



NEVADA STATE BOARD OF PHARMACY

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MINUTES

September 4-5, 2024

BOARD MEETING

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, September 4, 2024, at 9:00 am. The meeting will continue Thursday, September 5, 2024, 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 Blvd.
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	Krystal Freitas	Wayne Mitchell	Richard Tomasso
Adam Porath	Jade Jacobo	Gener Tejero	

Board Staff Present:

David Wuest	Gregory Zunino	Brett Kandt	Gus Vanderdonck
Darlene Nases	Erin Miller	Dena McClish	Jessette Phaynarikone
Joe Dodge	Darla Zarley	John Castaldo	Ken Scheuber
Leo Basch	Todd Weiss		

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.

David Wuest, Executive Secretary, stated that this Board Meeting is being held over Zoom and is in compliance with the Open Meeting Laws for Nevada.

1. Call to Order and Roll Call – Establishment of Quorum

President Park performed the roll call. Board members were present, and a quorum was established.

2. Public Comment September 4, 2024, 9:05 AM

There was no public comment.

◆ 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 July 17-18, 2024, Board Meeting Minutes (**FOR POSSIBLE ACTION**)

Jade Jacobo recused herself due to being absent for a portion of the July Board Meeting.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the July 17-18, 2024, Board Meeting Minutes.

Second: Wayne Mitchell

Action: Passed unanimously (Jacobco recused).

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

A. American Wound Care Pros, LLC – Fort Worth, TX

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 Publicly Traded (NAC 639.593(6)(a))
- 4.2.2 Publicly Traded and VAWD-Accredited (NAC 639.593(6)(a) and (c))
- 4.2.3 Publicly Traded and Manufacturer (NAC 639.593(6)(a) and (d))
 - B. Geron Corporation – Foster City, CA
 - C. Howmedica Osteonics Corporation – Mahwah, NJ
 - D. K2M, Inc – Leesburg, VA
 - E. Linde Inc – Phoenix, AZ
 - F. Mako Surgical Corporation – Weston, FL
 - G. Mobius Imaging, LLC – Shirley, MA
 - H. Stryker Corporation – Portage, MI
 - I. Stryker Corporation – Portage, MI
 - J. Stryker Corporation – Portage, MI
 - K. Stryker Corporation – Fremont, CA
 - L. Stryker Communications, Inc – Flower Mound, TX
 - M. Stryker Endoscopy, a Division of Stryker Corporation – San Jose, CA
 - N. TMJ Solutions, LLC – Ventura, CA
 - O. Tornier, Inc – Bloomington, MN
 - P. Welch Allyn, Inc – Skaneateles Falls, NY
- 4.2.4 Publicly Traded, VAWD-Accredited, and Manufacturer (NAC 639.593(6)(a), (c), and (d))
- 4.2.5 VAWD-Accredited (NAC 639.593(6)(c))
 - Q. Quest Pharmaceuticals, Inc – Murray, KY
 - R. RxCrossroads 3PL LLC – Shepherdsville, KY
- 4.2.6 Manufacturer (NAC 639.593(6)(d))
 - S. Advanced Accelerator Applications USA, Inc – San Diego, CA
 - T. Ajenat Pharmaceuticals, LLC – Tampa, FL
 - U. Alcon Vision, LLC – Fort Worth, TX
 - V. Azurity Pharmaceutical, Inc – Woburn, MA
 - W. Citigenix Regen, LLC – Novi, MI
 - X. ITF Therapeutics, LLC – Concord, MA
 - Y. Pangea Pharmaceuticals, LLC – Brielle, NJ
- 4.2.7 VAWD-Accredited and Manufacturer (NAC 639.593(6)(c) and (d))

- Z. Endeavor Distribution, LLC – Oklahoma City, OK
- 4.2.8 Distributor for Single Manufacturer (NAC 639.593(6)(e))
- 4.2.9 Background checks completed in compliance with NRS 639.500.
 - AA. Clean Earth of Alabama, Inc – Glencoe, AL
 - BB. DHL Supply Chain (USA) – Middletown, PA
 - CC. J & B Medical Supply, Co., Inc – Wixom, MI
 - DD. TS Pharm, Inc – Irvine, CA
- 4.3 Application for Out-of-State Wholesaler License (NRS 639.233) – Non-Appearance (**FOR POSSIBLE ACTION**)
- 4.4 Application for Nevada Pharmacy License (NRS 639.230) – Non-Appearance (**FOR POSSIBLE ACTION**)
 - EE. Instacare Pharmacy – Las Vegas, NV
 - FF. QHR Pharmacy – Las Vegas, NV
- 4.5 Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Non-Appearance – (**FOR POSSIBLE ACTION**)
 - GG. Beaker Pharmacy – McKinney, TX
 - HH. Option Care – Salt Lake City, UT
 - II. Premier Pharmacy – San Antonio, TX
 - JJ. RLS (USA) Inc – Sacramento, CA
 - KK. Seven Cells – Stuart, FL
 - LL. Vios Compounding Pharmacy - MI
 - MM. Wedgewood Pharmacy LLC – Lexington, KY
 - NN. Wedgewood Pharmacy LLC – Swedesboro, NJ
 - OO. Wedgewood Village Pharmacy LLC – Scottsdale, AZ
- 4.6 Application for Out-of-State Pharmacy License (NRS 639.2328) – Non-Appearance – (**FOR POSSIBLE ACTION**)
 - PP. Access Therapy Center – Pittsburgh, PA
 - QQ. Chewy Pharmacy MC04, LLC – Ocala, FL
 - RR. Chewy Pharmacy DFW8, LLC – Dallas, TX
 - SS. Diabetes Supply Center of the Midlands, LLC – Omaha, NE
 - TT. GoGo Meds West – Scottsdale, AZ
 - UU. HomeFree Pharmacy Services – Indianapolis, IN
 - VV. ImprimisRx Nashville, LLC – Nashville, TN
 - WW. InjuryScripts – Jacksonville, FL

