



NEVADA STATE BOARD OF PHARMACY

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MINUTES

December 4-5, 2024

BOARD MEETING

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, December 4, 2024, at 9:00 am. The meeting will continue Thursday, December 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	Richard Tomasso	Adam Porath
Jade Jacobo	Chanyis Taylor	Anna Carr	

Board Staff Present:

David Wuest	Gregory Zunino	Brett Kandt	Monica Moazez
Darlene Nases	Erin Miller	Dena McClish	Jessette Phaynarikone
Joe Dodge	Darla Zarley	John Castaldo	Ken Scheuber
Leo Basch	Todd Weiss	Daniel Leon	Yenh Long

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 December 4, 2024, 9:07 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 October 16-17, 2024, Board Meeting Minutes (**FOR POSSIBLE ACTION**)

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the October 2024 Board Meeting minutes.

Second: Adam Porath

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. ABC Home Medical Supply, Inc – Richardson, TX
- B. EBI, LLC – Parsipanny, NJ
- C. Firefly Supply, LLC – West Columbia, SC
- D. Nationwide Medical, Inc – Calabasas, CA
- E. Verse Medical – New York, NY

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))

- F. AstraZeneca Pharmaceuticals LP – Wilmington, DE
- G. PTC Therapeutics US, Inc – Warren, NJ

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

- H. McKesseon Medical Surgical, Inc – Suwanee, GA

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

- I. Arvinas Operations, Inc – New Haven, CT
- J. BioMimetic Therapeutics, LLC – Franklin, TN
- K. GE Medical System Information Technologies, Inc – El Paso, TX
- L. ImmunoGen, Inc – Waltham, MA

4.2.4 Publicly Traded, VAWD-Accredited, and Manufacturer (NAC 39.593(6)(a), (c), and (d))

- M. VAWD-Accredited (NAC 639.593(6)(c))
- N. Auburn Pharmaceutical, LLC – Rochester Hills, MI
- O. Auburn Pharmaceutical, LLC – Salt Lake City, UT
- P. Smith Drug Company – Paragould, AR

4.2.5 Manufacturer (NAC 639.593(6)(d))

- Q. 3B Medical, Inc – Sarasota, FL
- R. Amici Pharma, Inc – Melville, NY
- S. Coupler LLC – Westchester, PA
- T. Everest Life Sciences, LLC – Plainsboro, NJ
- U. Fresenius Kabi USA, LLC – Grand Island, NY
- V. Genetech USA, Inc – South San Francisco, CA
- W. Gramercy Extremity Orthopedics - TX
- X. Innogenix, LLC – Amityville, NY
- Y. Keystone Industries – Myerstown, PA
- Z. Mylan Institutional, Inc – Greensboro, NC
- AA. Sintetica US LLC – Princeton, NJ
- BB. Teleflex, LLC – Chelmsford, MA
- CC. Utopic Pharmaceuticals Inc. – Coral Springs, FL
- DD. Waylis Therapeutics, LLC – Rahway, NJ
- EE. ZO Skin Health, Inc – Irvine, CA

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

- FF. INO Therapeutics, LLC – Coppell, TX
- GG. INO Therapeutics, LLC – West Sacramento, CA

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

4.2.8 Background checks completed in compliance with NRS 639.500.

- HH. Advanced Medical Sales, Inc – Ponder, TX
- II. Cardio Partners, Inc – Greenwood, IN
- II. Fisher BioService, Inc – Germantown, MD
- JJ. One Beat CPR Learning Center, LLC – Miramar, FL
- KK. Pharmaceutical Trade Service, Inc – Ocean Springs, MS
- LL. SMC Returns Corp. – Hewlett, NY

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

- MM. ER at South Summerlin an Extension of Summerlin Hospital – Las Vegas, NV
- NN. LV Pharmacy and Medical Supplies – Las Vegas, NV
- OO. Southwest Medical Specialties Pharmacy – Las Vegas, NV
- PP. St. Mary Pharmacy – Henderson, NV
- QQ. The Medicine Shoppe LTC Pharmacy – Las Vegas, NV

