

# **April 2025 Board Meeting Handouts**

5G. Meta Pharmacy Services

5H. Sean Barclay

5I. Christopher Peters

5J. Michelle Badten

5N. Lincare, Inc

9D. Meta Pharmacy Services – Application

11C. Devendrakumar Patel

13. FY26 Budget

14A. Workshop

16. Financial Report

5G

**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**META PHARMACY SERVICES,  
Pharmacy License No. PH03433,**

**SEAN BARCLAY, RPH,  
Certificate of Registration No. 17303,**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325, and**

**MICHELLE LYNN BADTEN, RPH,  
Certificate of Registration No. 14966-B,**

**Respondents.**

**CASE NOS. 24-125-PH-S**

**24-125-RPH-A-S**

**24-125-RPH-B-S**

**24-125-RPH-C-S**

**STIPULATION AND ORDER**

**[Respondents Meta Pharmacy Services  
and Barclay ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Meta Pharmacy Services, or Barclay, Luke & Pillai Specialty Pharmacy PLLC, DBA Meta Pharmacy Services (Meta), Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh (Barclay), Certificate of Registration No. 17303, by and through counsel, William J. Stilling, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondents and these matters.
2. On or about March 11, 2025, Board Staff served Respondents with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondents and Notice of Hearing. Respondents Meta and Barclay are entering this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusation.

3. Respondents are aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering this Stipulation.

4. Respondents are aware of the right to a hearing on the matters alleged in the Accusation, their right to reconsideration, their right to appeal, and any and all other rights which may be accorded pursuant to NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

5. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondents, or any of them, have failed to comply with the provisions of this Stipulation, Respondents hereby freely and voluntarily waive their rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to them by NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

6. Respondents do not admit or contest the allegations in the Accusation, but acknowledge that Board staff prosecuting this case could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, *to wit*:

A. By counseling, inducing and/or soliciting Vincent Nalbhone, MD, to issue unlawful prescriptions for controlled substances, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and are subject to discipline pursuant to NRS 639.210(11).

B. By counseling, inducing and/or soliciting Vincent Nalbhone, MD, to issue unlawful prescriptions for controlled substances, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c),

NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and are subject to discipline pursuant to NRS 639.210(12).

C. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and are subject to discipline pursuant to NRS 639.210(11).

D. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c), NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and are subject to discipline pursuant to NRS 639.210(12).

E. By counseling, inducing and/or soliciting Cristy O'Connell, APRN, and Erika Kimble, APRN, to issue unlawful prescriptions for compounded semaglutide, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 454.223, NRS 454.231, NRS 454.311(1), NRS 454.321, NRS 639.2353, NRS 639.281(1); NRS 639.2813(1) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

F. By knowingly filling and dispensing unlawful prescriptions for compounded semaglutide to the practices of Cristy O'Connell, APRN, and Erika Kimble, APRN, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 454.223, NRS 454.231, NRS 454.311(1), NRS 454.321, NRS 639.2353, NRS 639.281(1);

NRS 639.2813(1) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

G. By employing Rosalina Ross, PTT, as a pharmaceutical technician in training without obtaining registration for Ross to work at Meta in compliance with former NAC 639.242(6), and subsequently submitted documentation falsely certifying the number of hours of training Ross completed at Meta, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 639.100(1), NAC 639.242(6) and/or NAC 639.245 and is subject to discipline pursuant to NRS 639.210(12).

H. By employing Jasmyne Bayabo, PTT, as a pharmaceutical technician in training at Meta on an expired registration from October 31, 2024, to November 20, 2024, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 639.100(1), NRS 639.180 and/or NAC 639.242 and is subject to discipline pursuant to NRS 639.210(12).

I. By their conduct Barclay, Peters and Badten each were party to a fraudulent or deceitful practice or transaction, have performed their duties as registered pharmacists in an incompetent, unskillful or negligent manner, and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and (i), and are subject to discipline pursuant to NRS 639.210(4).

J. By employing Rosalina Ross, PTT, as a pharmaceutical technician in training without obtaining registration for Ross to work at Meta in compliance with former NAC 639.242(6), and by employing Jasmyne Bayabo, PTT, as a pharmaceutical technician in training at Meta on an expired registration from October 31, 2024, to November 20, 2024, Barclay aided and abetted unlicensed practice, and engaged in, or aided and abetted Ross and/or Bayabo to engage in, unprofessional conduct as defined in NAC 639.945(i), (j) and/or (k), and Barclay is subject to discipline pursuant to NRS 639.210(4).

K. As the managing pharmacist of Meta at the time of the violations, Barclay is responsible for those violations and subject to discipline pursuant to NRS 639.210(12) and (15), NRS 639.220(1) and/or NAC 639.702.

L. As the pharmacy/pharmacy owner at which the violations of law occurred, Barclay and Meta are responsible for those violations, including all errors and omissions of pharmacy personnel, pursuant to NRS 639.230(5), NAC 639.702 and/or NAC 639.945(3).

7. Those violations are pled with particularity in the Accusation and are grounds for action pursuant to NRS 639.210 and NRS 639.255.

8. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303 stipulate to the following penalties. Barclay's Certificate of Registration No. 17303 is revoked pursuant to NRS 639.255(1)(d). The revocation is stayed, and Barclay is placed on probation for a period of five (5) years pursuant to NRS 639.255(1)(b) subject to the following conditions:

A. Pursuant to NRS 639.255(1)(e), Barclay shall accept this Stipulation and Order as a public reprimand regarding his duties and responsibilities as a pharmacy owner and managing pharmacist;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Barclay shall pay a fine of Ten Thousand Dollars (\$10,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

C. Pursuant to NRS 622.400, Barclay shall pay Two Thousand Dollars (\$2,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's

check or money order made payable to the “Nevada State Board of Pharmacy” to be received by the Board’s Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

D. Barclay shall complete ten (10) extra hours of continuing education (CE) on pharmacy law, in addition to the CE hours he must otherwise complete to maintain licensure, and provide certificates demonstrating completion to the Board;

E. Barclay shall not work as managing pharmacist of Meta Pharmacy Services, Barclay, Luke & Pillai Specialty Pharmacy PLLC, DBA Meta Pharmacy Services, any successor entity holding Pharmacy License No. PH03433, including, without limitation, Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, or any other pharmacy licensed by the Board while on probation;

F. Barclay shall divest himself of any ownership interest in any entity holding Pharmacy License No. PH03433, including, without limitation, Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, within ninety (90) days of the effective date of this Order, and shall not hold an ownership interest in any pharmacy licensed by the Board while on probation;

G. Barclay shall not work in any compounding pharmacy licensed by the Board, with the exception of Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, for a period of two (2) years from the effective date of this Order; and

H. Barclay shall comply with all federal and state statutes and regulations regarding the practice of pharmacy while on probation.