- XX. Manatee Discount Pharmacy – Bradenton, FL
- YY. NextRx Pharmacy – Columbia, MO
- ZZ. PharmaCord – Louisville, KY
- AAA. Physicians Preference Pharmacy International LLC – Katy, TX
- BBB. Ridgeway Pharmacy Closed Door – Victor, MT
- CCC. Valiant Compounding Pharmacy – Ypsilanti, MI

- 4.7 Application for Out-of-State Ambulatory Surgery Center License (NAC 639.4992) – Non-Appearance **(FOR POSSIBLE ACTION)**
- 4.8 Request to Engage in The Practice of Pharmacy at A Site Other Than a Licensed Pharmacy – Non-Appearance **(FOR POSSIBLE ACTION)**

DDD. Christopher Tyler

- 4.9 Recommended Denial of Registration/Licensure Due to Material Omissions on Application – Non-Appearance **(FOR POSSIBLE ACTION)**

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, commented that Agenda Item 4E had been removed from the Consent Agenda and would be seen at a future Board Meeting.

Adam Porath requested the Board to vote on Agenda Item 4HH separately from the Consent Agenda.

Board Action:

Motion: Jade Jacobo moved to approve the Consent Agenda with the exception of the Agenda Item 4HH.

Second: Adam Porath

Action: Passed unanimously.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Consent Agenda Item 4HH.

Second: Jade Jacobo

Action: Passed unanimously.

◆ REGULAR AGENDA ◆

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

- | | | |
|----|---------------------------|----------------|
| D. | Walgreens Pharmacy #05479 | (21-169-PH-S) |
| E. | Walgreens Pharmacy #02445 | (21-169-PH-O) |
| F. | Grace Opulencia | (21-169-RPH-S) |

Grace Opulencia appeared and was sworn in by President Park prior to answering questions and offering testimony.

William Stilling appeared as counsel on behalf of all respondents.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that the respondents incorrectly dispensed a single dose of Methotrexate Sodium 50mg/2ml injection solution that was preservative free instead of the Methotrexate Sodium 50mg/2ml of injectable solution to the patient.

Mr. Kandt presented a proposed Stipulation and Order for Case Nos. 21-169-PH-S, 21-169-PH-O, and 21-169-RPH-S for the Board's consideration.

The proposed stipulated penalties for Walgreens Pharmacy #05479, License No. PH01938, are the following: 1) pay a \$1,000 fine 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.

The proposed stipulated penalties for Walgreens Pharmacy #02445, License No. PH01964, are the following: 1) pay a \$1,000 fine 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.

The proposed stipulated penalties for Grace Opulencia, Certificate of Registration No. 15190, are the following: 1) pay a \$1,000 fine 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: President Park moved to approve the Stipulation and Orders for Walgreens Pharmacy #05479, Walgreens Pharmacy #02445, and Grace Opulencia as presented by Mr. Kandt.

Second: Wayne Mitchell

Aye: Porath, Tomasso, Park, Mitchell, Freitas
Nay: Jacobo

Action: Motion passed.

J. Walgreens Pharmacy #3845 (22-366-PH-S)
K. Yoojin Jeong (22-366-RPH-S)

Yoojin Jeong appeared and was sworn in by President Park prior to answering questions and offering testimony.

William Stilling appeared as counsel on behalf of the respondents.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Respondent Jeong erroneously dispensed a prescription to a patient that resulted in patient harm.

Mr. Kandt presented a proposed Stipulation and Order for Case Nos. 22-366-PH-S and 22-366-RPH-S for the Board's consideration.

The proposed stipulated penalties for Yoojin Jeong, Certificate of Registration No. 18030, are the following: 1) pay \$1,000 fine 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.

The proposed stipulated penalties for Walgreens Pharmacy #03845, License No. PH01064, are the following: 1) pay a \$2,000 fine for the violations; and 2) pay \$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: Krystal Freitas moved to approve the Stipulation and Orders for Walgreens Pharmacy #03845 and Dr. Yoojin Jeong as presented by Mr. Kandt.

Second: Wayne Mitchell.

Action: Passed unanimously.

BB. Tammara Sam Beeghly (23-274-CS-S)

Joseph Gilbert appeared as counsel on behalf of Ms. Beeghly.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging Ms. Beeghly failed to properly review the PMP database as required by Nevada Law.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 23-274-CS-S for the Board's consideration.

The proposed stipulated penalties for Tammara Beeghly's, Certificate of Registration No. CS12793, are the following: 1) pay a \$2,500 fine for the violations; and 2) pay \$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: Jade Jacobo moved to approve the Stipulation and Order for Tammara Beeghly as presented by Mr. Zunino.

Second: Adam Porath

Action: Passed unanimously.

