



NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Pkwy, Ste 206, Reno, NV 89521

(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444

Email: pharmacy@pharmacy.nv.gov • Web Page: bop.nv.gov

MINUTES

July 17-18, 2024

BOARD MEETING

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, July 17, 2024, at 9:00 am. The meeting will continue Thursday, July 18, 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:

Element Reno Experience District
2030 Element Ln.
Reno, NV 89502

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	Gener Tejero	Jade Jacobo	

Board Staff Present:

David Wuest	Yenh Long	Gregory Zunino	Brett Kandt
Darlene Nases	Mui Lee	Erin Miller	Jesette Phaynarikone
Joe Dodge	John Castaldo	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 July 17, 2024, 9:22 AM

Ken Kunke, Nevada Pharmacy Alliance, shared that Nevada Pharmacy Alliance is holding their annual meeting in Reno on September 20-21, 2024 at the Silver Legacy in Reno, NV and more information can be found at their website.

◆ 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 May 29-30, 2024, Board Meeting Minutes (**FOR POSSIBLE ACTION**)

Board Action:

Motion: Wayne Mitchell moved to approve the May 29-30, 2024, Board Meeting Minutes.

Second: Krystal Freitas

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. Acelis Connected Health Supplies – Gainesville, FL
- B. BioHorizon Medical, Inc – Torrance, CA
- C. Horizon Wound Care, LLC – Fort Worth, TX

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

Background Check Not Required by Law.

4.2.1 Distributor for Single Manufacturer (NAC 639.593(6)(e))

D. Zoll Medical Corp – North Billerica, MA

4.2.2 Manufacturer (NAC 639.593(6)(d))

- E. 3B Medical Inc – Sarasota, FL
- F. Apotex Corp. – Plainfield IN
- G. Bionpharma, Inc – Princeton, NJ
- H. Hager Worldwide, Inc – Hickory, NC
- I. Invenio Alternate Care Solutions, LLC – Peachtree, GA
- J. Legacy Pharma USA, Inc – Scottsdale, AZ
- K. Metro Park Warehouses, LLC – Kansas City, MO
- L. Philips RS North America, LLC – Morrystown, PA
- M. ResMed Corporation – Moreno Valley, CA
- N. ResMed Corporation – Litha Springs, GA
- O. TriMed, Inc – Valencia, CA
- P. Spectranetics LLC – Colorado Springs, CO
- Q. Caplin Steriles USA Inc. – Hamilton, NJ
- R. Slayback Pharma, LLC – Princeton, NJ
- S. Zoll Medical Corp. – Chelmsford, MA
- T. Zoll Medical Corp. – Deerfield, WI

4.2.3 Publicly Traded (NAC 639.593(6)(a))

- U. Hayes Handpiece Franchises, Inc – Lenexa, KS
- V. Merus US, Inc – Cambridge, MA
- W. Neogen Corporation – Mt. Sterling, KY

4.2.4 VAWD-Accredited (NAC 639.593(6)(c))

- X. Tolmar, Inc. – Windsor, CO
- Y. Ritedose Pharmaceuticals, LLC – Columbia, SC

4.2.5 Manufacturer and VAWD-Accredited (NAC 639.593(6)(c) and (d))

- Z. Health Coalition, LLC – Doral, FL

4.2.6 Publicly Traded and Manufacturer (NAC 639.593(6)(a) and (d))

- AA. Glaukos Corporation – Aliso Viejo, CA
- BB. Janssen Pharmaceuticals, Inc. – Titusville, NJ

4.2.7 Publicly Traded and VAWD-Accredited (NAC 639.593(6)(a) and (c))

- CC. McKesson Medical-Surgical Inc – Kent, WA

- 4.2.8 **Background checks completed in compliance with NRS 639.500.**
- 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**)
- DD. 986 Pharmacy #8026 – Las Vegas, NV
 EE. Spring Mountain Treatment Center – Las Vegas, NV
 FF. Northwest Specialty Pharmacy – Reno, NV
- 4.5 Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Non-Appearance – (**FOR POSSIBLE ACTION**)
- 4.6 Application for Out-of-State Pharmacy License (NRS 639.2328) – Non-Appearance – (**FOR POSSIBLE ACTION**)
- GG. VitaScripts – Tampa, FL
 HH. AHF Pharmacy – Gardena, CA
 II. Vanscoy Rare Pharmacy – Pittsburgh, PA
 JJ. Palmetto Pharm – Mount Pleasant, SC
- 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**)
- 4.9 Recommended Denial of Registration/Licensure Due to Material Omissions on Application – Non-Appearance (**FOR POSSIBLE ACTION**)

David Wuest noted that Item 4E has been removed from the Consent Agenda and will be seen at a future Board Meeting.

Krystal Freitas recused herself from Agenda Items 4EE and 4FF due to her employment.

Board Action:

Motion: Wayne Mitchell moved to approve the Consent Agenda with exceptions of Agenda Items 4EE and 4FF.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: President Park moved to approve the Consent Agenda Items 4EE and 4FF.

Second: Wayne Mitchell

Action: Passed unanimously (Freitas recused).

◆ REGULAR AGENDA ◆

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

B. Ricardo Gonzalez (22-247-CS-B-N)

Ed Lemons appeared as counsel on behalf of Ricardo Gonzalez.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that the respondent failed to query a patient report from the PMP database prior to issuing two separate controlled substance prescriptions. In addition, Dr. Gonzalez failed to query and review for accuracy his MyRx prescriber activity report at least once every six months, as required by Nevada Law.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-247-CS-B-N for the Board's consideration.