4.4 Application for Out-of-State Outsourcing Facility (NRS 639.100) – Non-Appearance (**FOR POSSIBLE ACTION**)

- RR. Wedgewood Pharmacy, LLC – San Jose, CA

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

- SS. PharmaLogic Austin, LLC – Austin, TX
- TT. Sofie Co – Gilroy, CA

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

- UU. ASAP Pharmacy – Orland Park, IL
- VV. Cascade Specialty Pharmacy – Poulsbo, WA
- WW. Costco Pharmacy #1710 – Madison, WI
- XX. Cottrill's Pharmacy, Inc – Orchard Park, NY
- YY. Fertility Pharmacy of America, LP – Nashville, TN
- ZZ. Pantherx Specialty Pharmac – Collierville, TN
- AAA. RARX II, LLC – Nashville, TN

- BBB. Roman Health Pharmacy – Buffalo Grove, IL
- CCC. Strive Pharmacy Missouri, LLC –Fenton, MO
- DDD. Triad Rx, Inc – Daphne, AL
- EEE. TrustedmedRx, LLC – Boca Raton, FL
- FFF. UrgentMedRx, LLC – Boca Raton, FL

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**)

- GGG. Stephanie Andersson
- HHH. Kara Balduzzi

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

III. Prosthetic Center of Excellence – Las Vegas, NV

Krystal Freitas recused herself from Item 4MM due to her employment.

President Park stated that Item 4RR had a correction to its business name and would be approved as “Wedgewood Connect LLC”.

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, stated that Item 4P had confusion with the application but wanted to go forward. We will see another business application from them in the future.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the Consent Agenda with the exception of Item 4MM.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: President Park moved to approve Item 4MM of the Consent Agenda.

Second: Adam Porath

Action: Passed unanimously.

◆ REGULAR AGENDA ◆

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

G. DeeFlat Pharmacy	(24-282-PH-O)
H. Thu Thi Phuong Vo	(24-282-RPH-O)
I. Laughlin Pharmacy & Wellness Center	(24-289-PH-S)
J. Youjin Seo	(24-289-RPH-A-S)
K. Thu Thi Phuong Vo	(24-289-RPH-B-S)

Krystal Freitas disclosed that she knew Vo from school but could participate fairly in this matter and without bias.

Michael M. Lin appeared as counsel for Laughlin Pharmacy & Wellness Center and Youjin Seo.

Youjin Seo and Thu Thi Phuong Vo appeared and were sworn in by President Park prior to answering questions and offering testimony.

Courtney Sullivan appeared as counsel on behalf of Thu Thi Phuong Vo.

Brett Kandt, General Counsel for the Nevada State Board of Pharmacy, prosecuted the case alleging that the Respondents Laughlin Pharmacy, Seo and Vo dispensed adulterated and/or misbranded sterile drug products illegally compounded by DeeFlat Pharmacy using non-sterile methods.

Mr. Kandt noted that there is a pending change of ownership application for Laughlin Pharmacy & Wellness Center, in which Ms. Seo would have sole ownership of the pharmacy.

Mr. Kandt presented proposed stipulations for the Board's consideration.

The proposed stipulated penalties for DeeFlat Pharmacy, Pharmacy License No. PH04171, are the following:

Respondent DeeFlat Pharmacy's Pharmacy License No. PH04171 is revoked; 2) Respondent may not petition for reinstatement for a period of ten (10) years; 3) Respondent fined \$20,000; and 4) Respondent assessed \$2,000 in attorney's fees and costs,.

Ms. Sullivan represented that DeeFlat Pharmacy closed and has not been operational since June 2024, with no plans to reopen.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Stipulation and Order for DeeFlat Pharmacy as presented by Mr. Kandt.

Second: Krystal Freitas

Action: Passed unanimously.

The Board discussed the proposed stipulated penalties for Vo, Laughlin Pharmacy & Wellness Center, and Seo and recommended revised penalties.

The amended stipulated penalties for Thu Thi Phuong Vo, Certificate of Registration No. 18661, are the following:

Respondent Vo's Certificate of Registration No. 18661 is revoked. The revocation is stayed, and Respondent placed on probation for a period of five (5) years subject to the following conditions:; 1) Respondent fined \$5,000; 2) Respondent assessed \$2,000 in attorney's fees and costs; 3) Respondent prohibited from acting as a managing pharmacist for any pharmacy licensed by the Board while on probation; 4) Respondent shall not hold an ownership interest with any pharmacy licensed by the Board while on probation; 4) Respondent shall not engage in compounding without completing certain enumerated training on compounding sterile and nonsterile drug products; and 5) Respondent shall comply with all laws while on probation.

