



NEVADA STATE BOARD OF PHARMACY

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MINUTES

November 30 – December 1, 2022

BOARD MEETING

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, November 30, 2022, at 9:00 am. The meeting will continue, Thursday, December 1, 2022, 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:

Hilton Garden Inn
7830 S Las Vegas Boulevard
Las Vegas, NV

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	Luis Curras	Dena McClish	Ken Scheuber
Sophia Long	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 November 30, 2022, 9:00 AM

Jaime Cordoba-Hernandez commented that he is present for the Board meeting in accordance with his Order.

◆ 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 Board Meeting Minutes (**FOR POSSIBLE ACTION**)

- A. October 12-13, 2022
- B. November 18, 2022

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Board Meeting Minutes for October 12-13, 2022, and November 18, 2022.

Second: Rolf Zakariassen

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. Bili Blanket Baby – Boulder, CO
- B. Medline Industries, LP – Tracy, CA
- C. Medline Industries, LP – Grayslake, IL
- D. Oticon Medical, LLC – Somerset, NJ
- E. Prism Medical Products, LLC – Elkin, NC

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))

- F. AkaRx, Inc – Durham, NC
- G. American Health Services Sales Corp – Mettawa, IL
- H. BIOTRONIK, Inc. – Lake Oswego, OR
- I. Cintas Corporation No.2 – Middletown, OH
- J. CivicaScript LLC – Lehi, UT
- K. Cosette Pharmaceuticals NC Laboratories, LLC – Lincolnton, NC
- L. Leadiant Biosciences, Inc. – Gaithersburg, MD
- M. Medical Purchasing Solutions, LLC – Hilliard, OH
- N. Thea Pharma Inc – Lexington, MA
- O. Top Quality Manufacturing, LLC – Santa Fe Springs, CA

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

- P. 3M Medical Solutions – Fresno, CA
- Q. Cardinal Health 200, LLC – Jefferson, GA
- R. Fennec Pharmaceuticals, Inc. – Hoboken, NJ
- S. JG Pharma, Inc. – Scottsdale, AZ
- T. Journey Medical Corporation – Scottsdale, AZ
- U. Opiant Pharmaceuticals, Inc. – Santa Monica - CA

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

V. Dee Veterinary Products, LLC – Miami Gardens, FL

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))

- W. AbbVie US LLC – North Chicago, IL
- X. Brasseler U.S.A. Dental, LLC – Savannah, GA
- Y. Mirum Pharmaceuticals, Inc. – Foster City, CA

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

4.2.8 Background checks completed in compliance with NRS 639.500.

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

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

Z. 3M Medical Solutions – Las Vegas, NV

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

AA. DHL Supply Chain (USA) – Reno, NV

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

BB. Genoa Healthcare LLC (Maryland Pkwy)– Las Vegas, NV

CC. Genoa Healthcare LLC (Flamingo Rd) – Las Vegas, NV

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

DD. DME Healthcare Partners – Las Vegas, NV

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

EE. Musely Compounding Pharmacy – Salt Lake City, UT

FF. Park Compounding Pharmacy – Westlake Village, CA

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

GG. Fresenius Medical Care North America – Knoxville, TN

HH. Manifest Pharmacy – Greer, SC

II. Mosaic Pharmacy Service – Sterling, VA

JJ. NuFactor, Inc. – Flower Mound, TX

KK. Roman Health Pharmacy LLC – Peachtree Corners, GA

LL. Santa Barbara Specialty Pharmacy, LLC – Carpinteria, CA

MM. The Pharmacy Hub LLC – Miami, FL

4.8 Application for Ambulatory Surgery Center License (NAC 639.4992) – Non- Appearance (**FOR POSSIBLE ACTION**)

NN. Canyon Ridge Surgery Center – Las Vegas, NV

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Consent Agenda.

Second: Wayne Mitchell

Action: Passed unanimously.

◆ REGULAR AGENDA ◆

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

- A. CVS Pharmacy #10861 (18-008-PH-S)
- B. Yuna Eun, RPH (18-008-RPH-A-S)
- C. Cynthia To, RPH (18-008-RPH-B-S)

These matters were continued to a future Board meeting.

- D. CVS Pharmacy #9841 (19-257-PH-N)

Jade Jacobo and Rolf Zakariassen recused themselves due to their employment with CVS.

Joe Lavino, CVS Representative, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan, Assistant General Counsel for the Nevada Board of Pharmacy, prosecuted the case regarding the pharmacy failing to comply with recordkeeping requirements for RX# C1041278 and their responsibility for the acts of all personnel that they employ.

Mr. Keegan clarified CVS #9841 is charged with only Count Three and the other Counts are against Rola Mseeh in the Notice of Intended Action and Accusation.

Mr. Keegan presented a proposed Stipulation and Order for the Board's consideration.

The stipulated penalties for CVS Pharmacy# 9841 Pharmacy License No. PH01364 are the following: 1) pay a fine of \$1,000 for the violations; and 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Board discussion ensued.

Mr. Keegan clarified that the Stipulation and Order is for CVS Pharmacy #9841 located at 1695 Robb Drive, Reno, NV 89523. He will correct the Stipulation and Order to reflect the correct store number.

Board Action:

Motion: Richard Tomasso moved to approve the Stipulation and Order for CVS Pharmacy #9841 as presented by Mr. Keegan.

