



Nevada State Board of Pharmacy

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Date Posted: May 14, 2024

AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, May 29, 2024, at 9:00 am. The meeting will continue Thursday, May 30, 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

Please Note:

In regulating the practice of pharmacy, the Nevada State Board of Pharmacy has a duty to carry out and enforce the provisions of Nevada law to protect the health, safety, and welfare of the public.

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

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

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

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

1. Call to Order and Roll Call – Establishment of Quorum
2. Public Comment: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020)

◆ CONSENT AGENDA ◆

The Consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

3. Approval of the April 17-18, 2024, Board Meeting Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-Appearance (**FOR POSSIBLE ACTION**)
 - A. AppliedVR, Inc – Van Nuys, CA
 - B. Asure Wound Solutions, LLC – Miami, FL
 - C. Luna Medical, Inc – Chicago, IL
 - D. Synergy DMEPOS – Fremont, CA
- 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))
 - E. Agiliti Health, Inc – Kent, WA
 - F. CVS Pharmacy, Inc – Woonsocket, RI
 - G. Henry Schein MSO, LLC – Lenexa, KS
 - H. Henry Schein Inc – Lenexa, KS
 - I. Infusystems, Inc. – Canton, MA
 - J. Infusystems, Inc. – Lenexa, KS
 - K. Infusystems, Inc. – Santa Fe Springs, CA
 - L. Owens & Minor Distribution, Inc – Franklin, MA
- 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))
 - M. Abbott Laboratories, Inc – Santa Clara, CA
 - N. TG Therapeutics, Inc – Morrisville, NC
- 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))

- O. Teleflex, LLC – Olive Branch, MS
- P. Top Rx, LLC – Bethlehem, PA

4.2.6 Manufacturer (NAC 639.593(6)(d))

- Q. Durvet, Inc – Blue Springs, MO
- R. Kulzer LLC – South Bend, IN
- S. LiteCure, LLC – Forth Worth, TX
- T. QuVa Pharma, Inc. – Sugar Land, TX
- U. ReCor Medical, Inc. – Palo Alto, CA
- V. Validus Pharmaceuticals, LLC – Parsippany, NJ

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

- W. NuCare Pharmaceuticals, Inc. – Orange, CA
- X. OptumServe Health Services, Inc – La Crosse, WI

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

4.2.9 Background checks completed in compliance with NRS 639.500.

- Y. DBWS, LLC – Boston, MA
- Z. Iterative Scopes, Inc – Cambridge, MA
- AA. Philip Reclamation Services Houston, LLC – Houston, TX
- BB. Preferred MedSurg, Inc – Columbia, SC
- CC. Sedation Resource, Inc – Lone Oak, TX

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

- DD. NNAMHS Outpatient Pharmacy – Sparks, NV
- EE. Lake’s Crossing Center – Sparks, NV
- FF. West Henderson Hospital – Henderson, 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. Bayvrio Pharmacy – Tampa, FL
- HH. Covetrus North America, LLC – Elizabethtown, PA
- II. Cura Pharmacy – Tustin, CA
- JJ. Divyo Health Solutions, Inc. – Rome, GA
- KK. Ezcare Pharmacy – West Covina, CA

- LL. Genoa Health LLC – Bullhead City, AZ
- MM. Integrity Rx Specialty Pharmacy – Scottsdale, AZ
- NN. UCLA West Medical Pharmacy – Los Angeles, CA
- OO. White Label Pharmacy – Denton, TX

4.7 Application for Out-of-State Ambulatory Surgery Center License (NAC 639.4992) – Non- Appearance **(FOR POSSIBLE ACTION)**

4.8 Application for Nevada Warehouse (NAC 639.622) – Non- Appearance **(FOR POSSIBLE ACTION)**

- PP. AnazaoHealth Corporation – Las Vegas, NV

4.9 Request to Engage in The Practice of Pharmacy at A Site Other Than a Licensed Pharmacy – Non-Appearance **(FOR POSSIBLE ACTION)**

- QQ. Jaime Dennison
- RR. Kinga Faulkner

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

◆ REGULAR AGENDA ◆

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

- | | |
|--------------------------|------------------|
| A. ASP Cares | (19-011-PH-S) |
| B. Festus Ebonka | (19-012-CS-S) |
| C. Jay Selznick | (19-043-CS-S) |
| D. Michael Mall | (19-086-CS-S) |
| E. Brenda Vaknin | (19-134-RPH-S) |
| F. William Alvear | (20-162-CS-S) |
| G. CVS Pharmacy #8789 | (22-345-PH-N) |
| H. Omid Mahkhatam | (22-345-RPH-A-N) |
| I. Kayla Friesz | (22-345-RPH-B-N) |
| J. Kevin Petersen | (22-510-CS-S) |
| K. Erika Kimble | (23-256-CS-S) |
| L. Harrison Clayton | (23-297-PT-S) |
| M. Elihu Wyatt | (23-427-CS-A-S) |
| N. Matthew Okeke | (19-013-CS-S) |
| O. CVS Pharmacy #6717 | (20-133-PH-S) |
| P. Negar Safavi | (20-133-RPH-S) |
| Q. Ravi Ramanathan | (20-076-CS-S) |
| R. George James Maiorano | (21-207-PT-S) |
| S. Marissa Crain | (22-053-PT-S) |
| T. Maurice Vargas | (21-086-CS-N) |
| U. Michael Stellmacher | (23-260-CS-N) |
| V. Joshua Hamilton | (23-335-CS-S) |