Ms. Sullivan represented that her client, Ms. Vo, agreed to the amended stipulated penalties.

Board Action:

Motion: President Park moved to approve the Stipulation and Order for Thu Thin Phuong Vo as presented by Mr. Kandt, as amended.

Second: Jade Jacobo

Action: Passed unanimously.

The amended stipulated penalties for Youjin Seo, Certificate of Registration No. 18704, are the following:

Respondent Seo's Certificate of Registration No. 18704 is revoked. The revocation is stayed, and Respondent is placed on probation for a period of five (5) years subject to the following conditions: 1) Respondent fined \$5,000; 2) Respondent assessed \$2,000 in attorney's fees and costs; 3) Beginning sixty (60) days from the effective date of the

order, Respondent prohibited from acting as a managing pharmacist for any pharmacy licensed by the Board while on probation; 4) Respondent shall not engage in compounding without completing certain enumerated training on compounding sterile and nonsterile drug products; and 5) Respondent shall comply with all laws while on probation.

There were no amendments to the proposed stipulated penalties for Laughlin Pharmacy & Wellness Center.

The proposed stipulated penalties for Laughlin Pharmacy & Wellness Center, Pharmacy License No. PH04520, are the following:

Respondent Laughlin Pharmacy & Wellness Center's Pharmacy License No. PH04520 is revoked. The revocation is stayed, and Respondent placed on probation for a period of three (3) years subject to the following conditions: 1) Respondent fined \$12,000; 2) Respondent assessed \$2,000 in attorney's fees and costs; 3) Respondent shall not engage in compounding without personnel completing certain enumerated training on compounding sterile and nonsterile drug products and undergoing certain inspections; and 4) Respondent shall comply with all laws while on probation.

Mr. Lin represented that his client, Ms. Seo, agreed to the amended stipulated penalties.

Board Action:

Motion: Jade Jacobo moved to approve the Stipulation and Order for Youjin Seo and Laughlin Pharmacy as presented by Mr. Kandt, as amended.

Second: Krystal Freitas

Action: Passed unanimously.

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

B. Laughlin Pharmacy – Laughlin, NV

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, gave a brief overview of the ownership and name change application for Laughlin Pharmacy, and questioned Ms. Seo on the business model and the daily activities of the pharmacy.

Board Action:

Motion: Jade Jacobo moved to approve the change of ownership and name change for Laughlin Pharmacy.

Second: Adam Porath

Action: Passed unanimously.

F. Matthew Dikin

(23-482-CS-S)

President Park recused herself from this matter due to her employment.

Adam Porath resided as the Presiding Officer.

Lyn Beggs appeared as counsel on behalf of Matthew Dikin.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Respondent Dikin issued a controlled substance prescription after the suspension of his Certificate of Registration No. CS26423. Respondent Dikin issued thirty-seven controlled substance prescriptions in Nevada while utilizing his DEA registration for Tennessee, failed to disclose criminal charges on his biennial renewal application, and failed to disclose the suspension of his license to practice osteopathic medicine.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 23-482-CS-S for the Board's consideration.

The proposed stipulated penalties for Matthew Dikin, Certificate of Registration No. CS26423, are the following:

Respondent Dikin's Certificate of Registration No. CS26423 is revoked. The revocation is stayed, and Respondent is placed on probation for a period of three (3) years with the following conditions: 1) public reprimand; 2) Respondent fined \$7,000; and 3) Respondent assessed \$3,000 in attorney's fees and costs.

Board discussion ensued.

Board Action:

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

Second: Chanyis Taylor

Action: Passed unanimously.

L. Wilson Bernales

(23-015-CS-S)

President Park disclosed that Wilson Bernales did work at her place of employment in the past, but she could participate in this matter fairly and without bias.

John Hunt appeared as counsel for Wilson Bernales.

Mr. Hunt stated that they do not oppose President Park presiding over the case.

Wilson Bernales 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. Bernales made misleading statements or material omissions in applications for licensure in other jurisdictions.

Mr. Zunino presented a proposed Stipulation and Order for Case No. 23-015-CS-S for the Board's consideration.

The proposed stipulated penalties for Wilson Bernales, Certificate of Registration No. CS27754 are the following: 1) the Stipulation and Order will be a public reprimand; and 2) Dr. Bernales ordered to pay \$750 to partially reimburse the Board for recoverable attorney fees and costs investigating and prosecuting this matter.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Stipulation and Order for Wilson Bernales as presented by Mr. Zunino.