V.	CVS Pharmacy #6717	(20-133-PH-S)
W.	Negar Safavi	(20-133-RPH-S)

Jade Jacobo recused herself from this matter due to her employment with CVS Pharmacy.

Brian Convery, corporate representative for CVS Pharmacy #6717, and Negar Safavi appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park and Adam Porath disclosed that they are both familiar with Negar Safavi but can participate fairly and without bias.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that the respondents initially dispensed 14 of 56 prescribed tablets of Oxycodone 10 mg to patient T.E., and later dispensed 56 additional tablets on the same prescription, thereby exceeding the prescribed quantity by 14 tablets; respondents also failed to counsel the patient.

Mr. Zunino presented the proposed Stipulation and Order for Case Nos. 20-133-PH-S and 20-133-RPH-S for the Board's consideration.

The proposed stipulated penalties for Negar Safavi's, Certificate of Registration No. 18099, are the following: 1) pay \$1,000 fine 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.

The proposed stipulated penalties for CVS Pharmacy #6717's, License No. PH01932, are the following: 1) pay a \$1,500 fine 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: Krystal Freitas moved to approve the Stipulation and Orders for CVS Pharmacy #6717, and Negar Safavi as presented by Mr. Zunino.

Second: Adam Porath

Action: Passed unanimously (Jacobco recused).

Z. CVS Pharmacy #9842 (22-169-PH-N)

Jade Jacobco recused herself from this matter due to her employment with CVS Pharmacy.

Brian Convery, corporate representative for CVS Pharmacy #9842, appeared and was still sworn in from a previous matter.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that an Adderall prescription was deleted from the system before they could preserve a permanent record, which resulted in a delay of medication for the patient.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 22-169-PH-N for the Board's consideration.

The proposed stipulated penalties for CVS Pharmacy #9842's, License No. PH01422, are the following: 1) pay a \$500 fine 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: Wayne Mitchell moved to approve the Stipulation and Order for CVS Pharmacy #9842 as presented by Mr. Zunino.

Second: Krystal Freitas

Action: Passed unanimously (Jacobco recused).

Gener Tejero joined the meeting at 9:58AM.

AA. Candice Denham (23-257-CS-S)

Candice Denham appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Dr. Denham failed to disclose that she had forfeited her DEA registration and failed to properly answer the disclosure questions on her controlled substance application to the Nevada Board of Pharmacy.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 23-257-CS-S for the Board's consideration.

The proposed stipulated penalties for Candice Denham's, Certificate of Registration Nos. CS35349 and DV00822, are the following: 1) Certificate of Registration Nos. CS35349 and DV00822 are revoked for a period of one year in which she would not be eligible to petition for reinstatement of privileges to prescribe or dispense controlled substances in Nevada or until she secures a DEA registration, whichever is later; 2) pay a \$1,000 fine for the violations; and 3) pay \$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: Wayne Mitchell moved to approve the Stipulation and Order for Candice Denham as presented by Mr. Zunino.

Second: Jade Jacobo

Action: Passed unanimously.

N. David Lanzkowsky (23-106-CS-A-S)
O. William Baumgartl (23-106-CS-B-S)

Tara Davidoff appeared as counsel on behalf of Dr. Lanzkowsky and Dr. Baumgartl.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Dr. Lanzkowsky allowed his medical assistant to use his credentials to issue electronic prescriptions for controlled substances. In addition, it was alleged that electronic prescriptions for controlled substances were issued for Dr. Baumgartl's patients under Dr. Lanzkowsky's credentials.

Mr. Kandt noted that a First Amended Notice of Intended Action and Accusation and an Answer and Notice of Defense filed by respondents were not included in the Board materials but would be made part of the record.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 23-106-CS-A-S for the Board's consideration.

All counts in the Accusation against Dr. Baumgartl in Case No. 23-106-CS-B-S have been dismissed.

The proposed stipulated penalties for Dr. Lanzkowsky's, Certificate of Registration No. CS06509, are the following: 1) pay a \$5,000 fine for the violations; and 2) pay \$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: Jade Jacobo moved to approve the Stipulation and Order for Dr. Lanzkowsky as presented by Mr. Kandt.

Second: Adam Porath

Action: Passed unanimously.

T. Amazon Pharmacy #002 (24-102-PH-O)

Susan Trujillo appeared as counsel on behalf of Amazon Pharmacy #002.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that the respondent failed to timely dispense a prescription to a patient, which resulted in the patient to be without his medication for a month.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 24-102-PH-O for the Board's consideration.

The proposed stipulated penalties for Amazon Pharmacy #002 License No. PH03988 are the following: 1) pay a \$3,000 fine for the violations; and 2) pay \$2,000 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: Jade Jacobo moved to approve the Stipulation and Order for Amazon Pharmacy #002 as presented by Mr. Kandt.

Second: Krystal Freitas

Action: Passed unanimously.

Y. Angelina Bucu (21-072-CS-S)

Kevin Murphy appeared as counsel for Ms. Bucu.

Angelina Bucu appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Angelina Bucu, APRN, failed to check the PMP database as required by Nevada Law.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 21-072-CS-S for the Board's consideration.

The proposed stipulated penalties for Angelina Bucu's, Certificate of Registration No. CS29531, are the following: 1) pay a \$2,500 fine for the violations; and 2) pay \$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: Jade Jacobo moved to approve the Stipulation and Order for Angelina Bucu as presented by Mr. Zunino.