Second: President Park

Action: Passed unanimously (Jacobo and Zakariassen recused).

E. Rola Mseeh, RPH

(19-257-RPH-N)

Malik Ahmad appeared as counsel on behalf of Rola Mseeh.

Rola Mseeh appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Ahmad commented to the Board that he requested a list of exhibits, witnesses, and a correct Notice of Intended Action and Accusation regarding Ms. Mseeh's case, but he did not receive any of the requested information.

Mr. Keegan clarified that the disciplinary actions noted in paragraph three of the Notice of Intended Action and Accusation are referring to CVS# 9841 and not against Ms. Mseeh.

Mr. Ahmad requested the Board dismiss the case against Ms. Mseeh due to an unclear Notice of Intended Action and Accusation.

President Park denied motion to dismiss.

Jade Jacobo disclosed that she works for CVS but stated that she could participate in this matter fairly and without bias.

Rolf Zakariassen recused himself due to his employment with CVS.

Peter Keegan prosecuted the case regarding Ms. Mseeh improperly declining to fill and failing to comply with recordkeeping requirements for RX# C1041278.

Mr. Keegan called Mark Bridges as a witness via phone since he is unable to appear in person due to personal reasons.

Mr. Ahmad objects to the witness as they should be appearing in person to the Board meeting.

President Park confirmed that extenuating circumstances may allow someone to not appear in person. Therefore, she denies objection to the witness.

Mr. Keegan questioned Mr. Bridges on the issue that occurred, and the complaint filed.

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

Mr. Keegan requested the Board to enter into the record the complaint form submitted by Mr. Bridges as Exhibit 2.

President Park admitted as Exhibit 2.

Mr. Keegan requested the Board to enter into the record the original prescription of Mr. Bridges as Exhibit 3.

President Park admitted as Exhibit 3.

Mr. Ahmad cross-examined Mr. Bridges.

Mr. Keegan called Monica Segedy a witness.

Monica Segedy, Investigator for the Nevada Board of Pharmacy, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Keegan questioned Ms. Segedy on her position with the Board and her investigation of the case.

Mr. Keegan requested the Board to enter Ms. Segedy's email chain with CVS Corporation as Exhibit 4.

President Park admitted as Exhibit 4.

Mr. Ahmad cross-examined Ms. Segedy.

Mr. Keegan called Rola Mseeh as a witness.

President Park clarified that Ms. Mseeh is still sworn in.

Mr. Keegan questioned Ms. Mseeh on the details regarding her case.

Mr. Ahmad cross-examined Ms. Mseeh.

The Board questioned Ms. Mseeh.

Mr. Keegan provided his closing statement and requested the Board to find the evidence supports a record keeping issue and unprofessional conduct.

Mr. Ahmad provided his closing statement and requested an error-free Accusation and dismissal of this case due to the lack of evidence.

Sophia Long, Deputy Attorney General from the Attorney General's Office, commented that the Accusation was done properly and provided "preponderance of the evidence" definition to the Board.

Board discussion ensued.

President Park called for a brief recess.

21. Discussion on audit by Casey Neilon pursuant to NRS 218G.400 for fiscal year ending June 30, 2022.

Gener Tejero and Wayne Mitchell was excused from the meeting at 1:30 PM.

Niki Neilon was present for the meeting

Ms. Neilon presented the Nevada Board of Pharmacy's auditing report to the Board's satisfaction.

Wayne Mitchell and Gener Tejero returned to the meeting at 1:33 PM.

Board discussion ensued.

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

E. Rola Mseeh, RPH (19-257-RPH-N)

President Park reopened the Rola Mseeh hearing.

Dave Wuest, Executive Secretary from the Nevada Board of Pharmacy, commented that Ms. Mseeh's and Board's counsel has discussed on how to proceed with the case.

Sophia Long advised of the options on how the Board can proceed with the hearing: 1) dismiss the case against Ms. Mseeh and proceed with a cite and fine; 2) find Ms. Mseeh not guilty if Board wants the case adjudicated; or 3) find Ms. Mseeh guilty and impose discipline against her registration.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to dismiss Case No. 19-257-RPH-N against Rola Mseeh.

Second: Jade Jacobo

Action: Passed unanimously (Zakariassen recused).

F. Walgreens Pharmacy #4854 (19-100-PH-S)

G. Minhquang Nguyen, RPH (19-100-RPH-S)

These matters were continued to a future Board meeting.

H. Walgreens Pharmacy #4854 (18-021-PH-S)

I. Minhquang Nguyen, RPH (18-021-RPH-A-S)

J. Diana Ebel, RPH (18-021-RPH-B-S)

K. Dimitris Efstathiou, RPH (18-021-RPH-C-S)

L. Maria Cruz, RPH (18-021-RPH-D-S)

These matters were continued to a future Board meeting.

M. Cyvada Sutton, APRN (22-127-PR-S)

Cyvada Sutton appeared and was sworn in by President Park prior to answering questions and offering testimony.

Courtney Lee, General Counsel for the Nevada Board of Pharmacy, prosecuted the case regarding Ms. Sutton prescribing controlled substances with an expired registration and for prescribing without a bona fide therapeutic relationship with the patient.

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

The stipulated penalties for Cyvada Sutton's Certificate of Registration No. PR16218 are the following: 1) pay a fine of \$5,000 for the violations; and 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Board discussion ensued.