Second: Adam Porath

Action: Passed unanimously.

L. Safe Chain Solutions (24-356-WH-O)

William Stilling appeared as counsel on behalf of Safe Chain Solutions.

The parties stipulated to a continuance.

President Park continued the matter.

N. Jon Siems (24-390-CS-S)

No representative was present on behalf of Jon Siems, MD.

This matter has been continued to a future Board meeting.

P. Jack Thomas Jr. (22-187-CS-S)

No representative was present on behalf of Jack Thomas Jr.

Gregory Zunino, Senior General Counsel for Nevada Board of Pharmacy, prosecuted the case against Dr. Thomas Jr. alleging that he engaged in unprofessional and deceitful conduct. Mr. Zunino shared that Dr. Thomas Jr. stated in his Answer that he would not be present for the Board meeting, and believed he was not liable for the charges due to a contract where he sold his veterinary practice to another entity, however he continued to practice at the same facility.

Mr. Zunino requested the Board to continue with a default hearing.

Mr. Zunino requested the Board to make Findings of Fact consistent with paragraphs 3-24 of the amended Accusation, to make Conclusions of Law consistent with paragraphs 25-46 of the amended Accusation, and to make Findings of Guilt consistent with paragraphs 37-52 of the amended Accusation.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to adopt Findings of Fact consistent with paragraphs 3-24 of the First Amended Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to adopt Conclusions of Law consistent with paragraphs 25-46 of the First Amended Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to find Dr. Thomas Jr. guilty of Counts 1-3, consistent with paragraphs 37-52 of the First Amended Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Mr. Zunino recommended the proposed discipline against Jack Thomas Jr.'s Certificate of Registration Nos. CS08932 and DV00496, as the following: 1) Certificate of

Registration Nos. CS08932 and DV00496 to be placed in a Forfeited status; 2) Respondent receive a public reprimand; 3) Respondent to pay a \$5,000 fine; and 4) Respondent to pay \$2,128.50 to partially reimburse the Board for recoverable attorney fees and costs incurred in investigating and prosecuting this matter as they were reasonable, necessary, and actually incurred.

Board Action:

Motion: Jade Jacobo moved to declare as a matter of law that Dr. Thomas Jr.'s Certificate of Registration Nos. CS08932 and DV00496 were forfeited.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to file a public reprimand against Dr. Thomas Jr.'s Certificate of Registration Nos. CS08932 and DV00496.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to approve a fine of \$5,000 against Dr. Thomas Jr.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to award the attorney fees and costs of \$2,128.50 on the basis that they were reasonable, necessary, and actually incurred.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make the fine and attorney fees and costs due within 90 days from the effective date of the Order.

Second: Chanyis Taylor

Action: Passed unanimously.

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

A. Complete Care Pharmacy – Las Vegas, NV

Tristan Schukraft (new owner of Complete Care Pharmacy), Kema Ogden (former owner of Complete Care Pharmacy), and Eric Alonzo (Pharmacist in Charge) appeared and were sworn in by President Park prior to answering questions and offering testimony.

Monica Moazez, Assistant General Counsel for Nevada Board of Pharmacy, gave a brief overview of the application and questioned their business and business model.

Mr. Schukraft, Ms. Ogden, and Mr. Alonzo answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the ownership change for Complete Care Pharmacy.

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Owl Specialty Pharmacy – Covina, CA

Waleed Messiah, Senior Vice President of Specialty Operations, 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 overview of the application and questioned Mr. Messiah about the disclosure on their application and if Mr. Messiah outsources any pharmaceutical technicians from out-of-state that are not licensed.

President Park asked Mr. Messiah to send a letter to the Board to confirm that he was an authorized representative for Owl Specialty Pharmacy.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the new pharmacy application for Owl Specialty Pharmacy, pending a letter that supports he was an authorized representative and for updated information on the pharmacist in charge.

Second: Chanyis Taylor

Action: Passed unanimously.

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

B. Corstasis USA LLC – Henderson, NV – Background Check Not Required

Benjamin Esque, Chief Executive Officer appeared and was sworn in by President Park prior to answering questions and offering testimony.

Monica Moazez, Assistant General Counsel for Nevada Board of Pharmacy, questioned the applicant about their location and their business model.

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the wholesaler application for Corstasis USA LLC.

Second: Anna Carr

Action: Passed unanimously.