Second: Krystal Freitas

Action: Passed unanimously.

R. Joseph Palumbo (23-266-CS-B-S)

Aaron Fricke appeared as counsel on behalf of Dr. Palumbo.

Joseph Palumbo appeared and was sworn in by President Park prior to answering questions and offering testimony.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that the respondent allowed RNs to independently access, possess and administer dangerous drugs to patients without direct practitioner supervision.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 23-266-CS-B-S for the Board's consideration.

The proposed stipulated penalties for Joseph Palumbo's, Certificate of Registration No. CS26034, are the following: 1) respondent is placed on probation for a period of one (1) year; 2) pay a \$2,500 fine for the violations; and 3) pay \$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: Jade Jacobo moved to approve the Stipulation and Order for Dr. Joseph Palumbo as presented by Mr. Kandt.

Second: Adam Porath

Action: Passed unanimously.

M. Thomas Schotik (23-063-RPH-S)

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

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case against Mr. Schotik alleging that the respondent was the managing pharmacist of American Wellness Pharmacy at the time of the allegations and responsible for violations related to the compounding of high-risk sterile products.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 23-063-RPH-S for the Board's consideration.

Board discussion ensued.

President Park tabled this agenda item to review the allegations against American Wellness Pharmacy prior to taking any action against Mr. Schotik.

L. American Wellness Pharmacy

(23-063-PH-S)

Trevor Waite appeared as counsel on behalf of American Wellness Pharmacy.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case against American Wellness Pharmacy alleging that the respondent compounded and sold violations related to the compounding of high-risk sterile products.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 23-063-PH-S for the Board's consideration.

The proposed stipulated penalties for American Wellness Pharmacy, License No. PH02705, are the following: Respondent's License No. PH02705 is suspended a period of one year, and the suspension is stayed. Respondent fined \$5,000 for the violations; assessed \$2,000 in attorney's fees and costs; shall not compound sterile drug products during probation period; shall bear and reimburse the Board for quarterly inspection costs in an amount not to exceed \$500 per quarterly inspections; shall put into practice all necessary policies and procedures for compounding and dispensing drug products in conformance with federal and state law.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve the Stipulation and Order for American Wellness Pharmacy as presented by Mr. Kandt, with the amendment to increase the fine to \$8,000.

Second: Adam Porath

Aye: Park, Freitas, Tejero, Tomasso, Porath

Nay: Jacobo

Action: Motion passed.

M. Thomas Schotik

(23-063-RPH-S)

The Board returned to Case No. 23-063-RPH-S against Mr. Schotik.

Board discussion ensued.

The amended stipulated penalties for Mr. Schotik, Certificate of Registration No. 08312, are the following: Respondent is placed on probation for a period of one year; fined \$2,000 for the violations; assessed \$1,000 in attorney's fees and costs; shall not work as a managing pharmacist of any compounding pharmacy licensed by the Board while

on probation; shall not engage in the practice of compounding sterile drug products until he completes 20 extra hours of continuing education (CE) on sterile compounding; and shall complete 10 extra hours of continuing education (CE) on nonsterile compounding.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the amended Stipulation and Order for Dr. Schotik.

Second: Krystal Freitas

Action: Passed unanimously.

B. Smith's Pharmacy #350 (19-247-PH-S)

Paul Howse, Smith's Pharmacy Practice Coordinator for District 5, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Respondent is responsible for the acts of its employees who discarded approximately 58,000 prescription records constituting Protected Health Information (PHI) in violation of Smith's company policies and federal/state law.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 19-247-PH-S for the Board's consideration.

The proposed stipulated penalties for Smith's Pharmacy #350, License No. PH00758, are the following: 1) pay a \$10,000 fine for the violations; and 2) pay \$2,500 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: Krystal Freitas moved to approve the Stipulation and Order for Smith's Pharmacy #350 as presented by Mr. Kandt.

Second: Jade Jacobo

Action: Passed unanimously.

C. Lolita Simon Caoile (19-247-RPH-S)

No representative was present on behalf of Lolita Simon Caoile.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that as managing pharmacist Respondent Caoile is responsible for the acts of its employees of Smith's Pharmacy #350 who discarded approximately 58,000 prescription records constituting Protected Health Information (PHI) in a trash compactor in violation of Smith's company policies and federal/state law.

Mr. Kandt requested the Board to make Findings of Fact consistent with paragraphs 1-3 of Accusation.

Board Action:

Motion: Jade Jacobo moved to find the Findings of Fact consistent with paragraphs 1-3 of accusation.

Second: Adam Porath

Action: Passed unanimously.

Mr. Kandt requested the Board to make an additional Finding of Fact that the respondent was properly noticed for the hearing in compliance with Nevada law.

Board Action:

Motion: Jade Jacobo moved to find that the respondent was properly noticed for the hearing in compliance with Nevada law.

Second: Adam Porath

Action: Passed unanimously.

Mr. Kandt requested the Board to make Conclusions of Law consistent with paragraphs 4-15 of the Accusation and to find the respondent guilty on Counts One through Three.

Board Action:

Motion: Jade Jacobo moved to make the Conclusions of Law consistent with paragraphs 4-15 of the Accusation, and to find the respondent guilty on Counts One through Three.