Wayne Mitchell wanted further clarification on why she prescribed controlled substances to the patient on behalf of her coworker.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Stipulation and Order for Cyvada Sutton as presented by Ms. Lee.

Second: Wayne Mitchell

Action: Passed unanimously.

N. Sherellen Gerhart, MD (22-106-CS-N)

This matter was continued to a future Board meeting.

P. Josette Spotts, MD (22-396-CS-S)

Charlotte Buys appeared as counsel via Zoom on behalf of Josette Spotts.

Josette Spotts was not present for the meeting.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case and commented that a personal appearance before the Board is required.

Ms. Buys confirmed that she is out of state, and Ms. Buys is travelling. Therefore, she thought a Zoom meeting was permissible.

Dave Wuest commented that her Zoom appearance was not approved.

President Park continued this matter to a future Board meeting.

O. William Smith, MD (22-065-CS-S)

William Smith was not present.

Brett Kandt prosecuted the case alleging that Dr. Smith surrendered his Nevada State Board of Medical Examiners (NSBME) License No. 7897 to practice medicine, resulting in immediate suspension of his Controlled Substance Registration No. CS08327.

Mr. Kandt called Shirley Hunting, Darlene Nases, and Kristopher Mangosing as witnesses.

Shirley Hunting (Board Coordinator for the Nevada Board of Pharmacy), and Darlene Nases (Assistant Board Coordinator for the Nevada Board of Pharmacy), and Kristopher Mangosing (Assistant Board Coordinator) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt questioned Ms. Nases on service of the Notice of Suspension of Certificate of Registration No. CS08327 on Dr. Smith.

Ms. Nases testified that she served the Notice of Suspension of Certificate of Registration No. CS08327 on Dr. Smith via certified mail at his address of record with the Board, as evidence in proposed Exhibit A.

Mr. Kandt requested Exhibit A be entered into the record.

President Park admitted Exhibit A.

Mr. Kandt questioned Ms. Hunting on service of the Notice of Intended Action and Accusation together with the Statement to Respondence and Notice of Hearing on Dr. Smith.

Ms. Hunting testified that she served the Notice of Intended Action and Accusation together with the Statement to Respondent and Notice of Hearing on Dr. Smith via certified mail at his address of record with the Board, as evidenced in proposed Exhibit B.

Mr. Kandt request Exhibit B be entered into the record.

President Park admitted Exhibit B.

Mr. Kandt questioned Mr. Mangosing on service of the 21-day Notice of the Hearing on Dr. Smith.

Mr. Mangosing testified that he served the 21-day Notice of Hearing on Dr. Smith via certified mail at his address of record with the Board, as evidenced in proposed Exhibit C.

Mr. Kandt requested Exhibit C be entered into the record.

President Park admitted Exhibit C.

Mr. Kandt requested the Board to find that Dr. Smith was properly noticed for the hearing.

Board Action:

Motion: President Park moved to find that Dr. William Smith was properly noticed for the hearing.

Second: Rolf Zakariassen

Action: Passed unanimously.

Mr. Kandt requested that the Board make findings of fact consistent with paragraphs 1-3 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to find the Findings of Fact consistent with paragraphs 1-3 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 paragraphs 4-10 of the Notice of Intended Action and Accusation and find the respondent guilty of the alleged violations.

Board Action:

Motion: Jade Jacobo moved to make Conclusions of Law consistent with paragraphs 4-10 of the Notice of Intended Action and Accusation and find the respondent guilty of the violations.

Second: Rolf Zakariassen

Action: Passed unanimously.

Mr. Kandt proposed revocation of Dr. William Smith's Certificate of Registration No. CS08327, effective immediately. Dr. Smith may not possess (except pursuant to lawful order of a practitioner), administer, prescribe, or dispense a controlled substance until he petitions the Board for reinstatement pursuant to NRS 639.257. Dr. Smith may not petition for reinstatement for a period of one year from the day of Order and if he applies then he must appear before the Board.

Board Action:

Motion: Jade Jacobo moved to approve the revocation for Dr. William Smith's Certificate of Registration No. CS08237 as proposed by Mr. Kandt.

Second: Rolf Zakariassen

Action: Passed unanimously.

Q. Jonathan Sorelle, MD (22-027-CS-S)

This matter was continued to a future Board meeting.

R. Keith A. Breiland, MD (20-180-CS-S)

Kathleen Janssen appeared as counsel on behalf of Dr. Keith Breiland.

Dr. Keith Breiland was not present for the hearing.

Courtney Lee prosecuted the case regarding Dr. Breiland allowing his medical assistant to electronically sign prescriptions on his behalf.

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

The stipulated penalties for Dr. Keith Breiland's Certificate of Registration No. CS06393 are the following: 1) pay a fine of \$5,000 for the violations; 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; and 3) two hours of additional continuing education (CE) related to prescribing controlled substances.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve the Stipulation and Order for Dr. Keith Breiland as presented by Ms. Lee.

Second: Richard Tomasso

Action: Passed unanimously.

S. Rebecca Reilly, APRN

(22-154-PR-S)

Rebecca Reilly appeared and was sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan prosecuted the case regarding Ms. Reilly prescribing without a valid registration.

Mr. Keegan presented a proposed Stipulation and Order for the Board's consideration.