The proposed stipulated penalties for Dr. Gonzalez Certificate of Registration No. CS11387 are the following: 1) pay \$2,000 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, both due by September 1, 2024.

Board discussion ensued.

Board Action:

Motion: Kystal Freitas moved to approve the Stipulation and Order for Ricardo Gonzalez as presented by Mr. Kandt.

Second: Wayne Mitchell

Action: Passed unanimously.

J. Maurice Vargas (21-086-CS-N)

Jessica Gandy, Esq. appeared as counsel on behalf of Maurice Vargas.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case against Mr. Vargas alleging Mr. Vargas only queried nine times between January 1, 2018, to September 18, 2023, where he wrote at least 890 prescriptions for at least 650 unique patients.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 21-086-CS-N for the Board's consideration.

The proposed stipulated penalties for Mr. Vargas Certificate of Registration No. CS15506 are the following: 1) pay a \$5,000 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 Maurice Vargas as presented by Mr. Zunino.

Second: Krystal Freitas

Action: Passed unanimously.

E. CVS Pharmacy #4691 (22-503-PH-N)
F. Ayman Jalloul (23-503-RPH-N)

Brian Convery appeared as a representative on behalf of CVS Pharmacy #4691 and Ayman Jalloul appeared and both were 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 an error in a prescription that resulted in a negative outcome to the patient. Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-503-PH-NN and Case No. 23-503-RPH-N for the Board's consideration.

The proposed stipulated penalties for CVS Pharmacy #4691, Pharmacy License No. PH02471, are the following: 1) pay \$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, both due by September 1, 2024.

The proposed stipulated penalties for Mr. Jalloul, Certificate of Registration No. 23280, are the following: 1) pay \$1,000 fine for the allegations; and 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter, both due by September 1, 2024.

Board discussion ensued.

Board Action:

Motion: Gener Tejero moved to approve the Stipulation and Orders for CVS Pharmacy # 4691 and Ayman Jalloul for as presented by Mr. Kandt.

Second: Adam Porath

Action: Passed unanimously (Jacobico recused).

H. CVS Pharmacy #9840 (23-433-PH-N)
I. Deisy Serrano Moreno (23-433-RPH-N)

Brian Convery appeared as a representative on behalf of CVS Pharmacy #9840 and was still sworn in from a prior case. Deisy Serrano Moreno appeared and was sworn in prior to answering questions and offering testimony.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging Ms. Serrano Moreno failed to review patient M.C.'s record prior to counseling or reviewed the patient's profile in a manner that was inadequate to provide the patient proper counseling

Mr. Zunino presented the proposed Stipulation and Order for Case No. 23-433-PH-N and 23-433-RPH-N for the Board's consideration.

The proposed stipulated penalties for CVS Pharmacy #9840, Pharmacy License No. PH01366, are the following: 1) pay \$2,000 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 Ms. Serrano Moreno, Certificate of Registration No. 14845, are the following: 1) pay \$1,000 fine for the allegations; 2) pay \$500 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; and 3) complete 4 additional CEU credits on the topic of counseling.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Stipulation and Orders for CVS Pharmacy #9840, and Deisy Serrano Moreno as presented by Mr. Zunino.

Second: Krystal Freitas

Action: Passed unanimously.

8. Discussion and possible action to vacate Findings of Fact, Conclusions of Law and Order entered May 30, 2024, and grant a rehearing in Nevada State Board of Pharmacy v. Brenda Vaknin, RPH, Case No. 19-134-RPH-S. **(FOR POSSIBLE ACTION)**

Brenda Vaknin appeared and was sworn in by President Park prior to answering questions and offering testimony.

Ms. Vaknin requested that the Board vacate the Findings of Fact, Conclusions of Law and Order entered upon default on May 29, 2024, and grant a rehearing on this matter in which she was disciplined for an error in a prescription that resulted in a negative outcome to the patient and failing to counsel patient, and as managing pharmacist for the pharmacy's failure to provide medication counseling to patients and maintain documentation of medication counseling.

The Board questioned Ms. Vaknin regarding what had occurred when she failed to appear for the May 29, 2024, hearing.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, gave a brief overview of the charges in the case.

Board discussion ensued.

The Board voted to vacate the Findings of Fact, Conclusions of Law and Order and to grant a rehearing on this matter.

Aye: Tomasso, Freitas, Park, Mitchell

Nay: Porath, Tejero

The Board did not reconsider Brenda Vaknin's request to vacate the Findings of Fact, Conclusions of Law and Order and to grant a rehearing.

7. Nazanin Kazeminy

(23-140-RPH-N)

Aaron Fricke, Esq. appeared as counsel for Ms. Kazeminy.

Nazanin Kazeminy 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 against where Ms. Kazeminy was found guilty of making a false record of COVID-19 vaccinations reportedly administered to her former boyfriend. Ms. Kazeminy is requesting a reconsideration of the discipline imposed.

Mr. Zunino presented the proposed Stipulation and Order for Case No. 23-140-RPH-N for the Board's consideration.

The proposed stipulated penalties for Ms. Kazeminy, Certificate of Registration No. 20034, are the following: 1) Certificate of Registration No. 20034 is revoked; however, the revocation is stayed and Ms. Kazeminy is placed on probation for a period of five years; 2) pay a \$5,000 fine for the violations; 3) pay \$8,406.29 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter; 4) as a condition of probation, Ms. Kazeminy's license shall be suspended until January 1, 2025; and 5) as a condition of probation, Ms. Kazeminy must complete a 22-hour "Ethics and Professionalism" bootcamp course within 120 days of the Order.