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

A. Jonathan Joel Runion

Jonathan Joel Runion appeared and was sworn in by President Park prior to answering questions and offering testimony.

Monica Moazez, Assistant General Counsel for Nevada Board of Pharmacy, gave an overview of the application to the Board and questioned Mr. Runion on his disclosure, what his treatment program entailed, and what other safeguards he had in place to ensure his access to controlled substances would be handled responsibly.

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

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve controlled substance registration for Jonathan Joel Runion.

Second: Adam Porath

Action: Passed unanimously.

R. Marcy Hanson (24-193-RPH-S)

No representative was present on behalf of Marcy Hanson.

Gregory Zunino, Senior General Counsel for Nevada State Board of Pharmacy, prosecuted the case alleging that Ms. Hanson failed to submit the required thirty (30) continuing education requirements to the Board for her biannual renewal period from November 1, 2021, through October 31, 2023.

Mr. Zunino would like to continue with a default hearing.

Mr. Zunino called Erin Miller as a witness.

Erin Miller, Administrative Assistant – Board Coordinator II, appeared and was sworn in by President Park prior to answering questions and offering testimony.

Mr. Zunino questioned Ms. Miller on her position at the Nevada Board of Pharmacy and what her responsibilities were during the continuing education (CE) audit and the serving of the Notice of Hearing to Ms. Hanson.

Mr. Zunino requested the Board to find that the Notice of Hearing was properly served upon Ms. Hanson, to make Findings of Fact consistent with paragraphs 3-10 of the

Accusation, to make Conclusions of Law consistent with paragraphs 11-16 of the Accusation, and to find Ms. Hanson guilty of Count 1, consistent with paragraphs 17-19 of the Accusation.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to find that the Notice of Hearing was properly served upon Ms. Hanson, to adopt Findings of Fact consistent with paragraphs 3-10 of the Accusation, to make Conclusions of Law consistent with paragraphs 11-16 of the Accusation, and to find Ms. Hanson guilty of Count 1, consistent with paragraphs 17-19 of the Accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Mr. Zunino recommended the proposed discipline against Marcy Hanson's Certificate of Registration No. 09550, as the following: 1) Certificate of Registration No. 09550 will be revoked and 2) pay \$500 to partially reimburse the Board for recoverable attorney fees and costs incurred while investigating and prosecuting this matter.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to revoke Marcy Hanson's Certificate of Registration No. 09550, effective immediately, and to award the attorney fees and costs in the amount of \$500, due and payable within 90 days, on the basis that they were reasonable, necessary, and actually incurred.

Second: Krystal Freitas

Action: Passed unanimously.

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

B. Heath DeHart

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

Gregory Zunino, Senior General Counsel for Nevada Board of Pharmacy, gave a brief overview of the procedural history of Mr. DeHart's case to the Board.

Mr. DeHart provided testimony and documentary evidence in support of his request that the Board vacate its previous decision to uphold a \$5,000 fine imposed by way of a citation issued pursuant to NRS 639.2895.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to vacate the \$5,000 citation and fine for Heath DeHart.

Second: Chanyis Taylor

Aye: Porath, Taylor, Tomasso, Carr

Nay: Park, Jacobo

Action: Motion passed.

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

C. Nova Specialty Pharmacy

This matter was continued.

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

A. Samuel Yu (22-185-CS-A-S)

This matter was continued.

B. Mee Han (22-185-CS-B-S)

This matter was continued.

C. Yuko Sweatt (22-214-CS-S)

This matter was continued.

D. Partell Pharmacy (23-239-PH-S)

This matter was continued.

E. Jeffrey Lang (23-239-RPH-S)

This matter was continued.

M. John Katzen (24-389-CS-S)

This matter was continued.

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

This matter was continued.

S. Xu Zhang (24-196-RPH-S)

This matter was continued.

T. Orthopedic Motion, Inc (24-281-MP-S)

This matter was continued.

U. John Devilbiss (24-243-RPH-S)

This matter was continued.

Public comment December 4, 2024, at 3:43PM

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	Richard Tomasso	Adam Porath
Jade Jacobo	Chanyis Taylor	Anna Carr	

Board Staff Present:

David Wuest	Gregory Zunino	Brett Kandt	Monica Moazez
Darlene Nases	Erin Miller	Dena McClish	Jessette Phaynarikone
Joe Dodge	Darla Zarley	John Castaldo	Ken Scheuber
Leo Basch	Daniel Leon	Yenh Long	

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 December 5, 2024, 9:05 AM

There was no public comment.