Upon successful completion of probation, Barclay’s Certificate of Registration No. 17303 will be fully restored.



9. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, stipulate to the following penalties:

A. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Meta shall pay a fine of Ten Thousand Dollars (\$10,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025; and

B. Pursuant to NRS 622.400, Meta shall pay Two Thousand Dollars (\$2,000.00) to partially reimburse the Board for recoverable attorney's fees and investigative costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025.

10. Any failure by either Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing the non-compliant Respondent(s) to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by either Respondent, the Board may impose additional discipline upon the non-compliant Respondent(s) consistent with the provisions of NRS Chapter 639.

11. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on April 16, 2025. Respondents or their counsel will appear in person at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondents or their counsel are not present at the meeting.

12. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 USC § 1396r-2 and 45 CFR Part 60, and shall be further reported pursuant to NAC 639.960.

13. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board at a later date. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

14. Subject to the approval of this Stipulation by the Board, the Board and Respondents agree to release one another from any and all additional claims arising from the facts set forth in the Accusation on file herein, and from any potential claims arising from the pending investigation in Case No. 21-038-PH-S, whether known or unknown that might otherwise have existed on or before the effective date of this Order.

Respondents have fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and have knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this 15th day of April, 2025

\_\_\_\_\_  
META PHARMACY SERVICES  
Pharmacy License No. PH03433

Sean Barclay  
SEAN BARCLAY, RPH  
Certificate of Registration No. 17303

APPROVED AS TO FORM AND  
CONTENT

this 15 day of April 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

William J. Stilling  
WILLIAM J. STILLING, ESQ.  
Counsel for Respondents

\_\_\_\_\_  
BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

**ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303, in Case Nos. 24-125-PH-S and 24-125-RPH-A-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

Respondents have fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and have knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this 15<sup>th</sup> day of April, 2025

\_\_\_\_\_  
META PHARMACY SERVICES  
Pharmacy License No. PH03433

\_\_\_\_\_  
*Sean Barclay*  
SEAN BARCLAY, RPH  
Certificate of Registration No. 17303

**APPROVED AS TO FORM AND  
CONTENT**  
this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

\_\_\_\_\_  
WILLIAM J. STILLING, ESQ.  
Counsel for Respondents

\_\_\_\_\_  
BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

**ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303, in Case Nos. 24-125-PH-S and 24-125-RPH-A-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**VINCENT NALBONE, MD,  
Certificate of Registration No. CS08907,**

**Respondent.**

**CASE NO. 21-109-CS-S**

**STIPULATION AND ORDER**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Vincent Nalbhone, MD, Certificate of Registration No. CS08907, by and through counsel, Bridget Kelly, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.
2. On or about August 28, 2024, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondent and Notice of Hearing.
3. On or about September 20, 2024, Respondent filed an Answer and Notice of Defense to the Accusation.
4. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.
5. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal and any and all other rights which may be accorded to him pursuant to NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).

6. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives his rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to him by NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).

7. Respondent does not contest the allegations in the Accusation, but acknowledges that Board staff prosecuting this case could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, *to wit*:

A. Respondent regularly issued prescriptions for controlled substances, including, without limitation, midazolam, diazepam, and alprazolam, under the names of his staff, including Hazel Mercado, Ellen Lovan, and Caroline Delos Santos, to Meta Pharmacy for administration to multiple patients; and

B. Such conduct, if proven, constitutes a violation of 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 U.S.C. 841 21 U.S.C. §842(a), 21 U.S.C. 846, 21 CFR § 1306.03(a)(1), 21 CFR 1306.04, 21 CFR 1306.05, NRS 453.226(1), NRS 453.232, NRS 453.321(1)(a), NRS 453.331(1)(d) and (i), NRS 453.377, NRS 453.381(1), NAC 453.430(1), NAC 453.440, NRS 639.2353, NRS 639.268(1)(a) and/or NAC 639.757(4) and (5), constitutes unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and (i), and constitutes acts that render registration inconsistent with the public interest pursuant to NRS 453.231(1).

8. Those violations are pled with particularity in the Accusation and grounds for action pursuant to NRS 453.236(1), NRS 639.210, NRS 639.255, NAC 639.955 and NRS 622.400.

9. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent stipulate to the following penalties. Respondent Vincent Nalbone, MD, Certificate of Registration No. CS08907, is placed on probation pursuant to NRS 639.255(1)(b) for a period of one (1) year subject to the following conditions:

A. Respondent shall accept this Stipulation and Order as a public reprimand regarding his duties and responsibilities as a practitioner under NRS Chapters 453, 454 and 639;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent shall pay a fine of Two Thousand Five Hundred Dollars (\$2,500.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by December 1, 2024;

C. Pursuant to NRS 622.400, Respondent shall pay One Thousand Dollars (\$1,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by December 1, 2024;

D. Respondent's practice shall be subject to quarterly inspections by Board staff at Respondent's expense, not to exceed \$500; and

E. Respondent shall comply with all federal and state statutes and regulations regarding controlled substances and dangerous drugs, and have no additional charges filed against him while on probation.

Upon successful completion of probation, Respondent's Certificate of Registration No. CS08907 will be fully restored.

10. Any failure by Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by Respondent, the Board may impose additional discipline upon Respondent not inconsistent with the provisions of NRS Chapters 453 and 639.

11. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on October 16, 2024. Respondent will appear at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent is not present at the meeting.

12. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 U.S.C. § 1396r-2 and 45 CFR Part 60.

13. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

14. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release each other from any and all additional claims arising from the facts set forth in the Accusation on file herein, whether known or unknown that might otherwise have existed on or before the effective date of this Order.



Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and has knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this 1st day of October 2024

Vincent Nalbhone  
Vincent Nalbhone (Oct 1, 2024 11:56 PDT)

VINCENT NALBONE, MD  
Certificate of Registration No. CS08907

Signed this 15<sup>th</sup> day of OCTOBER 2024

BRETT KANDT, ESQ.  
General Counsel  
Nevada State Board of Pharmacy

APPROVED AS TO FORM AND CONTENT  
this 1st day of October 2024

BRIDGET KELLY, ESQ.  
Counsel for Respondent

#### **DECISION AND ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Respondent Vincent Nalbhone, MD, Certificate of Registration No. CS08907, in Case No. 21-109-CS-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

**IT IS SO ORDERED.**

Entered this 16<sup>th</sup> day of October 2024.

Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

# 21-109-CS-S Stipulation Nalbone Execution Version

Final Audit Report

2024-10-01

Created:	2024-10-01
By:	Bridget Kelly (Bridget@nutilelaw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAfaCMAvE04IxHmqHO2NAplpBs6tpCRCPS

## "21-109-CS-S Stipulation Nalbone Execution Version" History



Document created by Bridget Kelly (Bridget@nutilelaw.com)

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Document emailed to Vincent Nalbone (moveforward123now@gmail.com) for signature

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Email viewed by Vincent Nalbone (moveforward123now@gmail.com)

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Document e-signed by Vincent Nalbone (moveforward123now@gmail.com)

Signature Date: 2024-10-01 - 6:56:26 PM GMT - Time Source: server



Agreement completed.

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**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**VINCENT NALBONE, MD,  
Certificate of Registration No. CS08907,**

**Respondent.**

**CASE NO. 21-109-CS-S**

**NOTICE OF INTENDED ACTION  
AND ACCUSATION**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, makes the following that will serve as both a notice of intended action under NRS 233B.127(3) and as an accusation under NRS 622A.300 and NRS 639.241.

**JURISDICTION**

1. The Nevada State Board of Pharmacy (Board) has jurisdiction over this matter because at the time of the events alleged herein, Respondent Vincent Nalbhone, MD, held a controlled substance registration, Certificate No. CS08907, issued by the Board.

**FACTUAL ALLEGATIONS**

2. A Board investigation of Respondent's practice at 9111 W Russell Road - Suite A in Las Vegas, revealed that Respondent regularly issued prescriptions for controlled substances, including, without limitation, midazolam, diazepam, and alprazolam, under the names of his staff, including Hazel Mercado, Ellen Lovan, and Caroline Delos Santos, to Meta Pharmacy for administration to multiple patients.

**APPLICABLE LAW**

3. No person may possess and administer a controlled substance except as authorized by law. 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 CFR § 1306.03(a)(1); NRS 453.226(1); NRS 453.232; NRS 453.321(1)(a); NRS 453.377; NRS 453.381(1).

4. A practitioner may prescribe a controlled substance only for a specific patient in conformance with 21 CFR § 1306.04, 21 CFR § 1306.05 and NAC 453.440, and may not issue a scripition in order to obtain controlled substances for supplying the practitioner for the purpose of general dispensing to patients. 21 CFR § 1306.04(b); NAC 453.430(1); NRS 639.268(1)(a).

5. It is a felony offense to falsify a prescription for a controlled substance or otherwise purchase or possess a controlled substance except as authorized by law. 21 U.S.C. § 841(a); 21 U.S.C. § 842(a); NRS 453.321(1)(a); NRS 453.331(1)(d) and (i); NRS 639.281(1); NRS 639.2813(1).

6. A practitioner may purchase supplies of controlled substances and/or dangerous drugs from a pharmacy, and a pharmacy may sell or otherwise provide a compounded drug to a practitioner who will be administering the drug to a patient; the quantity must not exceed the amount necessary for the practitioner to serve the present needs of the patients of the practitioner. NRS 639.268(1)(a) and NAC 639.757(4) and (5).

7. Performing or in any way being a party to any fraudulent or deceitful practice or transaction constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(h) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

8. Performing any duties as the holder of a controlled substance registration or a dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

9. Violating any provision of the Federal Food, Drug and Cosmetic Act or any other federal law or regulation relating to prescription drugs is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(11).

10. Violating, attempting to violate, assisting or abetting in the violation of or conspiring to violate any law or regulation relating to drugs is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(12).

11. The Board may suspend or revoke a registration issued pursuant to NRS 453.226 to prescribe or otherwise dispense a controlled substance upon a finding that the registrant has committed an act that would render registration inconsistent with the public interest. NRS 453.236(1)(e) and NRS 453.241(1).

### **COUNT ONE**

#### **Violation of Federal Controlled Substances Act — Issuing Fraudulent Controlled Substance Prescriptions**

12. By issuing fraudulent controlled substance prescriptions as alleged in Paragraph 2 herein, Respondent violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 U.S.C. 841 21 U.S.C. §842(a), 21 U.S.C. 846, 21 CFR § 1306.03(a)(1), 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 453.236(1), NRS 453.241(1) and/or NRS 639.210(11).

### **COUNT TWO**

#### **Violations of State Law – Issuing Fraudulent Controlled Substance Prescriptions**

13. By issuing fraudulent prescriptions as alleged in Paragraph 2 herein, Respondent violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.226(1), NRS 453.232, NRS 453.321(1)(a), NRS 453.331(1)(d) and (i), NRS 453.377, NRS 453.381(1), NAC 453.430(1), NAC 453.440, NRS 639.2353, NRS 639.268(1)(a) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 453.236(1), NRS 453.241(1) and/or NRS 639.210(12).

### **COUNT THREE**

#### **Unprofessional Conduct - Fraudulent/Deceitful Practice/Transaction**

14. By issuing fraudulent prescriptions as alleged in Paragraph 2 herein, Respondent was party to a fraudulent or deceitful practice or transaction and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1) and/or NRS 639.210(4).

### **COUNT FOUR**

#### **Unprofessional Conduct – Incompetent, Unskillful or Negligent Performance of Duties**

15. By issuing fraudulent prescriptions as alleged in Paragraph 2 herein, Respondent has performed her duties as the holder of a controlled substance registration in an incompetent, unskillful or negligent manner and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(i) and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1), and/or NRS 639.210(4).