Mr. Fricke spoke on behalf of the respondent and notified the Board that they would like to go into closed session.

Board discussion ensued.

Board Action:

Motion: President Park moved to go into closed session.

Second: Krystal Freitas

Action: Passed unanimously (Jacobó recused).

Board Action:

Motion: President Park moved to go into open session.

Second: Krystal Freitas

Action: Passed unanimously (Jacobó recused).

Wayne Mitchell was excused from the meeting at 11:37AM and returned at 11:38AM.

Gener Tejero requested a modification to provision 8D in the proposed Stipulation and Order by increasing the suspension to one (1) year until April 18, 2025.

Ms. Kazeminy agreed to the revised stipulation.

Board discussion ensued.

Board Action:

Motion: President Park moved to approve the amended Stipulation and Order for Nazanin Kazeminy with amendments to increase the suspension to engage in the practice of pharmacy until April 18, 2025.

Second: Adam Porath

Action: Passed unanimously (Jacobob recused).

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

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

This matter was continued to a future Board meeting.

26. Executive Secretary Report:

A. Financial Report

David Wuest, Executive Secretary of the Nevada Board of Pharmacy, shared that there is no financial report. He would not be presenting any fiscal numbers at this time as they will need until August to close those financials out.

A. Karri Burgner (22-247-CS-A-N)

Karri Burgner appeared via zoom 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 failed to query patient utilization reports in the PMP and issued 22 separate controlled substance prescriptions. In addition, Respondent Burgner failed to query and review for accuracy her MyRx prescriber activity report at least once every six months, as required by Nevada Law.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-247-CS-A-N for the Board's consideration.

The proposed stipulated penalties for Ms. Burgner, Certificate of Registration No. CS15148, are the following: 1) pay a \$2,000 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, both due by September 1, 2024.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Stipulation and Order for Karri Burgner.

Second: Krystal Freitas

Action: Passed unanimously.

D. Nerissa Aguas (23-456-RPH-N)

Adam Porath recused himself from this matter due to Ms. Aguas is currently an employee at his place of employment.

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

Kevin Murphy, Esq. appeared as counsel for Nerissa Aguas.

Nerissa Aguas 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 Ms. Aguas failed to review the actual physical contents of two prescriptions during final product verification, and is responsible for errors in the prescriptions.

Mr. Kandt presented the proposed Stipulation and Order for Case No. 23-456-RPH-N for the Board's consideration.

The proposed stipulated penalty for Ms. Aguas, Certificate of Registration No. 14977, is to pay a fine of \$500 for the violations by September 1, 2024.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Stipulation and Order for Ms. Aguas as presented by Mr. Kandt.

Second: Richard Tomasso

Action: Passed unanimously (Porath and Jacobo recused).

C. CVS Pharmacy #8806 (23-456-PH-N)

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

Gener Tejero stated that he has a professional relationship with Bill Stilling but can participate fairly and without bias.

Brian Convery appeared as a representative of CVS Pharmacy #8806 and is still sworn in from a previous matter.

William Stilling, Esq. appeared as counsel on behalf of CVS Pharmacy #8806.

Todd Weiss, Deputy Attorney General for the Attorney's General Office, questioned Mr. Stilling on if he has an issue with Adam Porath participating in this matter as he recused himself from the Nerissa Aguas hearing.

Mr. Stilling had no issue with Adam Porath participating in this matter.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, prosecuted the case against CVS Pharmacy #8806, as pharmacy owner, is responsible for the acts of Ms. Aguas failing to review the actual physical contents of two prescriptions during final product verification resulting in errors in the prescriptions.

Mr. Kandt and opposing counsel stipulated, on the record, to amending paragraphs 9 and 10 in the Notice of Intended Action and Accusation to change the Nevada Law citation to NAC 639.945(3).

Mr. Kandt gave his opening statement and noted that the pharmacy technician, Giovanni Bartice, could not be located and subpoenaed for the hearing.

Mr. Stilling gave his opening statement, presenting that CVS Pharmacy #8806 is vicariously liable as the pharmacy/pharmacy owner.

Mr. Kandt called Nerissa Aguas as a witness.

Mr. Stilling objected to Ms. Aguas giving testimony on the basis that it was irrelevant.

President Park overruled the objection.

Nerissa Aguas appeared, and President Park reminded Ms. Aguas that she was still sworn in from a prior case.

Mr. Kandt questioned Ms. Aguas and had her read her written statement from the

investigation into the record and requested that it be entered into evidence as Exhibit 1.

Mr. Stilling objected to using the old, black and white photographs from Exhibit 1 from being entered into record.

President Park overruled the objection and admitted Exhibit 1 into the record.

Board staff verified that Ms. Aguas' counsel, Kevin Murphy, was made aware of the color photos being presented as proposed Exhibits 2 and 3.

Mr. Kandt presented a color photocopy of the first prescription to Ms. Aguas and upon authentication, requested that it be entered into record as Exhibit 2.

President Park admitted Exhibit 2 into the record.

Mr. Kandt presented a second color photocopy of the second prescription to Ms. Aguas and, upon authentication, requested it to be entered into the record as Exhibit 3.

Mr. Stilling objected to the photos being entered.

President Park overruled the objection and admitted Exhibit 3 into the record.