The stipulated penalties for Rebecca Reilly's Certificate of Registration No. PR16218 are the following: 1) pay a fine of \$5,000 for the violations; and 2) pay \$500 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: Jade Jacobo moved to approve the Stipulation and Order for Rebecca Reilly as presented by Mr. Keegan.

Second: Krystal Freitas

Action: Passed unanimously.

16. Applications for Controlled Substance Registration (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**

B. Rebecca Reilly

Board Action:

Motion: Jade Jacobo moved to approve Rebecca Reilly's controlled substance registration.

Second: Wayne Mitchell

Action: Passed unanimously.

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

T. Samuel Mujica-Trenche, MD (22-057-CS-S)

Marie Ellerton appeared as counsel on behalf of Dr. Samuel Mujica-Trenche.

Dr. Samuel Mujica-Trenche appeared and was sworn in by President Park prior to answering questions and offering testimony.

Courtney Lee prosecuted the case regarding Dr. Mujica-Trenche allowing his staff to access and possess dangerous drugs while he was not present at his practice.

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

The stipulated penalties for Dr. Samuel Mujica-Trenche's Certificate of Registration No. CS04095 are the following: 1) pay a fine of \$5,000 for the violations; and 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter.

Ms. Ellerton commented that Dr. Mujica-Trenche has taken corrective action, and the issue has been fixed.

Board discussion ensued.

Dr. Samuel Mujica-Trenche mentioned that he resigned from this practice location after this incident.

Board Action:

Motion: President Park moved to approve Stipulation and Order for Dr. Samuel Mujica-Trenche as presented by Ms. Lee.

Second: Jade Jacobo

Action: Passed unanimously.

U. David Ludlow, MD (22-067-CS-S)

No representative was present on behalf of David Ludlow.

President Park tabled this matter.

V. Maria Regalado, MD (22-066-CS-S)

This matter was continued to a future Board meeting.

W. Complete Pharmacy and Medical Solutions LLC (22-082-PH-O)

No representative was present on behalf of Complete Pharmacy and Medical Solutions LLC.

Peter Keegan prosecuted the case and requested a default on this matter.

Mr. Keegan called Shirley Hunting as a witness.

President Park clarified that Ms. Hunting is still sworn in from a previous matter.

Mr. Keegan questioned Ms. Hunting on her position with the Board and if she served the Notice of Intended Action and Accusation for Complete Pharmacy and Medical Solutions LLC. In addition, he questioned her on the results of the corporation search in Florida where the business was incorporated.

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

Mr. Keegan requested that the 21-day notice of the hearing be entered into the record as Exhibit 2 and the corporation search in Florida as Exhibit 3.

President admitted as Exhibit 2-3.

Mr. Keegan called Kristopher Mangosing as a witness.

President Park clarified that Mr. Mangosing is still sworn in from a previous matter.

Mr. Keegan questioned Mr. Mangosing on his position with the Board and if he served the 21-day notice of the hearing and to confirm his timesheet for time worked on this case.

Mr. Mangosing answered questions to the Board's satisfaction and confirmed his timesheet.

Mr. requested the Board to enter into the record Exhibit 1, Notice of Service.

President Park admitted as Exhibit 1.

Mr. Keegan requested the Board to find that Complete Pharmacy and Medical Solutions LLC was properly noticed of the hearing.

Board Action:

Motion: Jade Jacobo moved to find that Complete Pharmacy and Medical Solutions LLC was properly noticed for the hearing.

Second: President Park

Action: Passed unanimously.

Mr. Keegan requested the Board to find the allegations against Complete Pharmacy and Medical Solutions LLC as true.

Board Action:

Motion: Wayne Mitchell moved to find the allegations against Complete Pharmacy and Medical Solutions LLC as true.

Second: Jade Jacobo

Action: Passed unanimously.

Ms. Hunting was called back as a witness.

Mr. Keegan questioned Ms. Hunting on her timesheet for her time working on this case.

Ms. Hunting confirmed her timesheet.

Mr. Keegan requested the timesheets for Board staff be entered into the record as Exhibit 4. He clarified in the summation total document that it lists "Darlene Nases", but the name should be changed to "Shirley Hunting".

President Park admitted as Exhibit 4.

Mr. Keegan requested the penalties for Complete Pharmacy and Medical Solutions LLC Pharmacy License No. PH02783 be revoked for one year before they can reapply. In addition, he requested the Board award attorney's fees and costs of \$955.01 to partially reimburse the Board for recoverable attorney's fees and costs.

Sophia Long wanted clarification on Mr. Keegan's timesheet.

Mr. Keegan answered Ms. Long's question.

Dave Wuest provided clarification that two cases are being prosecuted which one is against Complete Pharmacy and Medical Solutions LLC, and the other is Esan Forde which was continued due to Covid.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of \$955.01 on the basis that they were reasonable, necessary, and actually incurred.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to revoke Complete Pharmacy and Medical Solutions LLC Pharmacy License No. PH02783 as presented by Mr. Keegan.

Second: President Park

Action: Passed unanimously.

X. Esan Forde, RPH (22-081-RPH-O)

This matter was continued to a future Board meeting.

Y. Susan Bell, APRN (21-084-CS-S)

No representative was present on behalf of Susan Bell.

Courtney Lee prosecuted the case regarding Ms. Bell prescribing controlled substances on an expired registration.

Ms. Lee called Darlene Nases as a witness.

President Park clarified that Ms. Nases is still sworn in from a previous matter.