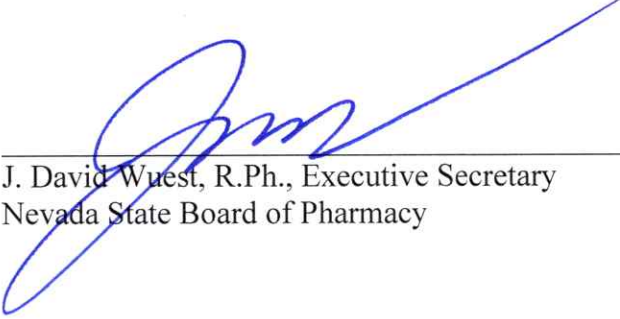
### **COUNT FIVE**

**Commission of Acts that Render Registration Inconsistent with the Public Interest**

16. By issuing fraudulent prescriptions as alleged in Paragraph 2 herein, Respondent has committed acts that render his registration inconsistent with the public interest and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

WHEREFORE it is requested that the Nevada State Board of Pharmacy take appropriate disciplinary action with respect to the certificate of registration of this Respondent.

Signed this 26<sup>th</sup> day of August 2024.



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J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy



BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF  
PHARMACY,

Petitioner,

v.

CRISTY O'CONNELL, APRN  
Certificate of Registration No. CS25857,

Respondent.

CASE NO. 23-090-CS-S

STIPULATION AND ORDER

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Cristy O'Connell, APRN, Certificate of Registration No. CS25857 (Respondent), by and through counsel, J. Malcolm DeVoy, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.
2. On or about August 27, 2024, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondent and Notice of Hearing.
3. On or about September 27, 2024, Respondent filed an Objection, Answer and Notice of Defense to the Accusation.
4. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.
5. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal, and any and all other rights which may be accorded to her pursuant to NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).
6. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives her rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be

1 accorded to her by NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter  
2 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639  
3 (Nevada Pharmacy Act).

4 7. Respondent does not contest the allegations in the Accusation, but acknowledges  
5 that Board staff prosecuting this case could present such evidence at an administrative hearing to  
6 establish a factual basis for the violations alleged therein, *to wit*:

7 A. Respondent issued prescriptions for compounded semaglutide under the  
8 names of specific patients to Meta Pharmacy, which ultimately were administered by injection to  
9 multiple patients, and issued prescriptions for compounded testosterone cypionate in grapeseed  
10 oil, a schedule III controlled substance, under the names of specific patients to Olympia Pharmacy,  
11 which ultimately were administered by injection to multiple patients, conduct that Respondent  
12 represents she discontinued prior to the filing of the Accusation in this case; and

13 B. Such conduct, if proven, could be found by the Board to constitute a  
14 violation of 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 U.S.C. 841 21 U.S.C. 842(a), 21 U.S.C.  
15 846, 21 CFR § 1306.03(a)(1), 21 CFR 1306.04, 21 CFR 1306.05, NRS 453.226(1), NRS 453.232,  
16 NRS 453.321(1)(a), NRS 453.331(1)(d) and (i), NRS 453.377, NRS 453.381(1), NAC 453.430(1),  
17 NAC 453.440, NRS 639.2353, NRS 639.268(1)(a) and/or NAC 639.757(4) and (5), could be found  
18 by the Board to constitute unprofessional conduct and conduct contrary to the public interest as  
19 defined in NAC 639.945(1)(h) and (i), and could be found by the Board to constitute acts that  
20 render registration inconsistent with the public interest pursuant to NRS 453.231(1):

21 8. Those violations alleged in the Accusation are pled with particularity in the  
22 Accusation and grounds for action pursuant to NRS 453.236(1), NRS 639.210, NRS 639.255,  
23 NAC 639.955 and NRS 622.400.

24 9. To resolve this matter without incurring any further costs or the expense associated  
25 with a hearing, the Board and Respondent stipulate to the following penalties. Respondent Cristy  
26 O'Connell, APRN, Certificate of Registration No. CS25857, is placed on probation pursuant to  
27 NRS 639.255(1)(b) for a period of one (1) year subject to the following conditions:  
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1           A.     Respondent shall accept this Stipulation and Order as a public reprimand  
2 regarding her duties and responsibilities as a practitioner under NRS Chapters 453, 454 and 639;

3           B.     Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent shall pay  
4 a fine of Two Thousand Five Hundred Dollars (\$2,500.00) for the violations alleged in the  
5 Accusation, by personal, business, certified or cashier's check or money order made payable to  
6 "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at  
7 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by December 1,  
8 2024;

9           C.     Pursuant to NRS 622.400, Respondent shall pay One Thousand Dollars  
10 (\$1,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs  
11 incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's  
12 check or money order made payable to the "Nevada State Board of Pharmacy" to be received by  
13 the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521,  
14 due and payable by December 1, 2024;

15           D.     Respondent's practice at Health Xpress Medical Center LLC shall be  
16 subject to quarterly inspections by Board staff at Respondent's expense, not to exceed \$500 per  
17 inspection; and

18           E.     Respondent shall materially comply with all federal and state statutes and  
19 regulations regarding controlled substances and dangerous drugs, and have no additional charges  
20 filed against her while on probation.

21           Upon successful completion of probation by discharge of items 9(A) through (E) above,  
22 Respondent's Certificate of Registration No. CS25857 will be fully restored and any limitations  
23 thereto imposed by the Board released with no further action by the Board or Respondent required  
24 at such time.

25           10.     Any failure by Respondent to comply with the terms of this Order may, in the  
26 Board's discretion, result in issuance by the Executive Secretary of an order to show cause pursuant  
27 to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled  
28 meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order

1 by Respondent, the Board may impose additional discipline upon Respondent based upon the act  
2 constituting a violation of this Order that is not inconsistent with the provisions of NRS Chapters  
3 453 and 639.

4 11. General Counsel will present this Stipulation to the Board for approval pursuant to  
5 NRS 622.330 at the Board's regularly scheduled public meeting on October 16, 2024.  
6 Respondent's counsel shall appear at the meeting to answer questions from the Board Members  
7 and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this  
8 Stipulation, even if Respondent is not present at the meeting.

9 12. The Board has discretion to accept this Stipulation, but it is not obligated to do so.  
10 If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330  
11 and shall be reported to the National Practitioner Data Bank pursuant to 42 U.S.C. § 1396r-2 and  
12 45 CFR Part 60.