Mr. Kandt asked Ms. Aguas to explain the process of the virtual verification workflow when she was employed by CVS Pharmacy.

Mr. Stilling re-crossed Ms. Aguas.

The Board questioned Ms. Aguas on her testimony.

Mr. Stilling called Joseph Lavino, Pharmacist and Senior Legal Counsel at CVS Pharmacy, as a witness.

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

Mr. Stilling questioned Mr. Lavino on the virtual verification process within CVS and what was presented to the Board regarding virtual verification process.

Mr. Lavino answered Mr. Stilling's questions.

Mr. Stilling presented proposed Exhibit 4 to Mr. Lavino and asked him to explain what is included in the potential exhibit.

Mr. Stilling requested President Park admit Exhibit 4, overview of CVS enhancements on the virtual verification workflow, into record.

Mr. Kandt objected to Mr. Stilling's continued questioning and testimony offered on the updates to the system that CVS has completed since this incident took place as irrelevant.

President Park sustained the objection.

Mr. Stilling continued to question Mr. Lavino.

Mr. Kandt had no questions for the witness and cautioned the Board to only ask questions that pertain to this case regarding the two misfilled prescriptions.

The Board questioned Mr. Lavino on his testimony.

Mr. Stilling called Mark Goven, Pharmacist and District Support Pharmacy Leader for CVS, as a witness.

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

Mr. Kandt questioned Mr. Stilling if this witness will answer questions specifically pertaining to this store where the misfills occurred.

Dr. Goven stated that he was part of the training for CVS Pharmacy #8806 in this case.

Mr. Kandt questioned Dr. Goven.

Mr. Stilling recrossed.

The Board questioned Dr. Goven on his testimony.

Mr. Stilling called Jodi Lewis, Pharmacist and District Leader for CVS Pharmacy, as a witness.

President Park disclosed that she is familiar with Jodi Lewis but can participate in this matter fairly and without bias.

Mr. Stilling questioned Ms. Lewis on her background and what steps occur to fix an error by a pharmacist that is found.

Mr. Kandt objected to Mr. Stilling's questioning of Ms. Lewis as irrelevant.

President Park sustained the objection.

Board discussion ensued.

Mr. Kandt gave his closing argument on this case.

Mr. Stilling gave his closing argument on this case.

Mr. Kandt requested the Board to make the Findings of Fact consistent with paragraphs 1-5 of the Accusation.

Board discussion ensued.

Board Action:

Motion: President Park moved to make the Findings of Fact consistent with paragraphs 1-5 of the Accusation.

Second: Adam Porath

Action: Passed unanimously (Jacobo recused).

Mr. Kandt requested the Board to make the Conclusions of Law consistent with paragraphs 6-10 of the Accusation and to find CVS Pharmacy #8806 guilty on Count One.

Mr. Stilling objected to any paragraphs that do not name CVS Pharmacy #8806 in the Accusation.

Mr. Kandt commented that CVS is responsible for the acts of all its employees.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to make the Conclusions of Law consistent with paragraphs 6-10 of the Accusation and find CVS Pharmacy #8806 guilty on Count One.

Second: President Park

Action: Passed unanimously (Jacobo recused).

Mr. Kandt presented a Memorandum of Fees and Costs be entered into record as Exhibit 5.

President Park admitted as Exhibit 5.

Mr. Kandt requested that the Board find the attorney's fees and costs in the amount of \$4,787.82 were reasonable, necessary, and actually incurred.

Board Action:

Motion: President Park moved to award the attorney's fees and costs of \$4,787.82 on the basis that they were reasonable, necessary, and actually incurred.

Second: Wayne Mitchell

Action: Passed unanimously (Jacobobo recused).

Mr. Kandt proposed the following discipline: the Board award the attorney's fees and costs of the \$4,787.82 and assess a fine against CVS Pharmacy #8806 at their discretion.

Board discussion ensued

Board Action:

Motion: President Park moved to impose the following penalties on CVS Pharmacy #8806 License No. PH00640: 1) pay a \$5,000 fine for the violations; and 2) pay \$4,782.82 to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter by September 1, 2024, effective immediately.

Second: Krystal Freitas

Aye: Porath, Tomasso, Park, Mitchell

Nay: Freitas, Tejero

Action: Motion carries (Jacobobo recused).

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

A. Kylie Sondermann (23-167-A-N)

This matter was withdrawn.

B. Ronald Burnett (23-342-PR-N)

This matter was withdrawn.

Public Comment July 17, 2024, at 5:05PM.

Kevin Murphy, Esq. appreciates the Board's time today.

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	Yenh Long	Gregory Zunino	Brett Kandt
Darlene Nases	Mui Lee	Erin Miller	Jessette Phaynarikone
Joe Dodge	John Castaldo		

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 except Jade Jacobo, and a quorum was established.

Public Comment July 18, 2024, 9:00 AM

Carla Nye, a community pharmacist, shared how the proposed regulation will create a larger workload for pharmacists. She believes the regulation would have a counterproductive outcome. Pharmacy Technicians wouldn’t be able to help and will increase workloads and stress for pharmacists. She posed questions of how it will look in certain instances during her workflow each day.

Ken Kunke, NV Pharmacy Alliance, shared that NV Pharmacy Alliance is holding their annual meeting in Reno on September 20-21 at the Silver Legacy in Reno, NV and more information can be found on their website.

Jade Jacobo joined the meeting at 9:20AM.

