicensed activity and their designated representative had a previous arrest.

Ms. Schneider provided clarification of the disclosures to the Board.

Board Action:

Motion: Wayne Mitchell moved to approve Out-of-State Wholesaler License for AuroLogistics LLC pending a Letter of Authorization.

Second: Gener Tejero

Action: Passed unanimously.

F. Immunomedics, Inc. – Morris Plains, NJ – Background Check Not Required – Publicly Traded and Manufacturer (NAC 639.593(7)(a) and (d)) – Disclosure

David Hsu, Senior Director of Trade Strategy and Operations from Gilead Sciences, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Mr. Hsu to speak on behalf of the company.

Mr. Wuest provided background on the application and disclosures regarding unlicensed activity in Colorado and not properly notifying Montana of a change in the person in charge.

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

Board Action:

Motion: Gener Tejero moved to approve ownership change for Out-of-State Wholesaler License for Immunomedics, Inc pending Letter of Authorization.

Second: Wayne Mitchell

Action: Passed unanimously.

G. Laurus Generics Inc. – Berkeley Heights, NJ – Background Check Not Required – Manufacturer (NAC 639.593(7)(d)) – Disclosure

Thomas Verosky, President, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on application and disclosure regarding not properly providing an annual list to Nevada Health Department for essential asthma and diabetic drugs.

Mr. Verosky provided background on the disclosure to the Board.

Board Action:

Motion: Gener Tejero moved to approve Out-of-State Wholesaler License for Laurus Generics Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

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

Audrey Blackwood

Audrey Blackwood appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on appearance regarding Ms. Blackwood requesting a waiver to become a Managing Pharmacist for two locations, and her disclosures regarding administrative action for allowing a Pharmaceutical Technician to have access to the pharmacy without managing pharmacist present.

The Board questioned Ms. Blackwood on the events that occurred with her disclosure.

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

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to approve request for waiver from managing pharmacist pursuant to NRS 639.220 (3).

Second: Gener Tejero

Action: Passed unanimously.

22. Application for Pharmacist Registration by Reciprocity – Appearance (**FOR POSSIBLE ACTION**)

Matt Weinberg

Matt Weinberg appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Lee provided background on appearance and disclosure regarding diversion.

The Board questioned Mr. Weinberg on the events that occurred with his disclosure and why he wants to move to Nevada.

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

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to approve application for Pharmacist Registration by Reciprocity for Matt Weinberg.

Second: Gener Tejero

Action: Passed unanimously.

19. Applications for Out-of-State Wholesaler License (NRS 639.233)
– Appearance (**FOR POSSIBLE ACTION**)

N. VGYAAN Pharmaceuticals LLC – Skillman, NJ – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events – No Disclosure

Nailesh Bhatt, Chief Executive Officer, and Nimisha Bhatt, Chief Operating Officer, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on the application and disclosure regarding a lawsuit for infringement.

The Board questioned Mr. and Mrs. Bhatt on the events that occurred with their disclosure.

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

Board Action:

Motion: Richard Tomasso moved to approve Out-of-State Wholesaler License for VGYAAN Pharmaceuticals LLC.

Second: Krystal Freitas

Action: Passed unanimously.

H. LifeScience Logistics, LLC – Whitestown, IN – Background Check Not Required – Manufacturer and VAWD-Accredited (NAC 639.593(7)(c) and (d) – Disclosure

Paul Hayward, Vice President of Quality and Compliance, appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for Mr. Hayward to speak on behalf of the company.

Mr. Wuest provided background on application and disclosure regarding not properly notifying California and Alabama of a designated representative change.

Mr. Wuest questioned Mr. Hayward about the products being shipped into Nevada and their disclosure.

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

Board Action:

Motion: Krystal Freitas moved to approve Out-of-State Wholesaler License for LifeScience Logistics, LLC pending Letter of Authorization.

Second: Rolf Zakariassen

Action: Passed unanimously.

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

Ahsun Cho

Ahsun Cho appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Long provided background on appearance and Ms. Cho's request to take the Nevada MPJE Exam for the sixth attempt.

The Board questioned Ms. Cho on the events that occurred with her previous test attempts, why she wants to move to Nevada, and her work history.

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

Board Action:

Motion: Jade Jacobo moved to approve request for Pharmacist Applicant Ahsun Cho to Retake the Nevada MPJE Exam.

Second: Gener Tejero

Action: Passed unanimously.

Richard Tomasso was excused from this meeting at 1:30pm.