13 13. If the Board rejects any part or all of this Stipulation, and unless they reach an  
14 alternative agreement on the record during the hearing, the parties agree that a full hearing on the  
15 merits of this matter may be heard by the Board. The terms and admissions herein may not be used  
16 or referred to in a full hearing on the merits of this matter.

17 14. Subject to the approval of this Stipulation by the Board, the Board and Respondent  
18 agree to release each other from any and all additional claims arising from or related to the facts  
19 set forth in the Accusation on file herein, whether known or unknown, that might otherwise have  
20 existed on or before the effective date of this Order.

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Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and has knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this 10<sup>th</sup> day of October 2024

Signed this 15<sup>th</sup> day of OCTOBER 2024

  
CRISTY O'CONNELL, APRN  
Certificate of Registration No. CS25857

  
BRETT KANDT, ESQ.  
General Counsel  
Nevada State Board of Pharmacy

**APPROVED AS TO FORM AND CONTENT**  
this 11<sup>th</sup> day of October 2024


  
J. MALCOLM DEVOY, ESQ.  
Counsel for Respondent

**DECISION AND ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Respondent Cristy O'Connell, APRN, Certificate of Registration No. CS25857, in Case No. 23-090-CS-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

**IT IS SO ORDERED.**

Entered this 16<sup>th</sup> day of October 2024.

  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

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**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**CRISTY O'CONNELL, APRN,  
Certificate of Registration No. CS25857,**

**Respondent.**

**Case No. 23-090-CS-S**

**NOTICE OF INTENDED ACTION  
AND ACCUSATION**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, makes the following that will serve as both a notice of intended action under NRS 233B.127(3) and as an accusation under NRS 622A.300(1) and NRS 639.241.

**JURISDICTION**

1. The Nevada State Board of Pharmacy (Board) has jurisdiction over this matter because at the time of the events alleged herein, Respondent Cristy O'Connell, APRN, held a controlled substance registration, Certificate of Registration No. CS25857, issued by the Board.

**FACTUAL ALLEGATIONS**

2. A Board investigation of Respondent's practice at Health Xpress Medical Center LLC, located at 11201 S Eastern Avenue - Suite 110 in Henderson, revealed that Respondent issued prescriptions for compounded semaglutide under the names of her staff and/or specific patients to Meta Pharmacy for administration by injection to multiple patients.

3. The investigation also revealed that Respondent issued prescriptions for compounded testosterone cypionate in grapeseed oil, a schedule III-controlled substance, under the names of her staff and/or specific patients to Olympia Pharmacy for administration by injection to multiple patients.

4. The investigation also revealed that Respondent issued prescriptions for albuterol sulfate inhalation solution under the names of her employee G. Robinson for to multiple patients.

**APPLICABLE LAW**

5. No person may possess and administer a controlled substance except as authorized by law. 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 CFR § 1306.03(a)(1); NRS 453.226(1); NRS 453.232; NRS 453.321(1)(a); NRS 453.377; NRS 453.381(1).

6. A practitioner may prescribe a controlled substance only for a specific patient in conformance with 21 CFR § 1306.04, 21 CFR § 1306.05 and NAC 453.440 and may not issue a prescription in order to obtain controlled substances for supplying the practitioner for the purpose of general dispensing to patients. 21 CFR § 1306.04(b); NAC 453.430(1); NRS 639.268(1)(a).

7. It is a felony offense to falsify a prescription for a controlled substance or otherwise purchase or possess a controlled substance except as authorized by law. 21 U.S.C. § 841(a); 21 U.S.C. § 842(a); NRS 453.321(1)(a); NRS 453.331(1)(d) and (i); NRS 639.281(1); NRS 639.2813(1).

8. No person may possess and administer a dangerous drug except as authorized by law. NRS 454.213; NRS 454.221; NRS 454.301; NRS 454.316(2).

9. A practitioner may prescribe a dangerous drug only for a specific patient in conformance with NRS 454.223 and NRS 639.2353.

10. It is a criminal offense to falsify a prescription for a dangerous drug or otherwise purchase or possess a dangerous drug except as authorized by law. NRS 454.311(1); NRS 454.321; NRS 639.281(1); NRS 639.2813(1).

11. A practitioner may purchase supplies of controlled substances and/or dangerous drugs from a pharmacy, and a pharmacy may sell or otherwise provide a compounded drug to a practitioner who will be administering the drug to a patient; the quantity must not exceed the amount necessary for the practitioner to serve the present needs of the patients of the practitioner. NRS 639.268(1)(a) and NAC 639.757(4) and (5).

12. Performing or in any way being a party to any fraudulent or deceitful practice or transaction constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(h) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

13. Performing any duties as the holder of a controlled substance registration or a dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

14. Violating any provision of the Federal Food, Drug and Cosmetic Act or any other federal law or regulation relating to prescription drugs is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(11).

15. Violating, attempting to violate, assisting or abetting in the violation of or conspiring to violate any law or regulation relating to drugs is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(12).

16. The Board may suspend or revoke a registration issued pursuant to NRS 453.226 to prescribe or otherwise dispense a controlled substance upon a finding that the registrant has committed an act that would render registration inconsistent with the public interest. NRS 453.236(1)(e) and NRS 453.241(1).

#### **COUNT ONE**

##### **Violation of Federal Controlled Substances Act — Issuing Fraudulent Controlled Substance Prescriptions**

17. By issuing fraudulent controlled substance prescriptions as alleged in Paragraph 3 herein, Respondent violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 822(a)(2); 21 U.S.C. § 823(f); 21 U.S.C. 841 21 U.S.C. §842(a), 21 U.S.C. 846, 21 CFR § 1306.03(a)(1), 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 453.236(1), NRS 453.241(1) and/or NRS 639.210(11).

#### **COUNT TWO**

##### **Violations of State Law – Issuing Fraudulent Prescriptions**

18. By issuing fraudulent prescriptions as alleged in Paragraphs 2-4 herein, Respondent violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.226(1), NRS 453.232, NRS 453.321(1)(a), NRS 453.331(1)(d) and (i), NRS 453.377, NRS 453.381(1), NAC 453.430(1), NAC 453.440, NRS 454.213, NRS 454.221, NRS 454.223, NRS 454.301, NRS 454.311(1), NRS 454.316(2), NRS 639.2353, NRS 639.268(1)(a) and/or NAC



639.757(4) and (5), and is subject to discipline pursuant to NRS 453.236(1), NRS 453.241(1) and/or NRS 639.210(12).