◆ WORKSHOP ◆

23. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2) **(FOR POSSIBLE ACTION):**
 - A. Amendment to Nevada Administrative Code NAC 639.748. The proposed amendments revise the requirements concerning the documentation an employee of a pharmacy must obtain from a person before dispensing a

controlled substance pursuant to a lawful prescription to the person. **(FOR POSSIBLE ACTION)**

Yenh Long, Deputy Secretary for Nevada State Board of Pharmacy, presented the background of the regulation and gave an overview of the proposed amendment that would be implemented. She also commented that they received a written letter of support from practitioners on this proposed regulation.

President Park opened the floor for public comment.

Kate Jessup, a nurse practitioner, requested the proposed amendments based on her encounters of certain group of patients that don't have an updated license (i.e. recently incarcerated or unhoused) which lead to the inability to get proper medication for an opioid disorder. She shared an example of how removing a barrier like this can help those not fall back into opioid usage.

Liz McMenemy, Retail Association of Nevada, stated that they are in support of this amendment. She appreciated that the language would allow the pharmacist to make the final determination, which she believed is a choice that pharmacists should have. Hoped that in the future, pharmacists can also prescribe opioid disorder medications for those that need it.

President Park closed the period for public comment.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Amendment to Nevada Administrative Code NAC 639.748.

Second: Adam Porath

Action: Passed unanimously.

- B. Amendment to Nevada Administrative Code (NAC) 639. The proposed amendments clarify what it means to verify or perform verification of a prescription in a retail community pharmacy.

Yenh Long, Deputy Secretary for Nevada State Board of Pharmacy, presented the background of the proposed regulation and gave an overview of the amendments that would be implemented in each section.

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

President Park opened the floor for public comment.

Becky Richards, Pharmacist, commented that she is concerned with proposed regulation. Her interpretation of the proposed regulation is that the prescription verification process can no longer be done by shared central fill services. In addition, any verification in the prescription processing by a pharmaceutical technician needs to be verified by the supervising pharmacist which means that every aspect of filling a prescription has been done in that pharmacy. These proposed changes will cause more work and stress to the pharmacist by taking away the help and decrease the time that they have with their patients. She is not in favor of the proposed regulation

Victoria Kroeger, Pharmacist and Walgreen's Manager, commented that the use of automation, split verification, and centralized services, and virtual verification will reduce error rates and help pharmacist focus on patients physically present in the pharmacy. Centralized pharmacy pharmacists were responsible for over 50% less data review and DUR events than traditional pharmacist. She does not know why the Board would eliminate the safer workload shared technologies and processes that support pharmacies. The proposed regulation changes would double the work being completed in the pharmacies and eliminate the ability to properly support pharmacists, and it shows a clear bias towards retail community pharmacies compared to other pharmacy settings. She is not in favor of the proposed regulation as it will reduce the workload for pharmacist and improve their ability to direct patient care.

Jenna Cherchio, Pharmacist and Director of Pharmacy Operations for CVS Health commented the proposed regulation would be reverting pharmacist to a 14-step manual product verification process which would have them focus on non-clinical activities. Also, it would lose the ability to use these images to further safety innovation and the development of future innovation that would help pharmacist feel confident in what they are dispensing to customers. Virtual verification is a building block to address staffing concerns, and their program of Air Support can act as back up for pharmacists when needed, provide the support pharmacist need, and allows pharmacist to focus on patient care. She is not in favor or the proposed regulation as it will not allow the pharmacies to use the tools that are needed to address the concerns that are out there.

Eliscia Giampapa, Pharmacist, commented that removing remote health services will not improve work conditions. She wants to ensure that she has the opportunity to counsel patients and work with doctors directly, and the proposed regulation will hinder the time and services provided to patients if pharmacists lose the help of centralized services. She is not in favor of the proposed regulation as the impact that it will have on pharmacists that they want to assist and patients seeking their medical care.

Mark Johnston, CVS Health representative, referenced several publications which suggested the following improvements to medication practice in community pharmacies: 1) they replace old technology with new technology; 2) preventing medication errors in pharmacies the solution is automation or computerization; 3) to deflect distractions and intercept interruptions the solution is technology; and 4) the Board of Pharmacies

review, adopt, and update shared service laws. He is not in favor of the proposed regulation as it increases workload in pharmacies and will eliminate shared services.

Nichole Baker, community Pharmacist, is concerned that the proposed regulation may effect pharmacists' ability to provide safe patient care and will increase workloads at pharmacies. She suggests that we live in a time where we need to embrace technology especially technology that has been proven to reduce the risk of errors. She is not in favor of the proposed regulation.

Joseph Lavino, Senior Legal Counsel for CVS Health, requested the Board not to approve the proposed regulation as it is bad for patient safety, bad for business, and bad for the practice of pharmacy. He stated the Nevada Board of Pharmacy mission statement and presented data evidence that supports CVS virtual verification workflow as on average 20% safer than a pharmacist manually manipulating drug products to perform a prescription verification. This proposed regulation will eliminate shared services in pharmacies which raises the risks of errors. The Board is proposing to take away tools to make workplace conditions better and to take away technology and innovation to drive patient safety. He is not in favor of the proposed regulation.

Cassandra Fifield, Pharmacist technician with CVS, shared that she believed that eliminating virtual verification would heavily impact both her pharmacy and community pharmacies. She believed that with the proper training on virtual verification, it would reduce the chances of error. She stated that virtual verification allows for a cleaner workspace within the pharmacy and alleviates the workload of pharmacists available to counsel patients. She suggested that adding a picture of the pills inside the bottle to virtual verification process could help in reducing errors as discussion moves forward.

