



Nevada State Board of Pharmacy

985 DAMONTE RANCH PARKWAY • SUITE 206 • RENO, NEVADA 89521
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bop.nv.gov

Date Posted: April 5, 2023

SECOND AMENDED AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, April 12, 2023, at 9:00 am. The meeting will continue, Thursday, April 13, 2023, at 9:00 am if necessary or until the Board concludes its business. Pursuant to NRS 241.023(1)(c) the meeting is being conducted by means of remote technology. The public may attend the meeting via live stream remotely or at the following location:

Hyatt Place
1790 E Plumb Lane
Reno, NV

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.

Please note that items on this agenda may be taken out of order, two or more agenda items may be combined for consideration, and/or items may be removed from the agenda or delayed for discussion at any time.

The Board may convene in closed session pursuant to NRS 241.030 to consider the character, alleged misconduct, professional competence or physical or mental health of any person named on this agenda.

The Board will take public comment on any matters within their jurisdiction, control, or advisory power. Public comments may be limited to three minutes per person. Public comment may also be submitted to the Board at pharmacy@pharmacy.nv.gov.

The Board may refuse to consider public comment related to a contested case pursuant to NRS 233B.126 until the Board has rendered a decision in the contested case.

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 March 8-9, 2023, Board Meeting Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-appearance (**FOR POSSIBLE ACTION**)
 - A. Critical Nurse Staffing, LLC – Grand Junction, CO
 - B. Mi-Med Supply Co. Inc. – Irvine, CA
 - C. Synapse Health, Inc. – Evanston, IL
- 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. Acacia Pharma Inc. – Solana Beach, CA
 - E. Aerogen – Chicago, IL
 - F. Baxter Pharmaceutical Solutions, LLC – Bloomington, IN
 - G. Boxout – Jacksonville, FL
 - H. Endo Pharmaceuticals, Inc. – Malvern, PA
 - I. Evergreen Theragnostics, Inc. – Springfield, NJ
 - J. F2G Inc. – Princeton, NJ
 - K. Hugel Aesthetics, Newport Beach, CA
 - L. Marketlab, Inc – Caledonia, MI
 - M. Phoenix Assurance, LLC – Memphis, TN
 - N. Radius Health, Inc – Boston, MA
 - O. STI Pharma, LLC – Newtown, PA
 - P. TriMed, Inc. – Valencia, CA
- 4.2.3 Publicly Traded (NAC 639.593(7)(a))

- Q. Abbot Molecular Inc. – Itasca, IL
- R. Ethicon, Inc. – Raritan, NJ
- S. Illumina, Inc. – San Diego, CA
- T. Madrigal Pharmaceuticals, Inc. – West Conshohocken, PA
- U. McKesson Medical-Surgical Inc. – Commerce City, CO

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

- V. Kenco Logistic Services, LLC – Chattanooga, TN
- W. Medline Industries, LP – Tracy, CA
- X. Prodigy Health LLC – Austin, TX

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

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

- Y. Aero-Med, LLC – East Hartford, CT
- Z. Catalyst Pharmaceuticals, Inc. – Coral Gables, FL
- AA. Liquidia Technologies, Inc. – Morrisville, NC
- BB. Tarsus Pharmaceuticals, Inc. – Irvine, CA

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

- CC. InSource, Inc. – Bastian, VA

4.2.8 Background checks completed in compliance with NRS 639.500.

- DD. CJ Logistics America, LLC – Channahon, IL
- EE. NDC HomeCare LLC – Jacksonville, FL
- FF. NDC HomeCare LLC – Waco, TX

4.3 Applications for Nevada Wholesaler License (NRS 639.233) – Non-appearance
(FOR POSSIBLE ACTION)

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

- GG. Airgas USA, LLC – Winnemucca, NV

4.3.2 **Background checks completed in compliance with NRS 639.500.**

- HH. NDC HomeCare LLC – North Las Vegas, NV

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

- II. Renown Pharmacy – Reno, NV

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

- JJ. ER at Desert Springs an Extension of Valley Hospital – Las Vegas, NV
- KK. Rancho Pharmacy – Las Vegas, NV
- LL. Willow Springs Center Pharmacy – Reno, NV

4.5 Applications for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-appearance **(FOR POSSIBLE ACTION)**

- MM. Cure 4 The Kids Foundation – Las Vegas, NV

4.6 Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Non-Appearance – **(FOR POSSIBLE ACTION)**

- NN. Epiq Scripts – Richardson, TX
- OO. Expert Compounding Pharmacy – Lake Balboa, CA

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

- PP. BioPlus Specialty Pharmacy Services, LLC – Altamonte Springs, FL
- QQ. Eventus Rx LLC – Fort Myers, FL
- RR. FlexCare Specialty Services, LLC – Houston, TX
- SS. Medscripts Medical Pharmacy – Greenville, SC
- TT. Optum Pharmacy 701, LLC – Mesa, AZ
- UU. River Medical Pharmacy, LLC – San Antonio. TX
- VV. Roman Health Pharmacy LLC – Torrance, CA
- WW. Route 300 Pharmacy – Newburgh, NY
- XX. Santa Barbara Specialty Pharmacy, LLC – Carpinteria, CA
- YY. Santa Rosa Pharmacy – Santa Rosa Beach, FL