Ms. Lee questioned Ms. Nases on her position at the Board and if she served the Notice of Intended Action and Accusation to Ms. Bell.

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

Ms. Lee called Kristopher Mangosing as a witness.

President Park clarified that Mr. Mangosing is still sworn in from a previous matter.

Ms. Lee questioned Mr. Mangosing on his position at the Board and if he served the 21-day notice of the hearing to Ms. Bell.

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

Ms. Lee requested the Board to enter into the record Exhibit 1, the 21-day notice of the hearing letter.

President Park admitted as Exhibit 1.

Ms. Lee requested the Board to find that Ms. Bell was properly noticed for the hearing.

Board Action:

Motion: President Park moved to find that Susan Bell was properly noticed for the hearing.

Second: Rolf Zakarissen

Action: Passed unanimously.

Ms. Lee requested the following Exhibits be entered into the record: 1) Exhibit 2 is Board's printout from registrant database documenting that Ms. Bell did not renew her controlled substance registration as of 11/1/2018; 2) Exhibit 3 is a personal written statement from Ms. Bell; 3) Exhibit 4 is a redacted PMP Prescriber Activity Report from 11/1/2020-5/31/2021; and 4) Exhibit 5 are copies of exemplar controlled substance prescriptions written by Ms. Bell during the time her controlled substance registration was expired.

President Park admitted as Exhibits 2-5.

Ms. Lee requested the Board find that they have jurisdiction consistent with paragraph 1 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to find that the Board has jurisdiction consistent with paragraph 1 of the Notice of Intended Action and Accusation.

Second: Rolf Zakarissen

Action: Passed unanimously.

Ms. Lee requested the Board to find the Findings of Fact consistent with paragraphs 2-7 of the Notice of Intended Action and Accusation.

Board Action:

Motion: Krystal Freitas moved to make Findings of Fact consistent with paragraph 2-7 of the Notice of Intended Action and Accusation.

Second: President Park

Action: Passed unanimously.

Ms. Lee requested the Board to make Conclusions of Law consistent with paragraphs 13-14 in the Notice of Intended Action and Accusation.

Board Action:

Motion: Jade Jacobo moved to make Conclusions of Law consistent with paragraph 13-14 of the Notice of Intended Action and Accusation.

Second: Rolf Zakariassen

Action: Passed unanimously.

Ms. Lee requested that the attorney's fees and costs of \$542.45 be entered into the record as Exhibit 6.

President Park admitted as Exhibit 6.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of \$542.45 on the basis that they were reasonable, necessary, and actually incurred.

Second: President Park

Action: Passed unanimously.

Ms. Lee proposed the following penalties for Susan Bell Certificate of Registration No. CS23773: 1) pay a fine of \$5,000 for the violations; and 2) pay attorney's fees and costs of \$542.45 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter within 30 days of the Order.

Board Action:

Motion: Jade Jacobo moved to approve the penalties for Susan Bell as proposed by Ms. Lee.

Second: Rolf Zakariassen

Action: Passed unanimously.

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

A. Bazaar European Deli & Café (21-208-N)

This matter was vacated.

7. Hearing on summary suspension pursuant NRS 233B.127(3). (**FOR POSSIBLE ACTION**)

Antonio Darrel Childs, PTT (22-353-PTT-S)

No representative was present on behalf of Antonio Darrel Childs.

Peter Keegan prosecuted the case regarding Mr. Childs Order of Summary Suspension.

Mr. Keegan called Darlene Nases as a witness.

President Park clarified that Ms. Nases is still sworn in from a previous matter.

Mr. Keegan questioned Ms. Nases on her position with the Board and if she served the Notice of Intended Action and Accusation and Order of Summary Suspension.

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

Mr. Keegan requested Exhibits 1-5 be entered into the record.

President Park admitted Exhibits 1-5.

Mr. Keegan called Kristopher Mangosing as a witness.

President Park clarified that Mr. Mangosing is still sworn in from a previous matter.

Mr. Keegan questioned Mr. Mangosing on his position with the Board and if he served the 21-day notice of the hearing letter.

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

Mr. Keegan presented to the Board a video of Mr. Childs removing pills from a bottle at SavOn Pharmacy #3016 as Exhibit 4.

Mr. Keegan requested the Board to find that Mr. Childs was properly noticed for the hearing.

Board Action:

Motion: President Park moved to find that Antonio Childs was properly noticed for the hearing.

Second: Jade Jacobo

Action: Passed unanimously.

Mr. Keegan requested the Board to find the allegations against Mr. Childs as true.

Board Action:

Motion: Rolf Zakariassen moved to find the allegations against Antonio Childs as true.

Second: President Park

Action: Passed unanimously.

Mr. Keegan proposed the following penalties for Antonio Childs Certificate of Registration No. PT26572: 1) revoke registration for a period of one year; and 2) pay attorney's fees and costs of \$499.52.

Board Action:

Motion: Jade Jacobo moved to revoke Antonio Childs Certificate of Registration No. PT26572 for a period of one year.

Second: Rolf Zakariassen

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of \$499.52 on the basis that they were reasonable, necessary, and actually incurred within 30 days of the Order.

Second: Wayne Mitchell

Action: Passed unanimously.

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

U. David Ludlow, MD (22-067-CS-S)

This matter was continued to a future Board meeting.