**COUNT THREE**

**Unprofessional Conduct - Fraudulent/Deceitful Practice/Transaction**

19. By issuing fraudulent prescriptions as alleged in Paragraphs 2-4 herein, Respondent was party to a fraudulent or deceitful practice or transaction and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1) and/or NRS 639.210(4).

**COUNT FOUR**

**Unprofessional Conduct – Incompetent, Unskillful or Negligent Performance of Duties**

20. By issuing fraudulent prescriptions as alleged in Paragraphs 2-4 herein, Respondent has performed her duties as the holder of a controlled substance registration in an incompetent, unskillful or negligent manner and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(i) and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1), and/or NRS 639.210(4).

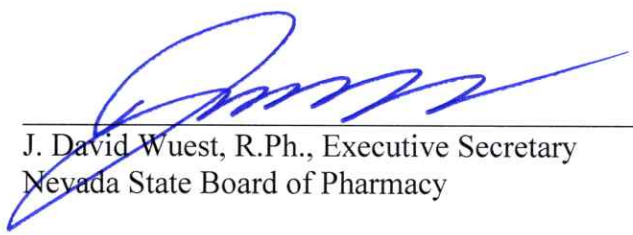
**COUNT FIVE**

**Commission of Acts that Render Registration Inconsistent with the Public Interest**

21. By issuing fraudulent prescriptions as alleged in Paragraphs 2-4 herein, Respondent has committed acts that render her registration inconsistent with the public interest and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

WHEREFORE it is requested that the Nevada State Board of Pharmacy take appropriate disciplinary action with respect to the certificate of registration of this Respondent.

Signed this 27<sup>th</sup> day of August 2024.

  
\_\_\_\_\_  
J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**ERIKA KIMBLE, APRN,  
Certificate of Registration No. CS21522,**

**Respondent.**

**Case No. 23-256-CS-S**

**STIPULATION AND ORDER**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Erika Kimble, APRN, Certificate No. CS21522, by and through counsel, Michael Raine, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.
2. On or about February 14, 2024, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondent and Notice of Hearing.
3. On or about March 4, 2024, Respondent filed an Answer and Notice of Defense to the Accusation.
4. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.
5. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal and any and all other rights which may be accorded to her pursuant to NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).
6. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives her rights to a



hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to her by NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).

7. Respondent does not admit the allegations in the Accusation, but acknowledges that Board staff prosecuting this case has and could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, to wit:

A. While engaged in practice at Parasol Aesthetics, located at 7925 W Sahara Avenue Ste 103 in Las Vegas, Respondent issued prescriptions for compounded semaglutide under the names of her staff to Meta Pharmacy for administration by injection to multiple patients; and

B. Such conduct, if proven, could constitute a violation of NRS 454.213, NRS 454.221, NRS 454.223, NRS 454.301, NRS 454.311(1), NRS 454.316(2), NRS 639.2353, NRS 639.268(1)(a) and/or NAC 639.757(4) and (5) and constitute unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(i).

8. Respondent acknowledges that any violation of the above-referenced statutes and/or regulations constitutes grounds for discipline pursuant to NRS 453.236(1), NRS 639.210, NRS 639.255, NAC 639.955 and NRS 622.400.

9. In order to resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent stipulate to the following penalties. Respondent Erika Kimble, APRN, Certificate No. CS21522, is placed on probation pursuant to NRS 639.255(1)(b) for a period of one (1) year subject to the following conditions:

A. Respondent shall accept this Stipulation and Order as a public reprimand regarding her duties and responsibilities as a practitioner under NRS Chapters 453, 454 and 639;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent shall pay a fine of Two Thousand Five Hundred Dollars (\$2,500.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by May 29, 2025;

C. Pursuant to NRS 622.400, Respondent shall pay One Thousand Dollars (\$1,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by May 29, 2025;

D. Respondent's practice shall be subject to quarterly inspections by Board staff at Respondent's expense, not to exceed \$500; and

E. Respondent shall comply with all federal and state statutes and regulations regarding controlled substances and dangerous drugs, and have no additional charges filed against her while on probation.

Upon successful completion of probation, Respondent's Certificate of Registration No. CS21522 will be fully restored.

10. Any failure by Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by Respondent, the Board may impose additional discipline upon Respondent not inconsistent with the provisions of NRS Chapters 453 and 639.

11. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on May 29, 2024. Respondent will appear at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent is not present at the meeting.

12. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 U.S.C. § 1396r-2 and 45 CFR Part 60.


13. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

14. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release each other from any and all additional claims arising from the facts set forth in the Accusation on file herein, whether known or unknown that might otherwise have existed on or before the effective date of this Order.

**Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and has knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.**

**AGREED:**

Signed this 1 day of May 2024



**EKIKI KIMBLE, APRN,**  
Certificate of Registration No. CS21522

Signed this 29<sup>th</sup> day of MAY 2024



**BRETT KANDT, ESQ.**  
General Counsel  
Nevada State Board of Pharmacy

**APPROVED AS TO FORM AND CONTENT**  
this      day of              2024


\_\_\_\_\_  
**MICHAEL RAINES, ESQ.**  
Counsel for Respondent

**DECISION AND ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Respondent Erika Kimble, APRN, Certificate No. CS21522, in Case No. 23-256-CS-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

**IT IS SO ORDERED.**

Entered this 30th day of May 2024.

  
\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy



BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY,

Petitioner,

v.

ERIKA KIMBLE, APRN,  
Certificate of Registration No. CS21522,

Respondent.

CASE NO. 23-256-CS-S

NOTICE OF INTENDED ACTION  
AND ACCUSATION

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, makes the following that will serve as both a notice of intended action under NRS 233B.127(3) and as an accusation under NRS 622A.300(1) and NRS 639.241.

**JURISDICTION**

1. The Nevada State Board of Pharmacy (Board) has jurisdiction over this matter because at the time of the events alleged herein, Respondent Erika Kimble, APRN, held a controlled substance registration, Certificate No. CS21522, issued by the Board.