4.9 Application for Nevada Warehouse License – Non- Appearance **(FOR POSSIBLE ACTION)**

- ZZ. Renown Health – Reno, NV

◆ REGULAR AGENDA ◆

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

- A. Ryan Zeller, DO (23-013-CS-N)
- B. Wesley Robertson, MD (21-063-CS-S)
- C. Joseph Eberle, MD (22-040-CS-N)
- D. Sherellen Brooks Gerhart, MD (22-106-CS-N)
- E. Amanda Marie Wagner, MD (21-029-CS-N)
- F. Carrie Chaney, APRN (22-167-CS-N)

- G. CVS Pharmacy #8792 (22-211-PH-N)
 - H. Eric Nguyen, RPH (22-211-RPH-A-N)
 - I. Christopher Smyrniotis, RPH (22-211-RPH-B-N)
 - J. Robert Fredericks, MD (22-197-CS-N)
 - K. Gary Wisner, MD (22-423-CS-N)
 - L. Carrie Lambert, DVM (22-484-DV-N)
6. Appeal hearing pursuant to NRS 639.2895(2) **(FOR POSSIBLE ACTION)**
- Malcolm Paul (22-479-S)
7. Stipulation to Rehearing *** Respondents Las Vegas Scripts RX and Nathan Edouard, RPH, Only **(FOR POSSIBLE ACTION)**
- A. Las Vegas Scripts Rx (19-243-PH-S)
 - B. Nathan Edouard, RPH (19-243-RPH-S)
8. Rehearing on Kinex Medical Company, LLC, Case No. 21-039-MP-S, pursuant to Order of the First Judicial District Court in Case No. 22-OC-00047-1B **(FOR POSSIBLE ACTION)**
9. Applications for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6944) – Appearance **(FOR POSSIBLE ACTION)**
- A. CenterPoint Medical LLC – Las Vegas, NV
 - B. Maverick Medical, Inc. – Kingsbury, NV
10. Application for Nevada Pharmacy License (NRS 639.230) – Appearance **(FOR POSSIBLE ACTION)**
- A. 986 Pharmacy #8017 – Las Vegas, NV
 - B. Swift Pharmaceutical Inc – Las Vegas, NV
11. Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**
- A. AleraCare Pharmacy – Phoenix, AZ
 - B. Basic Home Infusion, LLC – Wayne, NJ
 - C. CVS/Specialty – Linthicum Heights, MD
 - D. InfuCare Rx – Glendale, CA
 - E. InfuCare Rx of LA – Kenner, LA
 - F. Precision Compounding Pharmacy and Wellness – Bellmore, NY
12. Application for Out-of-State Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**
- A. AllianceRx Walgreens Pharmacy #1403-1 – Orlando, FL

- B. Animal Health International, Inc. – Chandler, AZ
 - C. CSI Pharmacy – Nash, TX
 - D. NaphCare Pharmacy, LLC – Birmingham, AL
13. Application for Ambulatory Surgery Center License (NAC 639.4992) – Appearance
(FOR POSSIBLE ACTION)
- A. Ozomor Surgical Center – Las Vegas, NV
 - B. Sierra Surgery Center, LLC – Las Vegas, NV
14. Application for Nevada Veterinary Drug Supplier License – (Appearance) **(FOR POSSIBLE ACTION)**
- C-A-L Ranch Stores – Reno, NV
15. Applications for Out-of-State Wholesaler License (NRS 639.233) – Appearance **(FOR POSSIBLE ACTION)**
- Raley’s Pharmacy Wholesaler – Sacramento, CA
16. Applications for Pharmaceutical Technician Registration (NAC 639.240) – Appearance. **(FOR POSSIBLE ACTION)**
- Amazi Harris
17. Applications for Pharmaceutical Technician in Training Registration (NAC 639.242) – Appearance. **(FOR POSSIBLE ACTION)**
- Chloe Swanson
18. Applications for Controlled Substance Registration (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**
- A. Jorge Burgos
 - B. Carrie Chaney
 - C. Selwyn Kidney
 - D. John Tkach
19. Application for Veterinarian Authority to Dispense Drugs (NAC 639.7423) – Appearance **(FOR POSSIBLE ACTION)**
- Vincent Alexis
20. Approval of Pharmacy Technician and Pharmacy Technician in Training Applications. **(FOR POSSIBLE ACTION)**

21. Approval of Pharmacy Technician and Pharmacy Technician in Training Application Processing Procedures **(FOR POSSIBLE ACTION)**
22. Approval of Mechanical Device License Application. **(FOR POSSIBLE ACTION)**
23. Discussion and possible action to approve settlement agreement in *Lee v. Nevada State Board of Pharmacy et al.*, U.S. District Court Case No: 22-cv-00363-GMN-BNW, including payment of \$19,000 by the Board. **(FOR POSSIBLE ACTION)**
24. Request from Smith's Food and Drug (also known as Kroger Health) to authorize their pharmacies as allowed by NAC 639.7145 – **(FOR POSSIBLE ACTION)**
25. 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).
26. 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
 - I. Citations & Fines issued pursuant to NRS 632.2895
27. Review and consideration for approval of retention incentives for employees of the Nevada State Board of Pharmacy, with such incentives to be quantified and disbursed in accordance with the criteria described in Assembly Bill No. 268 of the 82nd (2023) Session of the Nevada Legislature. **(FOR POSSIBLE ACTION)**
28. Date and Location of Next Scheduled Board Meeting:

June 14-15, 2023 – Las Vegas, NV
29. 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)
30. 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.

Continuing Education credit will be given for in-person attendance at this Board meeting pursuant to NAC 639.330(1)(b)(2).

This notice has been posted at www.notice.nv.gov and www.bop.nv.gov pursuant to NRS 241.020 (4).