◆ WORKSHOP ◆

Thursday, December 5, 2024 – 9:00 am

14. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2) **(FOR POSSIBLE ACTION):**

- A. **Amendment to the Nevada Administrative Code (“NAC”) 639.** The proposed amendments relate to the licensing requirements for facilities for intermediate care or facilities for skilled nursing licensed by the State Board of Health pursuant to NRS 449.0303 and provide other matters properly relating thereto.

Yenh Long, Deputy Secretary for the Nevada Board of Pharmacy, presented the background on the proposed regulation.

President Park opened the floor for public comment.

There was no public comment.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, read the Nevada statute into the record.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the amendments to NAC 639 as presented by Ms. Long.

Second: Jade Jacobo

Action: Passed unanimously.

- B. **Amendment to the Nevada Administrative Code (“NAC”) 639.742.** The proposed amendments relate to removing the requirement that Dispensing Practitioners must personally dispense at a facility and

provide other matters properly relating thereto. The change would allow Dispensing Practitioners to mail prescriptions to individual patients in their care as allowed by the Center for Medicare and Medicaid Services.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, presented the background on the proposed regulation.

President Park opened the floor for public comment.

Rupesh Parikh from Comprehensive Cancer Center appeared and commented that he appeared previously requesting assistance in patient access for oncology drugs. He is in favor of the proposed regulation as it would help patients who live in more rural areas and face extended travel time to retrieve their medications.

Liz MacMenamin from the Retail Association of Nevada appeared and commented that they are in support of providing better patient access; however, her main concern is that this regulation isn't limited to oncologists only. This regulation may include dispensing practitioners that do not act in an ethical matter and will be able to dispense to patients without seeing or having a bona fide relationship. She requested that the Board take more time to review this regulation.

President Park closed the floor for public comment.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, commented that the authority cited on page 1 of the draft is incorrect, the authority cited should be NRS 639.070 and NRS 639.0727, instead of NRS 639.2177 and NRS 639.2327.

Board discussion ensued.

This matter was continued to a future Board meeting.

- C. A REGULATION relating to controlled substances adding ethylphenidate and 2- methyl AP-237 to the controlled substances listed in Schedule I; and providing other matters properly relating thereto.

Darla Zarley, PMP Administrator for the Nevada Board of Pharmacy, presented the background on proposed regulation.

President Park opened the floor for public comment.

There was no public comment.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the proposed regulation amendment as presented by Ms. Zarley.

Second: Krystal Freitas

Action: Passed unanimously.

13. Election of Treasurer pursuant to NRS 639.040 - **(FOR POSSIBLE ACTION)**

The Board members voted to elect a new Board Treasurer.

Krystal Freitas nominated Adam Porath for Board Treasurer.

Adam Porath accepted the nomination.

Board discussion ensued.

Jade Jacobo – Yes

Anna Carr - Yes

Chanyis Taylor – Yes

Richard Tomasso – Yes

Helen Park – Yes

Krystal Freitas – Yes

Adam Porath was nominated as Board Treasurer.

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

B. Truepill, LLC – Hayward, CA

C. Truepill NY, LLC – Brooklyn, NY

D. Seven Hills Pharmacy, LLC – Sharonville, OH

Marc Wagner appeared as counsel for Truepill.

Quynh Do (Senior Director of Pharmacy Practice and Compliance for Truepill), Michelle Meyer (Pharmacist in Charge – Truepill), Christopher Gibson (Assistant Pharmacist in Charge at Seven Hills Pharmacy), Christopher Lau (Pharmacist in Charge for Truepill - Hayward CA) 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 applications and ownership change. Mr. Wuest questioned the change in ownership and whether there will be any operational changes.

The representatives answered questions to the Board's satisfaction.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the ownership change for Truepill, LLC – Hayward CA, Truepill NY, LLC – Brooklyn NY, and Seven Hills Pharmacy, LLC.

Second: Chanyis Taylor

Action: Passed unanimously.

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

D. Shouping Li

Shouping Li 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 an overview of the past discipline against Dr. Li by the Nevada Board of Pharmacy.

Mr. Li requested the Board remove the limitations on his controlled substance license, Certificate of Registration No. CS35340.