**FACTUAL ALLEGATIONS**

2. A Board investigation of Respondent's practice at Parasol Aesthetics, located at 7925 W Sahara Avenue Ste 103 in Las Vegas, revealed that Respondent issued prescriptions for compounded semaglutide under the names of her staff to Meta Pharmacy for administration by injection to multiple patients.

**APPLICABLE LAW**

3. No person may possess and administer a dangerous drug except as authorized by law. NRS 454.213(3); NRS 454.221; NRS 454.301; NRS 454.316(2).

4. A practitioner may prescribe a dangerous drug for a specific patient in conformance with NRS 454.223 and NRS 639.2353.

5. It is a felony offense to falsify a prescription for a dangerous drug. NRS 454.311(1).

6. A practitioner may purchase supplies of dangerous drugs from a pharmacy, and a pharmacy may sell or otherwise provide a compounded drug to a practitioner who will be administering the drug to a patient; the quantity must not exceed the amount necessary for the practitioner to serve the present needs of the patients of the practitioner. NRS 639.268(1)(a) and NAC 639.757(4) and (5).

7. Performing or in any way being a party to any fraudulent or deceitful practice or transaction constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(h) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

8. Performing any duties as the holder of a controlled substance registration or a dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i) and is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(4).

9. Violating, attempting to violate, assisting or abetting in the violation of or conspiring to violate any law or regulation relating to drugs is grounds for suspension or revocation of any license or registration issued by the Board. NRS 453.236(1) and NRS 639.210(12).

10. The Board may suspend or revoke a registration issued pursuant to NRS 453.226 to prescribe or otherwise dispense a controlled substance upon a finding that the registrant has committed an act that would render registration inconsistent with the public interest. NRS 453.236(1)(e) and NRS 453.241(1).

### **COUNT ONE**

#### **Violations of State Law – Issuing Fraudulent Prescriptions**

11. By falsifying prescriptions as alleged in paragraph 2 herein, Respondent violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 454.213(3), NRS 454.221, NRS 454.223, NRS 454.301, NRS 454.311(1), NRS 454.316(2), NRS



639.2353, NRS 639.268(1)(a) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 453.236(1), NRS 453.241(1) and/or NRS 639.210(12).

**COUNT TWO**

**Unprofessional Conduct - Fraudulent/Deceitful Practice/Transaction**

12. By falsifying prescriptions as alleged in paragraph 2 herein, Respondent was party to a fraudulent or deceitful practice or transaction and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h), and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1) and/or NRS 639.210(4).

**COUNT THREE**

**Unprofessional Conduct – Incompetent, Unskillful or Negligent Performance of Duties**

13. By falsifying prescriptions as alleged in paragraph 2, Respondent has performed her duties as the holder of a controlled substance registration in an incompetent, unskillful or negligent manner and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(i), and is subject to discipline pursuant to NRS 453.236(1)(e), NRS 453.241(1), and/or NRS 639.210(4).

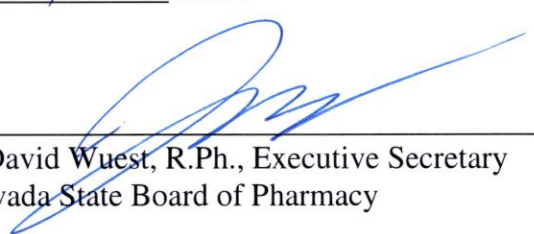
**COUNT FOUR**

**Commission of Acts that Render Registration Inconsistent with the Public Interest**

14. By falsifying prescriptions as alleged in paragraph 2, Respondent has committed acts that render her registration inconsistent with the public interest and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

WHEREFORE it is requested that the Nevada State Board of Pharmacy take appropriate disciplinary action with respect to the certificates of registration of this Respondent.

Signed this 14<sup>th</sup> day of FEBRUARY 2024.

  
\_\_\_\_\_  
J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy

5H



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**META PHARMACY SERVICES,  
Pharmacy License No. PH03433,**

**SEAN BARCLAY, RPH,  
Certificate of Registration No. 17303,**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325, and**

**MICHELLE LYNN BADTEN, RPH,  
Certificate of Registration No. 14966-B,**

**Respondents.**

**CASE NOS. 24-125-PH-S**

**24-125-RPH-A-S**

**24-125-RPH-B-S**

**24-125-RPH-C-S**

**STIPULATION AND ORDER**

**[Respondents Meta Pharmacy Services  
and Barclay ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Meta Pharmacy Services, or Barclay, Luke & Pillai Specialty Pharmacy PLLC, DBA Meta Pharmacy Services (Meta), Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh (Barclay), Certificate of Registration No. 17303, by and through counsel, William J. Stilling, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondents and these matters.
2. On or about March 11, 2025, Board Staff served Respondents with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondents and Notice of Hearing. Respondents Meta and Barclay are entering this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusation.

3. Respondents are aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering this Stipulation.

4. Respondents are aware of the right to a hearing on the matters alleged in the Accusation, their right to reconsideration, their right to appeal, and any and all other rights which may be accorded pursuant to NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

5. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondents, or any of them, have failed to comply with the provisions of this Stipulation, Respondents hereby freely and voluntarily waive their rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to them by NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

6. Respondents do not admit or contest the allegations in the Accusation, but acknowledge that Board staff prosecuting this case could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, *to wit*:

A. By counseling, inducing and/or soliciting Vincent Nalbhone, MD, to issue unlawful prescriptions for controlled substances, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and are subject to discipline pursuant to NRS 639.210(11).

B. By counseling, inducing and/or soliciting Vincent Nalbhone, MD, to issue unlawful prescriptions for controlled substances, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c),

NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and are subject to discipline pursuant to NRS 639.210(12).

C. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and are subject to discipline pursuant to NRS 639.210(11).

D. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice, Barclay, Peters and Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c), NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and are subject to discipline pursuant to NRS 639.210(12).

E. By counseling, inducing and/or soliciting Cristy O'Connell, APRN, and Erika Kimble, APRN, to issue unlawful prescriptions for compounded semaglutide, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 454.223, NRS 454.231, NRS 454.311(1), NRS 454.321, NRS 639.2353, NRS 639.281(1); NRS 639.2813(1) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

F. By knowingly filling and dispensing unlawful prescriptions for compounded semaglutide to the practices of Cristy O'Connell, APRN, and Erika Kimble, APRN, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 454.223, NRS 454.231, NRS 454.311(1), NRS 454.321, NRS 639.2353, NRS 639.281(1);

NRS 639.2813(1) and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

G. By employing Rosalina Ross, PTT, as a pharmaceutical technician in training without obtaining registration for Ross to work at Meta in compliance with former NAC 639.242(6), and subsequently submitted documentation falsely certifying the number of hours of training Ross completed at Meta, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 639.100(1), NAC 639.242(6) and/or NAC 639.245 and is subject to discipline pursuant to NRS 639.210(12).