Second: Adam Porath

Action: Passed unanimously.

Mr. Kandt deferred to the Board the proposed discipline for Ms. Caoile.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to suspend Certificate of Registration No. 12687 until October 31, 2025, and to require Ms. Caoile to appear before the Board if she wants to renew/reinstate her registration, effective immediately.

Second: President Park

Action: Passed unanimously.

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

A. Heath DeHart (22-351-PR-N)

Heath DeHart appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada Board of Pharmacy, prosecuted the Citation and Fine appeal alleging Mr. DeHart issued controlled substance prescriptions prior to receiving his controlled substance registration with the Nevada Board of Pharmacy.

Mr. DeHart gave testimony on what occurred and asked the Board to vacate the Citation and Fine Order.
Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to uphold the \$5000 Citation and Fine for Mr. DeHart.

Second: Krystal Freitas

Aye: Porath, Tomasso, Tejero, Park, Jacobo, Freitas

Nay: Mitchell

Action: Motion passed.

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

EE. Nana Kufuor (23-341-CS-S)

Liborius Agwara appeared as counsel on behalf of the Dr. Kufuor.

Nana Kufuor appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Dr. Kufuor did not conduct regular MyRx reviews in the PMP database, failed to conduct queries on patients in the PMP database, and continued to prescribe written controlled substances prescriptions when the Board ceased giving out waivers for the electronic prescription requirement

Mr. Vanderdonck presented the proposed Stipulation and Order for Case No. 23-341-CS-S for the Board's consideration.

The proposed stipulated penalties for Dr. Kufuor's, Certificate of Registration No. CS09587, are the following: 1) pay a \$7,500 fine for the violations; and 2) pay \$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: Jade Jacobo moved to approve the Stipulation and Order for Dr. Kufour, as presented by Mr. Vanderdonck.

Second: Krystal Freitas

Action: Passed unanimously.

A. Festus Ebonka (19-012-CS-S)

Liborius Agwara appeared as counsel on behalf of Festus Ebonka.

Festus Ebonka appeared and was sworn in by President Park prior to answering questions and offering testimony.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case against Dr. Ebonka alleging that the respondent pre-signed controlled substance prescriptions that were issued by his staff while he was engaged in overseas travel outside of the United States.

Mr. Kandt gave his opening statement.

Mr. Agwara waived his opening statement.

Mr. Kandt stated that he and Mr. Agwara stipulated to enter the entirety of the case file, listed as Exhibits 1-7, into the record.

Mr. Agwara stipulated to the entire case file to be entered as exhibits consistent with his prior email to Mr. Kandt.

Mr. Kandt read an email correspondence between himself and Mr. Agwara into the record that the case file be admitted into record on the basis that "they pertain only to the charges in the complaint".

President Park admitted Exhibits 1-7 into record.

Mr. Kandt called Dena McClish, Board Investigator, as a witness.

Dena McClish appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Kandt questioned Ms. McClish on how this investigation was initiated, her investigation against Mr. Ebonka, and the exhibits.

Mr. Kandt continued questioning Ms. McClish on if the respondent authorized another practitioner to act as coverage for his patients and if that allows the practitioner the authority to issue prescriptions under the respondent's credentials.

Mr. Agwara objected to the question stating that Ms. McClish is not an expert in this matter.

President Park overruled the objection.

Mr. Agwara cross examined Ms. McClish.

Mr. Agwara questioned Ms. McClish to state the federal law that she referenced where the respondent was unable to authorize a controlled substance prescription by his medical assistant at his request while out of the country.

Mr. Kandt objected to Mr. Agwara's question and stated that it would need a legal conclusion.

President Park sustained the objection.

Mr. Agwara asked Ms. McClish if there was a statute of limitations in regard to how old the allegations need to be in a case.

Mr. Kandt objected to the question, stating that if Mr. Agwara would like to move to dismiss based on a statute of limitation argument, then he could do so.

President Park sustained the objection.

Mr. Kandt and Mr. Agwara recrossed Ms. McClish.

Mr. Agwara called Festus Ebonka as a witness.

Mr. Agwara questioned the respondent on the allegations where he issued 124 prescriptions while he was out of the country.

Mr. Ebonka stated that the allegations have been investigated by Medicaid and the Nursing Board, and no charges have come from it.

Mr. Kandt cross examined Mr. Ebonka.

Mr. Kandt questioned Mr. Ebonka on the exhibits and asked why he did not provide phone records to corroborate his statement that he was in constant contact with his office while traveling outside of the country.

The Board questioned Mr. Ebonka on his testimony.

Gener Tejero was excused from the Board Meeting at 3:59PM but participated via phone for the remainder of the meeting.

Mr. Kandt recrossed Mr. Ebonka.

Mr. Agwara objected to Mr. Kandt questioning his client again, as both counsels had rested.

President Park overruled the objection.

Mr. Kandt stated that his continued questioning was relevant based on Mr. Ebonka's prior testimony and proceeded to ask Mr. Ebonka if there was a pending case against him in US Federal District Court.

Mr. Agwara answered that the allegations of that case are not related to this hearing.

Mr. Agwara recrossed the witness.

Mr. Kandt and Mr. Agwara made their closing arguments.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to find Festus Ebonka guilty of Count One.

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Adam Porath moved to find Festus Ebonka guilty of Count Two.