Jolene Blaine, CVS pharmacist, shared her direct experience that occurred when her two technicians called out. She stated that with virtual verification and air support, she was able to complete her high-volume workload even after needing to review how to use a blood pressure machine with a patient at the pharmacy over a ten-minute conversation, and complete seven immunizations that came in. She would like to find a solution instead of getting rid of these programs altogether and suggested that taking a second picture of the pills in the bottle during virtual verification could be helpful.

Liz McMnamin, Retail Association of Nevada, believed that this will impact every community pharmacy, and only community pharmacies. She believed this is moving backwards with the technology that has already been implemented in pharmacies across the state, unlike many other states. She is hoping to continue the conversation with Board staff as they move forward.

President Park closed the period for public comment.

Dave Wuest, Executive Secretary for the Nevada State Board of Pharmacy, commented that this is an industry wide amendment, not specifically for community pharmacies. He would like to continue the discussion and hoped to see data that was offered to him previously, but it would be best to bring data to the table for all those involved in the

discussion. He also shared that some hospitals do use cameras for verification, but not in the same way or for the same reasoning that virtual verification is being used in other types of pharmacies. He wants to work with the industry and believes there is a path to this industry-wide issue.

Yenh Long, Deputy Secretary for the Nevada Board of Pharmacy, stated that the intent of the regulation is to make sure someone is doing a final check prior to giving it to the patient, which will add a layer of protection for our patients since the Nevada Board of Pharmacy does receive a large amount of misfill cases where the pharmacist involved was utilizing either air support or virtual verification. She stated that the amendments are not meant to kill the ability to use shared services, but simply an added layer of protection to make sure that the correct medication is in the correct bottle for patients.

Board discussion ensued.

This item has been tabled and will be brought back to the Board.

Jade Jacobo left the meeting at 11:05AM.

◆ PUBLIC HEARING ◆

24. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(3)
(FOR POSSIBLE ACTION)

- A. Amendment to Nevada Administrative Code (NAC) 639: The proposed amendment removes various provisions relating to compounding which are in conflict with current United States Pharmacopeia compounding standards. (LCB File No. R053-24)

David Wuest, Executive Secretary of the Nevada State Board of Pharmacy, presented background on the proposed public hearing item.

President Park opened up the floor for public comment.

Chad Baker, Senior Vice President of Government Relations at FLAVORx, applauded the Board for the pragmatic language around flavoring and compounding and is in favor of the proposed language. He believes that this change establishes sensible guardrails to protect the safety of the public, while also improving medication compliance.

Liz McMenam, Retail Association of Nevada, appeared and was sworn in by President Park prior to offering testimony. She stated that she appreciated the Board's understanding of the industry need in flavoring and is in favor of the proposed language.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to adopt LCB File No. R053-24 as written and clarify with LCB to confirm the stricken language in LCB File No. R053.24I was actually repealed and amending to strike from Line 3 of Section 2 for human consumption.

Second: Krystal Freitas

Aye: Park, Mitchell, Freitas, Tomasso, and Porath

Nay: Tejero

Action: Motion carries.

Richard Tomasso was excused from the meeting at 11:35AM.

14. Application For Out-of-State Wholesaler License (NRS 639.233) – Appearance –
(FOR POSSIBLE ACTION)

- A. Vitti Labs, Inc. – Liberty, MO – Background Check Not Required in compliance with NAC 639.593(6)(d)

Bill Stilling appeared as counsel on behalf of Vitti Labs, Inc.

Phillip Vitti, Owner, and Rick Sterling, Company Representative, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Richard Tomasso returned to the meeting at 11:40AM.

David Wuest, Executive Secretary for the Nevada State Board of Pharmacy, gave a brief overview of the wholesaler application and explained the unique product that they sell.

Mr. Vitti and Mr. Sterling explained their business model and background on the FDA warning letter that Vitti Labs received and rectified.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve Out-of-State Wholesaler License for Vitti Labs, LLC.

Second: Adam Porath

Action: Passed unanimously.

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

E. Mail-Meds Clinical Pharmacy – Las Vegas, NV

Hansil Kalaria, Chief Pharmacy Officer, and Quynh Pham, Pharmacy Manager, both appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park disclosed that she familiar with Ms. Pham but can participate in this matter fairly and without bias.

Brett Kandt, General Counsel for the Nevada State Board of Pharmacy, gave a brief overview of the pharmacy application and questioned why they want to be in Nevada after operating solely in Florida prior.

Board discussion ensued.

Board Action:

Motion: Gener Tejero moved to approve the Nevada Pharmacy License for Mail-Meds Clinical Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Seven Hills Pharmacy – Sharronville, OH

Chris Spitzer (Pharmacist in Charge), Quynh Do (Senior Director of Pharmacy Practice), and Mark Wagner (outside counsel) appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for the NVBOP, gave a brief overview of the application and explained what occurred throughout the process of their application and what they have implemented to make sure they are following Nevada law.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Out-of-State Pharmacy License for Seven Hills Pharmacy with the conditions that they are not dispensing any

controlled substances before notifying the Board and to secure a \$100,000 Surety Bond in the name of Nevada Board of Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. ASPN Pharmacies 4, LLC – Las Vegas

Robert Anderson (Chief Financial Officer), Div Patel (Director of Pharmacy Operations), Michael Rabinowitz (Pharmacist in Charge), Maree Kiledjian (Senior Clinical Director for Patient Access), and Ami Patel (Vice President of Health Operations), appeared and were sworn in by President Park prior to answering questions and offering testimony.