8. Hearing on Petition for Reconsideration of the Findings of Facts, Conclusions of Law and Order pursuant to NRS 233B.130(4). **(FOR POSSIBLE ACTION)**

A. Las Vegas Scripts Rx (19-243-PH-S)
B. Nathan Edouard, RPH (19-243-RPH-S)

These matters were continued to a future Board meeting.

23. 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

Dave Wuest provided Executive Secretary Report to the Board's satisfaction.

20. Approval of Oncology Group Practice – Dispensing Practitioner Shared Inventory Site Application. **(FOR POSSIBLE ACTION)**

Yenh Long, Deputy Secretary for the Nevada Board of Pharmacy, presented the Oncology Group Practice – Dispensing Practitioner Shared Inventory Site Application to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Oncology Group Practice – Dispensing Practitioner Shared Inventory Site Application.

Second: Jade Jacobo

Action: Passed unanimously.

22. 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).

There was no General Counsel Report.

Public Comment November 30, 2022, 4:00 PM

There was no public comment.

President Park recessed the meeting for the night and reconvened the meeting the next morning.

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	Luis Curras	Ken Scheuber	Dena McClish

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 follows 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 December 1, 2022, 9:00 AM

Yenh Long commented that a written public comment has been provided to the Board.

Ken Kunke, Pharmacist, requested clarification on the current law for pharmaceutical technicians and pharmacist interns who are only allowed to do immunizations under the direct supervision of a pharmacist. Recently, they have come across situations where pharmaceutical technicians are volunteering at vaccine clinics and are being supervised by other health care professionals such as a registered nurse, doctor, or nurse practitioner. Another similar situation is that pharmacist interns are volunteering at clinics (i.e. Immunized Nevada) and unless there is a licensed pharmacist at the clinic. They are unable to provide immunizations and only allowed to have auxiliary personnel to do it. Is this a regulation that can be changed? Or does it have to go through statutes? He is requesting the Board to get back to him on this issue.

◆ PUBLIC HEARING ◆

Thursday December 1, 2022 – 9:00 am

24. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(2)
(FOR POSSIBLE ACTION):

- A. **Amendment to Nevada Administrative Code (NAC) 453B.** The proposed amendments to NRS 453B broaden the previously established Cancer Drug Donation Program to include prescription drugs generally. The proposed amendments also define “donated prescription drug” and establish requirements for a person or a pharmacy to participate in the Prescription Drug Donation Program. (LCB File R007-22)

Dave Wuest provided background on public hearing item.

President Park opened the floor to public comment.

There was no public comment.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to adopt the proposed Amendment to Nevada Administrative Code (NAC) 453B. (LCB File R007-22)

Second: Wayne Mitchell

Action: Passed unanimously.

- B. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendments establish the process and qualifications for a person to obtain a certificate of registration as a dispensing technician in training and a dispensing technician. (LCB File R178-22)

Yenh Long provided background on public hearing item.

President Park opened the floor to public comment.

Liz McMenamin from the Retail Association of Nevada wanted clarification on if dispensing technicians will be undergoing background checks.

Ms. Long commented that dispensing technicians will not undergo background checks as it is not allowed under current law.

Board discussion ensued.

Krystal Freitas wanted clarification if dispensing technicians would need to apply for each location.

Ms. Long provided clarification that dispensing technicians would only need one license to work at different locations.

Board Action:

Motion: Rolf Zakariassen moved to adopt the proposed Amendment to Nevada Administrative Code (NAC) 639. (LCB File R178-22)

Second: Krystal Freitas

Action: Passed unanimously.

- C. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendment authorizes the operation of an automated drug dispensing system at sites of certain governmental agencies. (LCB File R179-22)

Dave Wuest provided background on public hearing item.

President Park opened the floor to public comment.

There was no public comment.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to adopt the proposed Amendment to Nevada Administrative Code (NAC) 639. (LCB File R179-22)

Second: Rolf Zakariassen

Action: Passed unanimously.

- D. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendments authorize practitioners working in reproductive healthcare center to utilize an automated dispensing device located at the practice site to dispense reproductive health medications to their patients; establishes requirements that a reproductive healthcare center must follow when using such an automated drug dispensing system. (LCB File R180-22)

Dave Wuest and Brett Kandt provided background on public hearing item.

President Park opened the floor to public comment.

There was no public comment.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to adopt the proposed Amendment to Nevada Administrative Code (NAC) 639. (LCB File R180-22)

Second: Krystal Freitas

Action: Passed unanimously.

◆ REGULAR AGENDA ◆

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

- F. Bradley Rassuchine
- G. Ean Tucker
- H. Matthew Williams

President Park disclosed that she knows Ean Tucker through her previous employment at Roseman University but stated that she could participate in this matter fairly and without bias.

Bradley Rassuchine (Area Manager of Pharmacy and Admixture Services for Comprehensive Cancer Centers of Nevada), Matthew Williams (Pharmacy Operations Manager for Comprehensive Cancer Centers of Nevada), and Ean Tucker (Clinical Research Pharmacist for Comprehensive Cancer Centers of Nevada) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Bridget Kelly appeared as counsel.

Dave Wuest provided background on the appearance and asked what services they provide outside of a licensed pharmacy.

Mr. Rassuchine, Mr. Tucket, and Mr. Williams answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve Bradley Rassuchine, Ean Tucker, and Matthew Williams request to engage in the practice of pharmacy at a site other than a licensed pharmacy.