6. Appeal hearing pursuant to NRS 639.2895(2) **(FOR POSSIBLE ACTION)**
 - A. Keiasha Johnson
7. Discussion and possible action to vacate Findings of Fact, Conclusions of Law and Order entered December 1, 2022, and grant a rehearing in Nevada State Board of Pharmacy v. Susan M. Bell, APRN, Case No. 21-084-CS-S. **(FOR POSSIBLE ACTION)**
8. Discussion and possible action to approve Amended Findings of Fact, Conclusions of Law and Order in Case No. 19-144-CS-N, in settlement of *James W. Forsythe, M.D. HMD, Appellant v. Nevada State Board of Pharmacy, and Helen Park, Pharm.D., President. Respondents*, Nevada Supreme Court Case No. 87285. **(FOR POSSIBLE ACTION)**
9. Application for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6942) – Appearance **(FOR POSSIBLE ACTION)**
 - A. H-Blu Medical Supply, LLC – Reno, NV
 - B. Z-O Medical Supplies, LLC – Las Vegas, NV
10. Application for Nevada Pharmacy License (NRS 639.230) – Appearance **(FOR POSSIBLE ACTION)**
 - A. Southwest Specialty Pharmacy – Las Vegas, NV
 - B. Southwest Pharmacy – Las Vegas, NV
 - C. The Center Community Pharmacy – Las Vegas, NV
11. Application for Nevada Compounding Pharmacy License (NRS 639.230) – Appearance **(FOR POSSIBLE ACTION)**
 - A. Vital Care of Summerlin – Las Vegas, NV
12. Application for Out-of-State Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**
 - A. TelyRx LLC – Clearwater, FL
13. Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Appearance – **(FOR POSSIBLE ACTION)**
 - A. Fagron Sterile Services – Canton, MA
 - B. Preckshot Professional Pharmacy – Peoria, IL
 - C. Seven Hills Pharmacy – Sharronville, OH

14. Application for Nevada Wholesaler License (NRS 639.233) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Noble Supply & Logistics, LLC – Las Vegas, NV – Background Check Not Required in compliance with NAC 639.593(6)(d)
15. Application for Out-of-State Wholesaler License (NRS 639.233) – Appearance – (**FOR POSSIBLE ACTION**)
 - A. BPS Wholesale – Jennerstown, PA – Background Check Not Required in compliance with NAC 639.593(6)(d)
16. Request for Approval of Change of Managing Pharmacist pursuant to NRS 639.220 (**FOR POSSIBLE ACTION**)
 - A. Amber Houghland
 - B. Bryan Hoang
17. Application for Pharmacist Registration by Reciprocity (NRS 639.134) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Tammy Dessieux
18. Application for Pharmacist Registration Reinstatement – Appearance (**FOR POSSIBLE ACTION**)
 - A. Daniel Hayes
19. Applications for Controlled Substance Registration (NRS 453.226) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Carrie Lynn Carda
 - B. Charlsie Duffy-Wilcox
 - C. James Michael Murphy
 - D. Sean Dermal

◆ WORKSHOP ◆

Wednesday, May 29, 2024 – 9:00 am

20. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2) (**FOR POSSIBLE ACTION**):
 - A. **Amendment to Nevada Administrative Code (NAC).** The proposed amendments establish the minimum staffing standards in a pharmacy and modify the number of pharmaceutical technicians and pharmaceutical technicians in training a pharmacist may supervise. (**FOR POSSIBLE ACTION**)

◆ PUBLIC HEARING ◆

Thursday, May 30, 2024 – 9:00 am

21. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(3) **(FOR POSSIBLE ACTION)**
- A. **REGULATION relating to pressurized stocking.** Allowing pressurized stocking to be provided without a prescription in certain circumstances. **(LCB File No. R052-24)**
 - B. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendments relate to controlled substances adding tianeptine, hallucinogenic substances and fentanyl related substances to the controlled substances listed in Schedule I. **(LCB File No. R054-24)**
 - C. **REGULATIONS relating to Governor Lombardo’s Executive Order 003-2023.** Changes in these Regulations streamline and clarify licensing requirements while ensuring public safety; and providing other matters properly relating thereto. **(LCB File No. R100-23)**

Executive Order 003-2023

SECTION 1:

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor’s office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

- D. **Amendment to Nevada Administrative Code (NAC) 639.** The proposed amendment ensures proper and adequate safeguards for registered nurses who participate in certain public health programs or certain mental health services. **(LCB File No. R013-24)**
- E. **Amendment to Nevada Administrative Code (NAC).** The proposed amendments establishes the registration requirements for certified registered nurse anesthetist, under the supervision of a physician licensed pursuant to chapter 630 or 633 or NRS, to order, prescribe, possess, and administer controlled substances, poisons, dangerous drugs and devices to treat a patient

under the care of a licensed physician in a critical access hospital in preparation for surgery or childbirth, during surgery or childbirth and while a patient recovers from surgery or childbirth. **(LCB File No. R051-24)**

22. General Counsel Report. Note: The Board may exclude the public for a report on potential or existing litigation pursuant to NRS 241.015(3)(b)(2).

23. Executive Secretary Report:

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

24. Date and Location of Next Scheduled Board Meeting:

July 17-18, 2024 – Reno, NV

25. Public Comment: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020)

26. Adjournment

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Pharmacy, 985 Damonte Ranch Parkway, Suite 206, Reno, NV, 89521, or call Darlene Nases at (775) 850-1440, as soon as possible.

Supporting materials or additional information regarding the meeting may be obtained from Darlene Nases at (775) 850-1440, email TeamBC@pharmacy.nv.gov or 985 Damonte Ranch Parkway, Suite 206, Reno, Nevada, 89521.

Continuing Education credit of 4 hours, including 1 hour of law, will be given per day of Board meeting attendance pursuant to NAC 639.330(1)(b)(2). You are required to attend the board meeting for a full day to receive CE credit including the law credit.

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