



NEVADA STATE BOARD OF PHARMACY

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MINUTES

December 8, 2022

BOARD MEETING

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 at:

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	Peter Keegan	Darlene Nases	Courtney Lee
Joe Dodge			

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.

◆ PUBLIC HEARING ◆

Thursday December 8, 2022 – 1:00 pm

3. **Amendment of Nevada Administrative Code (NAC) 639.** The proposed amendments establish the requirements and locations for a pharmacist to engage in the practice of pharmacy at a site other than a licensed pharmacy. (LCB File R164-20)

Dave Wuest, Executive Secretary for the Nevada Board of Pharmacy, provided background and presented two proposed versions. Draft one is LCB's proposed changes and the second draft is LCB's proposed changes along with Board staff's additional amendments.

President Park opened the floor to public comment.

Lauren Paul from CVS Health supports the allowance of pharmacists to engage in the practice of pharmacy at a site other than a licensed pharmacy. Ms. Paul submitted written public comment to the Board with proposed language changes for their consideration. She requested the Board consider removing the restriction on a pharmacist who serves as a managing pharmacist or who provides pharmaceutical services at the listed facilities (b)(1-5) from engaging in the practice of pharmacy at a site other than a licensed pharmacy, and she requested the Board to remove specific data elements listed in (a-g) from the requirement of the computerized system and access to data that a pharmacist practicing at a location other than a licensed pharmacy. The data elements listed are not encompassing to all practice settings and would prohibit pharmacists from practicing remotely.

Ken Kunke from the Nevada Pharmacy Alliance commented that the current language excludes clinical pharmacist to engage in the practice of pharmacy at a site other than a licensed pharmacy. However, he supports the proposed language as written but request that the Board consider a future amendment for pharmacist who work in a clinical setting which requires an appearance before the Board for approval to work outside of a pharmacy.

Maribeth Moran, Pharmacist, supports Mr. Kunke's comments. She is a clinical pharmacist and was required to appear before the Board for approval to work outside a pharmacy. She stated that requirements to appear before the Board for each location can delay patient care.

Liz McMenamin from the Retail Association of Nevada supports the allowance of pharmacist to engage in the practice of pharmacy at a site other than a licensed pharmacy. Ms. McMenamin stated that she agrees with comments provided by Ms. Lauren Paul.

Michelle Hon, Pharmacist, supports the removal of the requirement to appear multiple times for the Board's approval to practice at a site other than a licensed pharmacy for each practice setting.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, commented that LCB's draft and the additional amendments will be up to LCB to accept any or all the changes. If LCB finds substantive changes, this public hearing item may need to go on a future Board meeting as another public hearing.

Jade Jacobo wanted clarification about the language regarding the restrictions on if they are a managing pharmacist.

Dave Wuest answered Ms. Jacobo's question.

President Park re-opened the floor to public comment regarding the restrictions on if their a managing pharmacist.

Ken Kunke is speaking on behalf of himself and commented that a Managing Pharmacist works 40 hours a week but can-do remote verification from home to get that site caught up. In addition, he requests that this regulation include clinical pharmacists.

Jade Jacobo addressed Ms. Kaylynn Bowman's written comment. She has never come across a situation where the Board has denied someone to engage in the practice of pharmacy outside of a licensed pharmacy. She suggests that Board staff approve the request instead and if unsure about the practice that they would need to appear before the Board.

President Park suggested proceeding with the current language as proposed and can amend the language in the future.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to adopt proposed Amendment of Nevada Administrative Code (NAC) 639. (LCB File R164-20)

Second: Zakariassen

Brett Kandt commented that Ms. Jacobo needs to be clear on what draft that she is approving.

Jade Jacobo withdrew her motion.

Board Action:

Motion: Jade Jacobo moved to adopt proposed Amendment of Nevada Administrative Code (NAC) 639 with LCB's proposed changes along with Board staff's additional amendments. (LCB File R164-20)

Second: Zakariassen

Action: Passed unanimously.

4. Public Comment December 8, 2022, 2:00 PM

Liz McMenamin commented that she is thankful for the Board for working on this language and hopes pharmacies work like how they did during the pandemic.

Dave Wuest thanked the Board members for their service to the State.

President Park provided the date and location of the next scheduled Board meeting – January 11-12, 2023 – Las Vegas, NV.

5. Adjournment