Brett Kandt, General Counsel for the Nevada Board of Pharmacy, read into record the minutes regarding the conditions placed on his Certificate of Registration No. CS35340.

Board discussion ensued.

Board Action:

Motion: Richard Tomasso moved to amend the conditions on Mr. Li's controlled substance registration, Certificate of Registration No. CS35340, with a 30 day maximum supply with no refills.

Second: Jade Jacobo

Action: Passed unanimously.

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

E. Victor Jimenez Bonuel

Victor Jimenez Bonuel appeared and was sworn in by President Park prior to answering questions and offering testimony.

Monica Moazez, Assistant General Counsel for Nevada Board of Pharmacy, gave an overview of the application and questioned Dr. Bonuel to confirm whether he had other discipline cases against him in other states that were not disclosed on his controlled substance application.

Mr. Bonuel answered.

Board discussion ensued.

President Park asked if Dr. Bonuel would like to table his application to compile the necessary discipline documentation.

Mr. Bonuel agreed.

This application was tabled.

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

B. Stericycle, Inc – McCarran, NV – Background Check Not Required

Joel Barr, Representative for Stericycle, Inc, appeared and was sworn in by President Park prior to answering questions and offering testimony.

David Wuest, Executive Secretary for Nevada Board of Pharmacy, questioned Mr. Barr and asked him to give an overview of their business model and the intent for licensure.

Mr. Barr disclosed that they were just acquired by another company since the application was submitted.

Mr. Wuest commented that due to the company being acquired by a different entity, the Board will need the updated information submitted in order for Board staff to proceed with the application.

Board discussion ensued.

President Park asked Mr. Barr if he would like to table the application to provide the updated information to Board staff.

Mr. Barr agreed.

This application was tabled.

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

A. Covetrus North America, LLC – Canal Winchester, OH –
Background Check Not Required

Kelly Ann Barnes (Senior Director for Regulatory Compliance), Phillip Mario Lombardi (Vice President of Operations and Logistics Services), and Jeffrey Hitchcock (Designated Representative) appeared and were sworn in by President Par prior to answering questions and offering testimony.

Monica Moarez, Assistant General Counsel for Nevada Board of Pharmacy, gave a brief overview of the application and questioned the products they plan to use, the training protocols for staff who handle drugs, and the disclosure listed on the application and changes made to rectify the issue.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the wholesaler and MDEG Admin application for Covetrus North America, LLC

Second: Chanyis Taylor

Action: Passed unanimously.

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

B. John Vennoch

John Vennoch appeared and was sworn in by President Park prior to answering questions and offering testimony.

Monica Moarez, Assistant General Counsel for Nevada Board of Pharmacy, asked Dr. Vennoch to confirm whether he wanted to remove Schedule I controlled substances on his application.

Dr. Vennoch confirmed that he would like Schedule I to be removed.

Ms. Moarez questioned Dr. Vennoch about the disclosure listed on his application and what steps he took in order to comply with the order.

Richard Tomasso was excused from the meeting at 11:28AM.

Board discussion ensued.

Jade Jacobo was excused from the meeting at 11:36AM.

Adam Porath asked if Dr. Vennochchi would like to table the application so Board staff can get a clearer understanding of his disclosures.

Dr. Vennochchi agreed.

This application was tabled.

16. 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

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, presented the Executive Secretary Report to the Board's satisfaction.

15. General Counsel Report

Gregory Zunino, Senior General Counsel, gave the General Counsel Report to the Board's satisfaction.

Jade Jacobo returned to the meeting at 1:00PM.

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

- F. William Clark

Lyn Beggs appeared as counsel on behalf of William Clark.

William Clark appeared and was sworn in by President Park prior to answering questions and offering testimony.

Gregory Zunino, Senior General Counsel for Nevada Board of Pharmacy, gave an overview of the application and questioned Dr. Clark on his work experience over the past few years, where he is licensed, if he had discipline in any other states, and the

nature of the discipline against him.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the controlled substance registration for William Clark pending a favorable evaluation by PRN-PRN or equivalent.

Second: Krystal Freitas

Action: Passed unanimously.

C. Sherman Washington

This matter was continued.

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

A. Nicholas Dipirro

This matter was continued.

B. Thomas Lynch

This matter was tabled.

17. Public Comment

President Park opened the floor for public comment.

There was no public comment.

18. Date and Location of Next Scheduled Board Meeting:

January 15-16, 2025 – Las Vegas, NV

19. Adjournment