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to find Festus Ebonka not guilty of Count Three.

Second: Adam Porath

Aye: Porath, Tomasso, Tejero, Jacobo, Freitas, and Mitchell

Nay: Park

Action: Motion passed.

Board Action:

Motion: Jade Jacobo moved to find Festus Ebonka guilty of Count Four.

Second: President Park

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to find Festus Ebonka guilty of Count Five.

Second: President Park

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to find Festus Ebonka not guilty of Count Six.

Second: Gener Tejero

Aye: Porath, Jacobo, Tejero

Nay: Park, Tomasso, Mitchell, Freitas

Action: Motion failed.

Board Action:

Motion: President Park moved to find Festus Ebonka guilty of Count Six.

Second: Krystal Freitas

Aye: Tomasso, Park, Freitas, and Mitchell

Nay: Jacobo, Tejero, Porath

Action: Motion passed.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraphs 1 and 2 of the Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraph 4 of the Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraph 5 of the Accusation.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make Findings of Fact consistent with paragraph 6 of the Accusation.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make the Conclusions of Law consistent with paragraphs 9-13 of the Accusation.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Adam Porath moved to amend the Conclusions of Law in paragraph 17 to read, "By pre-signing controlled substance prescriptions that were issued to patients while he was engaged in overseas travel as alleged in paragraph 2, Respondent was party to a fraudulent or deceitful practice or transaction and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h), and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1) and/or NRS 639.210(4)."

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Adam Porath moved to amend the Conclusions of Law of paragraph 18 to read, "By pre-signing controlled substance prescriptions that were issued to patients while he was engaged in overseas travel as alleged in paragraph 2, Respondent has performed his duties as the holder of a controlled substance registration in an incompetent, unskillful or negligent manner and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(i), and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1), and/or NRS 639.210(4)."

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Adam Porath moved to amend the Conclusions of Law of paragraph 19 to read, "By pre-signing controlled substance prescriptions that were issued to patients while he was engaged in overseas travel as alleged in paragraph 2, Respondent has committed acts that render his registration inconsistent with the public interest and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1)."

Second: Jade Jacobo

Action: Passed unanimously.

Mr. Kandt presented a Memorandum of Fees and Costs and requested that it be entered as Exhibit 8.

Mr. Agwara had no objection to Exhibit 8 being entered into record.

President Park admitted as Exhibit 8.

Mr. Kandt requested that the Board award attorney's fees and costs in the amount of \$4,268.97 on the basis that they were reasonable, necessary, and actually incurred.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of \$4,268.97 on the basis that they were reasonable, necessary, and actually incurred.

Second: Wayne Mitchell

Action: Passed unanimously.

Board discussion ensued.

Board Action:

Motion: Wayne Mitchell moved to impose the following penalties on Festus Ebonka Certificate of Registration No. CS23430: 1) Certificate of Registration No. CS23430 is revoked. The revocation is stayed, and Respondent is placed on probation for a period of three (3) years; 2) shall complete two (2) hours of training from Board staff on Nevada Prescription Monitoring Program (PMP) compliance within one (1) year; and 3) shall complete two (2) additional hours of continuing education (CE) training on ethics within one (1) year, effective immediately.

Second: Jade Jacobo

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo amended her previous motion to make the attorney's fees and costs of \$4,268.97 payable within one (1) year of date the Order.

Second: Adam Porath

Action: Passed unanimously.

CC. Walgreens Pharmacy #6424 (23-310-PH-S)
DD. Sanette Severance (23-310-RPH-S)

This matter was continued to a future Board meeting.

H. CVS Pharmacy #9842 (22-200-PH-N)
I. Anup Chabra (22-200-RPH-N)

This matter was continued to a future Board meeting.

U. Matthew Okeke (19-013-CS-S)

This matter was continued to a future Board meeting.

G. Sam Zand (21-229-CS-A-S)

This matter was continued to a future Board meeting.

Q. Jason Dazley (23-266-CS-B-S)

This matter was continued to a future Board meeting.

S. Matthew Dikin (23-482-CS-S)

This matter was continued to a future Board meeting.

X. Jones Feed and Tack (21-064-S)

This matter was continued to a future Board meeting.

P. Robert Feingold (23-118-CS-S)

This matter was continued to a future Board meeting.

Public comment September 4, 2024, at 5:06PM

There was no public comment.

President Park recessed the meeting for the night and reconvened the meeting the next morning at 9:00 AM.

Board Members Present:

Helen Park	Krystal Freitas	Wayne Mitchell	Richard Tomasso
Adam Porath	Gener Tejero	Jade Jacobo	

Board Staff Present:

David Wuest	Gregory Zunino	Brett Kandt	Gus Vanderdonck
Darlene Nases	Erin Miller	Dena McClish	Jessette Phaynarikone
Joe Dodge	Darla Zarley	John Castaldo	Ken Scheuber
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.

David Wuest stated that this Board Meeting is being held over Zoom and is in compliance with the 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 5, 2024, 9:00 AM

There was no public comment.

◆ PUBLIC HEARING ◆

Thursday, September 5, 2024 – 9:00 am

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

- A. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendments clarifies record keeping requirements of counseling by a pharmacy. (LCB File No. R085-24)

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, presented the public hearing item to the Board's satisfaction. He commented that written public

comment was submitted to the Board on this public hearing item.

President Park opens the floor for public comment.