Second: President Park

Action: Passed unanimously.

- A. Quyen Nhu Doan
- B. Michelle Hon
- C. Maribeth Moran
- D. Catherine Oswald
- E. Kaylee Putney

President Park disclosed that she knows Quyen Nhu Doan, Michelle Hon, Catherine Oswald, and Kaylee Putney through her previous employment at Roseman but stated that she could participate in this matter fairly and without bias.

Quyen Nhu Doan (Assistant Professor at Roseman), Michelle Hon (Assistant Professor at Roseman), Catherine Oswald (Pharmacist and Associate Professor at Roseman), Maribeth Moran (Clinical Pharmacist and Adjunct Faculty at Roseman), and Kaylee Putney (Assistant Professor at Roseman) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Dave Wuest provided background on the appearance.

The Board questioned everyone on the services that they intend to provide outside a licensed pharmacy.

Ms. Nhu Doan and Ms. Moran answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Quyen Nhu Doan, Michelle Hon, Catherine Oswald, Maribeth Moran, and Kaylee Putney request to engage in the practice of pharmacy at a site other than a licensed pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

16. Applications for Controlled Substance Registration (NRS 453.226) – Appearance
(FOR POSSIBLE ACTION)

C. James Zubernis

James Zubernis appeared and was sworn in by President Park prior to answering questions and offering testimony.

Courtney Lee provided background on the appearance and the disclosure regarding the suspension and probation of his medical license in Pennsylvania due to improper prescribing of a controlled substance.

Mr. Zubernis provided background on his disclosure to the Board and the discipline taken against his medical license.

The Board questioned what he intends to do if they approve his application.

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

Board discussion ensued.

Board Action:

Motion: Rolf Zakariassen moved to approve James Zubernis Controlled Substance Registration.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Mayra Hernandez

Mayra Hernandez appeared and was sworn in by President Park prior to answering questions and offering testimony.

Yenh Long provided background on the appearance and the disclosure by the Texas Board of Pharmacy regarding Ms. Hernandez dispensing prescriptions without a pharmacist present.

Ms. Hernandez provided background on her disclosure.

Board discussion ensued.

Board Action:

Motion: Rolf Zakariassen moved to approve Mayra Hernandez Pharmaceutical Technician Registration.

Second: Krystal Freitas

Action: Passed unanimously.

14. Application for Pharmacist Registration by Reciprocity (NRS 639.134) – Appearance **(FOR POSSIBLE ACTION)**

A. Bart Anderson

Bart Anderson appeared and was sworn in by President Park prior to answering questions and offering testimony.

Courtney Lee provided background on the appearance and the disclosure regarding Mr. Anderson voluntarily surrendering his license with the Georgia Board of Pharmacy due to his addiction with controlled substances.

Mr. Anderson provided background on the disclosure.

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to approve Bart Anderson's Pharmacist Registration by Reciprocation.

Second: President Park

Action: Passed unanimously.

B. Min Oh

Min Oh's application was withdrawn.

C. James Rotoli

James Rotoli appeared and was sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan provided background on the appearance and the disclosure regarding Mr. Rotoli diverting drugs and action taken by the New Jersey Board of Pharmacy.

Mr. Rotoli provided background on the disclosure.

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to approve James Rotoli's Pharmacist Registration by Reciprocation.

Second: Rolf Zakariassen

Action: Passed unanimously.

15. Application for Pharmacist Registration by Score Transfer NRS 639.134) – Appearance (**FOR POSSIBLE ACTION**)

Cesar Cabrera

No representative present on behalf of Cesar Cabrera.

This matter was continued to a future Board meeting.

16. Applications for Controlled Substance Registration (NRS 453.226) – Appearance (**FOR POSSIBLE ACTION**)

A. Kiarash Mirkia

Kiarash Mirkia appeared and was sworn in by President Park prior to answering questions and offering testimony.

Brett Kandt provided background on the appearance and the disclosures regarding a Settlement Agreement with the Nevada State Board of Medical Examiners and Stipulation and Order with the Nevada State Board of Pharmacy.

Dr. Mirkia provided background on the disclosures and current condition on his license.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve Controlled Substance Registration for Kiarash Mirkia with condition that he notify the Board of any arrest, citation, or investigation by any Board within three business days for a period of two years.

Second: Rolf Zakariassen

Action: Passed unanimously.

17. Application for Controlled Substance Registration Renewal (NRS 453.226) – Appearance (**FOR POSSIBLE ACTION**)

A. Irfan Mirza

Irfan Mirza appeared and was sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan provided background on the appearance and the disclosure regarding Mr. Mirza failing to maintain adequate records on a patient and committing any conduct or practice that might be harmful to the patient.

Dr. Mirza provided background on the disclosure to the Board's satisfaction.

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

A. Always Your Pharmacy LLC – Las Vegas, NV

Sandra Martin-Sanchez, Owner, and Joshua Jou, 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 appearance and questioned Mr. Jou on his experience as a pharmacist, the business model of the company, and the products that they will be selling.

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

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Nevada Pharmacy License for Always Your Pharmacy LLC pending positive inspection.

Second: Jade Jacobo

Action: Passed unanimously.

B. St. Mary Pharmacy – Las Vegas, NV

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

Joe Dodge provided background on the appearance and questioned Ms. Mashreky on her experience as a pharmacist, why she wants to start her own pharmacy, and the business model of the company.