President Park and Krystal Freitas disclosed that they are both familiar with Desiree Roth but can participate in this matter fairly and without bias.

David Wuest, Executive Secretary of NVBOP, gave a brief overview of the pharmacy application and what occurred at a meeting Board staff held with ASPN Pharmacies 4, LLC.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Out-of-State Pharmacy License for ASPN Pharmacies 4, LLC.

Second: Adam Porath

Action: Passed unanimously.

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

C. Independence Drug – Elko, NV

Camerin Passey, Owner and Pharmacist, and Brittani Passey, Owner and Chief Marketing Officer, appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary of Nevada Board of Pharmacy, gave a brief overview of the application and Mr. Passey's past work history.

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

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Nevada Pharmacy License for Independence Drug pending a favorable inspection.

Second: Wayne Mitchell

Action: Passed unanimously.

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

F. Royal Ambulance Inc – Black Rock City, NV

John Rey Hassan, Chief Administrative Officer and in-house Counsel, and Ken Fernandes, President and CEO of Drug Regime Review Clinical Consultants, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Gener Tejero disclosed that he is familiar with Ken Fernandes but can participate in this matter fairly and without bias.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, gave an overview of the application and explained that they are providing medical care at Burning Man. Mr. Wuest questioned the applicants on what the pharmacy will look like and stated that Board staff will share past inspections with them as they are setting up.

Mr. Fernandes answered questions to the Board's satisfaction

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Nevada Pharmacy License for Royal Ambulance Inc.

Second: Adam Porath

Action: Passed unanimously.

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

A. Whole Gas Technologies, Inc – Reno, NV – Background Check Not
Required in compliance with NAC 639.593(6)(d)

James Donohue (Owner and Director of Sales and Marketing), William Tim Grohs (Owner and President), and Renato Garcia (Owner and Quality Control) appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, gave a brief background of the wholesaler application and questioned the applicants on how they started their business.

The Board questioned on owner's work background.

Mr. Grohs, Mr. Donohus, and Mr. Garcia answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Gener Tejero moved to approve the Nevada Wholesaler License for Whole Gas Technologies, Inc pending a favorable inspection.

Second: Adam Porath

Action: Passed unanimously.

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

B. Tens Unlimited, LLC – Las Vegas, NV

Doris Edmiston, Owner, appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, gave a brief background of the application and clarified with the applicant that she needs to update the administrator once she hires staff and designates an employee. Mr. Wuest questioned what made her want to open this business and her past work experience

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Nevada Medical, Devices, Equipment and Gases License for Tens Unlimited, LLC, pending a favorable inspection.

Second: Krystal Freitas

Action: Passed unanimously.

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

D. Las Vegas Community Pharmacy – Las Vegas, NV

Natalie Nguyen, Managing Pharmacist, and Ali Macintosh, President, appeared and were sworn in by President Park prior to answering questions and offering testimony.

Brett Kandt, General Counsel for NVBOP, gave a brief overview of the change of ownership application.

The Board questioned Mr. Macintosh about his background, why he started this business, and if any policies and procedures have been changed with the change of ownership.

Mr. Macintosh and Ms. Nguyen answered questions to the Board's satisfaction. Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve Nevada Pharmacy License for Las Vegas Community Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

22. Election of President and Treasurer pursuant to NRS 639.040 - **(FOR POSSIBLE ACTION)**

The Board members voted to elect the President and Treasurer.

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to reappoint Helen Park as President, and Wayne Mitchell as Treasurer.

Second: Adam Porath

Action: Passed unanimously.

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

A. Sage Surgical and Neuromodulation, LLC – Reno, NV

Mary Grear (Managing Pharmacist), Michele McCarthy (Pharmacy Consultant), and Ali Nairizi (President of Nevada Pain and Urgent Care and Reno Tahoe Pain Associates and Part Owner of Sage Surgical and Neuromodulation) appeared and were sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, gave a brief background of the application and questioned where the building is located, if it is separate from Dr. Sasse’s practice, and what the purpose is for opening a new location. In addition, Mr. Wuest questioned on what services will be provided, what a typical modulator surgery is, and what drugs they will have on hand.

Mr. Nairizi answered questions to the Board’s satisfaction.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Nevada Ambulatory Surgery Center License for Sage Surgical and Neuromodulation, LLC.

Second: Adam Porath

Action: Passed unanimously.

Gener Tejero and Wayne Mitchell were excused from the meeting at 2:00PM.

27. Executive Secretary Report:

- B. Issuance of Temporary Licenses and Registrations
- C. Change of Address Business List
- D. Meetings with Other Health Care Regulatory Boards
- E. Licensing Activities Report
- F. Citations & Fines issued pursuant to NRS 632.2895

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

Yenh Long, Deputy Secretary for the Nevada Board of Pharmacy, explained the background of the CE audit that caused a high number of citations of fines that Mr. Wuest mentioned in the Executive Secretary Report.

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

A. Martha Oppong

Martha Oppong appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary of Nevada Board of Pharmacy, gave a brief overview of Ms. Oppong's request to retake the MPJE Exam.

President Park questioned applicant on what occurred in the past exams and what she has been doing to prepare for the exam.

Ms. Oppong answered Board's questions.