Liz McMenemy, Retail Association of Nevada, appeared and was sworn in by President Park prior to answering questions and offering testimony. She wanted clarification on Section 2, Paragraph 8 of the amendment and if this paragraph will bring discipline against the pharmacy if they are not properly staffed.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to adopt Public Hearing R085-24 as presented by Board staff.

Second: Krystal Freitas

Action: Passed unanimously.

7. Application for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6944) – Appearance (**FOR POSSIBLE ACTION**)

A. Advantage Medical Supply, Inc – Mesquite, NV

Kory Young, Vice President, and Shane Meacham, President, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants about their experience in the MDEG industry, what made them want to bring business to Nevada, and their disclosures.

Mr. Young and Mr. Meacham answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the MDEG License for Advantage Medical Supply, Inc., pending a favorable inspection and an updated application being submitted.

Second: Jade Jacobo

Action: Passed unanimously.

B. H-Blu Medical Supply, LLC – Reno, NV

Hasib Popal, Owner, and Barbi Hamidi, Administrator, appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants on the modified business plan since their last Board appearance and Ms. Hamidi's MDEG experience.

Mr. Popal and Ms. Hamidi answered Board's questions.

Board discussion ensued.

President Park asked Mr. Popal if he would like to table application, so the Board can get more comfortable with the business model and work with Board staff.

Mr. Popal agreed.

C. Maxcare Medical Equipment, LLC – Las Vegas, NV

Alberto Ramos, Administrator, and Yan Du, Managing Member and Co-Owner, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants about what made them want to open their business in Nevada, what is Mr. Ramos' experience with MDEG products, and whether he will be present during business hours.

Mr. Ramos and Ms. Du answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the MDEG License for Maxcare Medical Equipment, LLC, with conditions of two (2) inspections at the owner's expense within one (1) year.

Second: Wayne Mitchell

Action: Passed unanimously.

8. Application for Nevada Ambulatory Surgery Center License (NAC 639.4992) – Appearance (**FOR POSSIBLE ACTION**)

A. Alta Rose Surgery Center – Las Vegas, NV

Stephanie Broecker, Nurse Administrator, and Mary Greer, Consultant Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants on the type of surgeries that they plan to do at the facility and the policies and procedures that they have in place for controlled substances.

Ms. Broecker and Ms. Greer answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the change of ownership application for Alta Rose Surgery Center.

Second: Jade Jacobo

Action: Passed unanimously.

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

A. Diamond Specialty Pharmacy – Las Vegas, NV

President Park disclosed that she is familiar with Earl Matthew Peregrino from his time at Roseman University, but she can participate in this matter fairly and without bias.

Earl Matthew Peregrino, Owner, appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicant on why he wants to open a pharmacy, what software and wholesalers that he plans to work with, how he planned to obtain insurance contracts, and his compounding experience and what type of compounding he planned to do at the pharmacy.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Nevada Pharmacy License for Diamond Specialty Pharmacy pending a favorable inspection.

Second: Jade Jacobo

Action: Passed unanimously.

B. District Pharmacy – Las Vegas, NV

Janice Gange, Co-Owner and Managing Pharmacist, and George Gange, Co-Owner, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants about what made them want to open their business, what wholesalers they plan to work with, and if they picked a location for their facility.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Nevada Pharmacy License for District Pharmacy.

Second: Adam Porath

Action: Passed unanimously.

D. Thrive Behavioral Hospital – Las Vegas, NV

Jade Jacobo disclosed that she had a personal relationship with the Timothy Kosut, but she can participate in this matter fairly and without bias.

Bridget Kelly appeared as counsel on behalf of the Thrive Behavioral Hospital.

Elliott Cohen (Co-Owner and CSO), Michael Cohen (Co-Owner and CEO), and Timothy Kosut (Managing Pharmacist) appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a

brief overview of the change of ownership application and questioned the applicants on their business model, the date the change of ownership occurred, their experience in running a hospital pharmacy, and to explain the lapse of patients that were found at the hospital's previous inspection.

Mr. Elliot Cohen, Mr. Michael Cohen, and Mr. Kosut answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Nevada Pharmacy License and change of ownership Thrive Behavioral Hospital.

Second: Krystal Freitas

Action: Passed unanimously.

C. Staywell Pharmacy – Las Vegas, NV

Erwin Cuenca, Owner, and Rochelle Rozaldo Mitchell, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Gustaf Vanderdonck, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicants about what made them want to open their own pharmacy, if there were any additional owners of the pharmacy, if they had secured any wholesalers, how they planned to secure insurance contracts, and if they planned to do compounding.

Joe Dodge, Nevada Board of Pharmacy Inspector, questioned the applicants on the details of the contract that they had with doctors and whether the managing pharmacist was aware of the security requirements of the pharmacy.

Mr. Cuenca and Ms. Mitchell answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Nevada Pharmacy License for Staywell Pharmacy.

Second: Adam Porath

Action: Passed unanimously.

10. Application for Out-of-State Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**

A. OSRX, Inc. #2675 – Missoula, MT

Amy Frost, Owner and Chief Pharmacy Officer, and Jasmine Olson, Managing Pharmacist, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned on their business model and what products they planned to ship into Nevada, where their outsourcing facility was located, if their new location has been inspected by the Montana Board of Pharmacy and if there were any findings, and their disclosures.