19. Applications for Out-of-State Wholesaler License (NRS 639.233)
– Appearance (**FOR POSSIBLE ACTION**)

L. Penn Veterinary Supply, Inc. – Lancaster, PA – Background Check Not Required –
VAWD-Accredited (NAC 639.593(7)(c)) – Disclosure

Diane Evanosky, Compliance Officer, and Tim Cable, Operations Manager, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on the application and disclosure regarding shipping product to a practitioner who did not have an active license and for unlicensed practice.

The Board questioned what processes were put into place to ensure that a license is active.

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

Board Action:

Motion: Rolf Zakariassen moved to approve Out-of-State Wholesaler License for Penn Veterinary Supply, Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

O. ZO Skin Health, Inc. – Omaha, NE – Background Check Not Required – VAWD-
Accredited - VAWD-Accredited (NAC 639.593(7)(c)) – Disclosure

Drew Bordages appeared as counsel on behalf of ZO Skin Health, Inc.

Bob Harris, General Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on application for a Change in Ownership.

The Board questioned Mr. Harris about the change of ownership, the company's disclosures, and if they have processes in place to check that practitioners' licenses are active before shipping products out.

Mr. Harris and Mr. Bordages answered questions to the Board's satisfaction.

Mr. Wuest commented that practitioners' need a dispensing license in Nevada, so he recommended that the company have a process to check that they have that licensure before mailing out to them.

Board Action:

Motion: Krystal Freitas moved to approve ownership change for Out-of-State Wholesaler License for ZO Skin Health, Inc.

Second: Wayne Mitchell

Action: Passed unanimously.

20. Application for Out-of-State Outsourcing Facility (NRS 639.100) – Appearance
(FOR POSSIBLE ACTION)

A. The Ritedose Corporation – Columbia, SC

Julia Bales, Supervising Registered Pharmacist, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Dodge provided background on application.

The Board questioned Ms. Bales on FDA inspection results, results of outsourcing facility inspection, and products being shipped into Nevada.

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

Board Action:

Motion: Gener Tejero moved to approve Out-of-State Outsourcing Facility License for The Ritedose Corporation to include a copy of their upcoming FDA inspection results sent to Board staff.

Second: Rolf Zakariassen

Action: Passed unanimously.

B. SCA Pharmaceuticals, LLC – Little Rock, AR

C. SCA Pharmaceuticals, LLC – Windsor, CT

Alyssa Johnson (Supervising Pharmacist for Windsor, CT), Matthew White (Supervisor for Little Rock, AR), and Racheal Adams (Supervising Pharmacist for Little Rock, AR) appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park requested a Letter of Authorization for everyone to speak on behalf of the company.

Mr. Dodge questioned SCA Pharmaceuticals about their FDA inspection and their change of ownership.

Mr. White and Ms. Johnson answered questions to the Board's satisfaction.

Board Action:

Motion: Wayne Mitchell moved to approve ownership change for Out-of-State Outsourcing Facility License for SCA Pharmaceuticals, LCC for the Little Rock, AR and Windsor, CT locations.

Second: Rolf Zakariassen

Action: Passed unanimously.

19. Applications for Out-of-State Wholesaler License (NRS 639.233)
– Appearance (**FOR POSSIBLE ACTION**)

K. Medline Industries, Inc. – Southaven, MS – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events – Disclosure

No representative present on behalf of Medline Industries, Inc.

J. Medline Industries, Inc. – Greyslake, IL – Background Check completed in compliance with NRS 639.500 – No Disqualifying Events – Disclosure

No representative present on behalf of Medline Industries, Inc.

M. Tris Pharma, Inc. – Cranbury, NJ – Background Check Not Required - Manufacturer (NAC 639.593(7)(d)) – Disclosure

No representative present on behalf of Tris Pharma, Inc.

I. MD Pharmaceutical Supply, LLC – Hanover, PA – Background Check completed in compliance with NRS 639.500 – Disqualifying Event – Disclosure

Stephen and Richard Romeo, Owners, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Wuest provided background on application and their disclosure regarding Mr. Richard Romeo's previous arrest regarding a fight and DUI.

The Board questioned Mr. Richard Romeo about the disclosures and the events that occurred with it.

Mr. Richard Romeo answered questions to the Board's satisfaction.

Board Action:

Motion: Rolf Zakariassen moved to approve Out-of-State Wholesaler License for MD Pharmaceutical Supply, LLC.

Second: Wayne Mitchell

Board discussion ensued.

The Board questioned Mr. Richard Romeo and Mr. Stephen Romeo about the products being shipped into Nevada and their business model.

Mr. Richard Romeo and Mr. Stephen Romeo answered questions to the Board's satisfaction.

Action: Passed unanimously.

31. Public Comment at September 2 2021, 5:00pm

There was no public comment.

30. Date and Location of Next Scheduled Board Meeting:

October 13-14, 2021 – Las Vegas, NV

32. Adjournment