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

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve change of ownership and name change for St. Mary Pharmacy.

Second: Rolf Zakariassen

Action: Passed unanimously.

10. Applications for Nevada Wholesaler License (NRS 639.233) – Appearance (**FOR POSSIBLE ACTION**)

B2B Delivery, LLC – Las Vegas, NV - Background checks completed in compliance with NRS 639.500.

Douglas Michael Green, Branch and Corporate Sales Manager, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan provided background on appearance and the disclosures regarding lawsuits for payment issues.

The Board questioned on if the lawsuits have been resolved, their business model, who does the training after they ship out the products, and clarification on page 2453 of the Board Book regarding top suppliers.

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

Board discussion ensued.

Board Action:

Motion: Rolf Zakariassen moved to approve Nevada Wholesaler License for B2B Delivery, LLC.

Second: Wayne Mitchell

Action: Passed unanimously.

23. Executive Secretary Report:

Dave Wuest provided an updated regarding Pharmaceutical Technician Renewals and an update regarding an issue with a question on NABP's NAPLEX exam.

Board discussion ensued.

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

- A. Maquet Cardiovascular, LLC – Wayne, NJ – Background Check Not Required – Manufacturer (NAC 639.593(7)(d))

Chad Carlton (President at Atrium Medical Corporation & Vice President at Maquet Cardiovascular), Pierre Kernizan (Senior Quality Engineer Manager at Maquet Cardiovascular), Stephanie Trizinski (Vice President at Maquet Cardiovascular - Cardiac Surgery), Helder Sousa (Director of Regulatory Affairs at Atrium Medical Corporation), Susan Hudson (Senior Director of Regulatory Affairs at Maquet Cardiovascular), Shawn Hunsaker (Senior Vice President for Global Quality Operations at Getinge), and Robert Guzman (Senior Director for Regulatory Counsel at Getinge) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Peter Keegan provided background on the appearance and the disclosures regarding a lawsuit for adulterated medical devices in violation with the Food, Drug, and Cosmetic Act and failing to comply with reporting requirements.

Mr. Hunsaker provided background on the disclosure.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Nevada Wholesaler License for B2B Delivery, LLC.

Second: Krystal Freitas

Action: Passed unanimously.

- B. Optime Care, Inc. – Earth City, MO – Background Check Not Required - VAWD-Accredited (NAC 639.593(7)(c))

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

Peter Keegan provided background on appearance and the disclosure regarding Optime Care dispensing medications prior to obtaining a Michigan Pharmacy License.

Mr. Keegan requested a Letter of Authorization for Mr. Salke to speak on behalf of Optime Care, Inc.

Mr. Salke clarified that a change of President occurred, and a letter was sent to the Nevada Board of Pharmacy. However, he will work to get that Letter of Authorization send to Board staff.

The Board questioned Mr. Salke on the change of ownership and if there have been any business changes.

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

Mr. Keegan is concerned that the application does not have the updated officers, updated personal history application, and is concerned about the employee list which only has one person listed.

The Board tabled the application pending receipt of additional information.

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

Danniel Garibay

No representative was present on behalf of Danniel Garibay.

This matter was continued to a future Board meeting.

17. Application for Controlled Substance Registration Renewal (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**

B. Anjmun Sharma

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

Yenh Long provided background on the appearance regarding a disclosure from the Colorado Medical Board.

Mr. Sharma provided background on his disclosure regarding prescribing medical marijuana and not properly documenting his patients. Therefore, Colorado Medical Board took action where he entered a Stipulation and Order with the Board.

Board discussion ensued.

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

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

C. Trinity Express Pharmacy – Las Vegas, NV

No representative was present on behalf of Trinity Express Pharmacy.

This matter was continued to a future Board meeting.

19. Discussion and possible action on approval of Asher College as a program of training for pharmaceutical technicians pursuant to NAC 639.256. **(FOR POSSIBLE ACTION)**

Kat Johnson, Director of Compliance at Asher College, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Dave Wuest provided background on the appearance.

The Board questioned on the business model of Asher College.

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

Board discussion ensued.

Board Action:

Motion: President Park moved to approve Asher College as a program of training for pharmaceutical technicians.

Second: Rolf Zakariassen

Action: Passed unanimously.

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

- C. Optime Care, Inc. – Earth City, MO – Background Check Not Required - VAWD-Accredited (NAC 639.593(7)(c))

President Park returned to agenda item for Optime Care, Inc.

Mr. Keegan questioned Mr. Salke on if there are any changes to the Shareholders, Officers, and Director's list provided to Board staff.

Mr. Salke confirmed that the list will remain the same, and the employee list was incorrect. They will provide an updated employee list after the meeting.

Mr. Keegan provided background on the disclosures for Mark Zilner, Partial Owner of Optime Care, which are not directly related to the business.

Board discussion ensued.

Board Action:

Motion: Rolf Zakariassen moved to approve Out-of-State Wholesaler License for Optime Care, Inc pending Letter of Authorization and updated employee list.

Second: Wayne Mitchell

Action: Passed unanimously.

26. Public Comment December 1, 2022, 2:27 PM

There was no public comment.

25. Date and Location of Next Scheduled Board Meeting:

December 8, 2022 at 1:00 PM – Zoom Meeting

27. Adjournment