Ms. Frost and Ms. Olson answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Out-of-State Pharmacy License for OSRX, Inc. #2675.

Second: Krystal Freitas

Action: Passed unanimously.

11. Applications for Out-of-State Compounding Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**

A. Belmar Pharmacy – Odessa, FL

Michelle Violi (Director of Pharmacy), Perry Katsamakias, (Pharmacist in Charge), Ashley Webber (Quality Manager), and Kirk Downing (Staff Pharmacist) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada State Board of Pharmacy, presented a brief overview of the application and questioned the applicants on their special sterile compounding license in Florida, whether Florida had implemented the USP 797 guidelines, the products that they planned to compound, how they test their products, their past inspections at their location, and how they planned to gain business.

Ms. Violi, Mr. Katsamakias, Ms. Webber, and Mr. Downing answered questions to the

Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve Out-of-State Compounding Pharmacy License for Belmar Pharmacy.

Second: Wayne Mitchell

Action: Passed unanimously.

21. 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. Licensing Activities Report
- F. Citations & Fines issued pursuant to NRS 632.2895
- G. Legislative Update
- H. 2025 Nevada Board of Pharmacy Yearly Calendar

David Wuest presented the Executive Secretary Report to the Board's Satisfaction.

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

- A. Alcami Carolinas Corporation – Reno, NV - Background Check Not Required in compliance with NAC 639.593(6)(d)

Jeff Evans, Site Director, appeared and was sworn in by President Park prior to answering questions and offering testimony. Also, Sonia Smith, Director of Regulatory Affairs, was present.

Joe Dodge, Inspector for the Nevada State Board of Pharmacy, presented a brief overview of the application and questioned the applicants on the change of ownership, if Alcami Carolinas Corporation had multiple locations throughout the country, and how long Mr. Evans had been with the location and if he will be the designated representative.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve change of ownership and name change for Nevada Wholesaler Alcami Carolinas Corporation.

Second: Krystal Freitas

Action: Passed unanimously.

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

B. Raymond Trangredi

Lyn Beggs appears as counsel for Dr. Raymond Trangredi.

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

Gustaf Vanderdonck, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned the applicant on if he plans to prescribe Schedule I controlled substances, the disclosure questions on the application, his disciplinary disclosures, and his past work experience.

Dr. Trangredi answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Controlled Substance Registration for Dr. Raymond Tangredi.

Second: Krystal Freitas

Action: Passed unanimously.

14. Application for Nevada Warehouse (NAC 639.622) – Appearance **(FOR POSSIBLE ACTION)**

A. Eyenovia, Inc – Reno NV

Lili Ofulue, Director of Quality, and Kristian Rodgers, General Manager, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada State Board of Pharmacy, gave a brief overview of

the application and questioned the applicants on the products being stored at the location, why they are opening a location in Nevada, the details of the warehouse, and Mr. Rodger's work history with Eyenovia, Inc.

Ms. Ofulue and Mr. Rodgers answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Nevada Warehouse license for Eyenovia, Inc., pending a favorable inspection.

Second: Adam Porath

Action: Passed unanimously.

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

A. Kristin Hestdalen

Lyn Beggs appeared as counsel for Kristin Hestdalen.

Kristin Hestdalen appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the application and questioned Dr. Hestdalen on her disclosures that she listed on her application, why she chose to work at Lakes Crossing, and her conditions with the Nevada Medical Board.

Ms. Hestdalen and Ms. Beggs answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Controlled Substance Registration for Kristin Hestdalen with the condition of mirroring the same terms of the Nevada Board of Medical Examiners and to send the quarterly reports to Board staff.

Second: Adam Porath

Action: Passed unanimously.

16. Application for Dispensing Practitioner Registration (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**

A. Braden Uppinhouse

Braden Uppinhouse appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada State Board of Pharmacy, gave a brief overview of the controlled substance application veterinary dispensing application and questioned the applicant on when he graduated from veterinary school, the details on his two substance abuse disclosures, and his new coping mechanisms that he has learned following his substance abuse disorder.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Dispensing Practitioner Registration and Controlled Substance Registration for Braden Uppinhouse with pending a favorable PRN-PRN or equivalent evaluation and to follow recommendations from practitioner.

Second: Krystal Freitas

Action: Passed unanimously.

18. Approval of Pharmacy Technician in Training Application - Appearance **(FOR POSSIBLE ACTION)**

A. Nicole Brooks

Nicole Brooks appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the pharmaceutical technician in training application and questioned Ms. Brooks on the details of the incident that she disclosed on her application.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Pharmaceutical Technician in

Training Application for Nicole Brooks.

Second: Adam Porath

Action: Passed unanimously.

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

A. Geodis Logistics LLC – Rincon, GA – Background Check Not Required in compliance with NAC 639.593(6)(d)

No representative was present on behalf of Geodis Logistics LLC.

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

A. DESS-USA, Inc – Reno, NV – Background Check Not Required in compliance with NAC 639.593(6)(d).

This matter was withdrawn.

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

A. Sean Levins

This matter was withdrawn.

20. General Counsel Report

There was no General Counsel Report.

22. Public Comment

President Park opened the floor for public comment.

There was no public comment.

23. Date and Location of Next Scheduled Board Meeting:

October 16-17, 2024 – Las Vegas, NV

24. Adjournment