President Park reminded Ms. Oppong that the laws in Idaho will be different to the ones in Nevada and to remember that as she continues her studying.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to authorize Martha Oppong to retake the MPJE up to two times within the next six (6) months.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Hernan Kim Mok

Hernan Kim Mok appeared and was sworn in by President Park prior to answering questions and offering testimony.

President Park disclosed that she knows Mr. Kim Mok from her time at Roseman University but she can participate in this matter fairly and without bias.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, gave a brief overview of the application and questioned Mr. Kim Mok on his previous discipline with the Board and what he has been doing in the meantime.

President Park questioned Mr. Kim Mok about his discipline and how he plans to deal with the stress in the industry moving forward.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to reinstate Hernan Kim Mok's Pharmacist Registration No. 19930 with the following conditions: 1) he participates in a PRN-PRN or equivalent evaluation program for a period of five years and to send quarterly reports to the Nevada Board of Pharmacy; 2) may not work a maximum of 40 hours per week; and 3) if he would like to become a Pharmacist in Charge (PIC) that he must petition the Board.

Second: Adam Porath

Action: Passed unanimously.

Gener Tejero returned to the meeting at 2:39PM.

19. Approval of Pharmaceutical Technician in Training Application – Appearance
(FOR POSSIBLE ACTION)

A. Danisha Faleah Harvey

Danisha Faleah Harvey appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gregory Zunino, Senior General Counsel, gave a brief overview of the application and questioned Ms. Harvey on why she wants to be a pharmacy technician, her discipline disclosure, and her current employment.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Pharmaceutical Technician in Training Application for Danisha Harvey.

Second: Adam Porath

Action: Passed unanimously.

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

A. Robert Toledo

Robert Toledo was sworn in by President Park prior to answering questions and offering testimony.

Bridget Kelly, Esq. appeared as counsel on behalf of Dr. Toledo.

Gener Tejero disclosed that he is familiar with Dr. Toledo but can participate in this matter fairly and without bias.

David Wuest, Executive Secretary of Nevada Board of Pharmacy, gave a brief overview of the application, what discipline occurred in the past with Dr. Toledo, and what he will be using the dispensing license for.

The Board questioned Dr. Toledo on his practice and if he is familiar with the counseling and labeling requirements for take-home medications.

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

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Dispensing Practitioner Registration for Dr. Robert Toledo.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Cornelious Pryor III

Cornelious Pryor III appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary of Nevada Board of Pharmacy, gave a brief overview of the application, clarified with Dr. Pryor III that he does not want to include Schedule I drugs on his application, and explained the disclosures on his application.

Dr. Pryor confirmed that he would like Schedule I's removed from his application.

Board discussion ensued.

Board Action:

Motion: Gener Tejero moved to approve the Controlled Substance Registration application for Dr. Cornelious Pryor III with Schedule's II-V with the condition to do a 1-hour zoom PMP meeting with Darla Zarley.

Second: Adam Porath

Action: Passed unanimously.

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

B. Signio Specialty Pharmacy – Cliffside Park, NJ

Yoon Young “Kay” Kim (Pharmacist in Charge) and Carlos Cruz (Vice President of Government and Regulatory Affairs) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for the Nevada Board of Pharmacy, gave a brief overview of the application and questioned the applicants about the ownership change, if any changes occurred at the pharmacy, if compounding will take place at the pharmacy, their previous inspection results, and their past discipline.

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

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the change of ownership for the Out-of-State Pharmacy License for Signio Specialty Pharmacy.

Second: Adam Porath

Action: Passed unanimously.

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

B. Elite Rx – Las Vegas, NV

Jeffrey Lang, Elite Rx Representative, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Joe Dodge, Inspector for Nevada Board of Pharmacy, gave a brief overview of the application and questioned the applicant about his work experience and if they plan to do sterile compounding.

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

Mr. Lang wanted to clarify that he originally sent the request as a change an ownership and amended the application for a new pharmacy license.

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, requested to table application as they get clarification on his application.

President Park tabled application and will return back to agenda item.

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

A. Super Care Health – Sparks, NV

Mark Bradshaw, Representative, 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, gave a brief overview of the application and questioned the applicant on their prior disciplinary actions.

The Board questioned who the administrator will be and her work experience.

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

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Nevada Medical, Devices, Equipment and Gases License for Super Care Health.

Second: Krystal Freitas

Action: Passed unanimously.

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

C. Elite Rx – Las Vegas, NV

President Park returned to Elite Rx.

Jeffrey Lang, Elite Rx representative, is still sworn in from previously.

David Wuest, Executive Secretary of Nevada Board of Pharmacy, shared the background on what occurred with this application and questioned the respondent on if he is petitioning the Board for a new pharmacy application.

Mr. Lang confirmed.

Board Action:

Motion: President Park moved to approve the new Nevada Pharmacy License for Elite Rx with the conditions to send in the new pharmacy application to exclude non-sterile compounding and must appear before the Board if they decide to do it and a favorable inspection.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Premier Pharmacy – San Antonio, TX

No representative was present on behalf of Premier Pharmacy.

15. Distributor for Nevada Single Manufacturer (NAC 639.593(6)(e)) – Appearance **(FOR POSSIBLE ACTION)**

A. DESS-USA – Reno, NV

No representative was present on behalf of Premier Pharmacy.

25. General Counsel Report.

Gregory Zunino presented the General Counsel's Report to the Board's satisfaction

28. Public Comment

President Park opened the floor for public comment.

There was no public comment.

27. Date and Location of Next Scheduled Board Meeting:

September 4-5, 2024 – Las Vegas, NV

29. Adjournment