H. By employing Jasmyne Bayabo, PTT, as a pharmaceutical technician in training at Meta on an expired registration from October 31, 2024, to November 20, 2024, Barclay violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 639.100(1), NRS 639.180 and/or NAC 639.242 and is subject to discipline pursuant to NRS 639.210(12).

I. By their conduct Barclay, Peters and Badten each were party to a fraudulent or deceitful practice or transaction, have performed their duties as registered pharmacists in an incompetent, unskillful or negligent manner, and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and (i), and are subject to discipline pursuant to NRS 639.210(4).

J. By employing Rosalina Ross, PTT, as a pharmaceutical technician in training without obtaining registration for Ross to work at Meta in compliance with former NAC 639.242(6), and by employing Jasmyne Bayabo, PTT, as a pharmaceutical technician in training at Meta on an expired registration from October 31, 2024, to November 20, 2024, Barclay aided and abetted unlicensed practice, and engaged in, or aided and abetted Ross and/or Bayabo to engage in, unprofessional conduct as defined in NAC 639.945(i), (j) and/or (k), and Barclay is subject to discipline pursuant to NRS 639.210(4).

K. As the managing pharmacist of Meta at the time of the violations, Barclay is responsible for those violations and subject to discipline pursuant to NRS 639.210(12) and (15), NRS 639.220(1) and/or NAC 639.702.

L. As the pharmacy/pharmacy owner at which the violations of law occurred, Barclay and Meta are responsible for those violations, including all errors and omissions of pharmacy personnel, pursuant to NRS 639.230(5), NAC 639.702 and/or NAC 639.945(3).

7. Those violations are pled with particularity in the Accusation and are grounds for action pursuant to NRS 639.210 and NRS 639.255.

8. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303 stipulate to the following penalties. Barclay's Certificate of Registration No. 17303 is revoked pursuant to NRS 639.255(1)(d). The revocation is stayed, and Barclay is placed on probation for a period of five (5) years pursuant to NRS 639.255(1)(b) subject to the following conditions:

A. Pursuant to NRS 639.255(1)(e), Barclay shall accept this Stipulation and Order as a public reprimand regarding his duties and responsibilities as a pharmacy owner and managing pharmacist;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Barclay shall pay a fine of Ten Thousand Dollars (\$10,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

C. Pursuant to NRS 622.400, Barclay shall pay Two Thousand Dollars (\$2,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's

check or money order made payable to the “Nevada State Board of Pharmacy” to be received by the Board’s Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

D. Barclay shall complete ten (10) extra hours of continuing education (CE) on pharmacy law, in addition to the CE hours he must otherwise complete to maintain licensure, and provide certificates demonstrating completion to the Board;

E. Barclay shall not work as managing pharmacist of Meta Pharmacy Services, Barclay, Luke & Pillai Specialty Pharmacy PLLC, DBA Meta Pharmacy Services, any successor entity holding Pharmacy License No. PH03433, including, without limitation, Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, or any other pharmacy licensed by the Board while on probation;

F. Barclay shall divest himself of any ownership interest in any entity holding Pharmacy License No. PH03433, including, without limitation, Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, within ninety (90) days of the effective date of this Order, and shall not hold an ownership interest in any pharmacy licensed by the Board while on probation;

G. Barclay shall not work in any compounding pharmacy licensed by the Board, with the exception of Meta Pharmacy Services, LLC DBA Meta Pharmacy Services, for a period of two (2) years from the effective date of this Order; and

H. Barclay shall comply with all federal and state statutes and regulations regarding the practice of pharmacy while on probation.

Upon successful completion of probation, Barclay’s Certificate of Registration No. 17303 will be fully restored.

9. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, stipulate to the following penalties:

A. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Meta shall pay a fine of Ten Thousand Dollars (\$10,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025; and

B. Pursuant to NRS 622.400, Meta shall pay Two Thousand Dollars (\$2,000.00) to partially reimburse the Board for recoverable attorney's fees and investigative costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025.

10. Any failure by either Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing the non-compliant Respondent(s) to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by either Respondent, the Board may impose additional discipline upon the non-compliant Respondent(s) consistent with the provisions of NRS Chapter 639.

11. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on April 16, 2025. Respondents or their counsel will appear in person at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondents or their counsel are not present at the meeting.

12. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 USC § 1396r-2 and 45 CFR Part 60, and shall be further reported pursuant to NAC 639.960.

13. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board at a later date. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

14. Subject to the approval of this Stipulation by the Board, the Board and Respondents agree to release one another from any and all additional claims arising from the facts set forth in the Accusation on file herein, and from any potential claims arising from the pending investigation in Case No. 21-038-PH-S, whether known or unknown that might otherwise have existed on or before the effective date of this Order.



Respondents have fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and have knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this 15th day of April, 2025

\_\_\_\_\_  
META PHARMACY SERVICES  
Pharmacy License No. PH03433

Sean Barclay  
SEAN BARCLAY, RPH  
Certificate of Registration No. 17303

APPROVED AS TO FORM AND  
CONTENT

this 15 day of April 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

William J. Stilling  
WILLIAM J. STILLING, ESQ.  
Counsel for Respondents

\_\_\_\_\_  
BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

**ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303, in Case Nos. 24-125-PH-S and 24-125-RPH-A-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

Respondents have fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and have knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this 15<sup>th</sup> day of April, 2025

\_\_\_\_\_  
META PHARMACY SERVICES  
Pharmacy License No. PH03433

\_\_\_\_\_  
*Sean Barclay*  
SEAN BARCLAY, RPH  
Certificate of Registration No. 17303

**APPROVED AS TO FORM AND  
CONTENT**  
this \_\_\_\_ day of \_\_\_\_\_ 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

\_\_\_\_\_  
WILLIAM J. STILLING, ESQ.  
Counsel for Respondents

\_\_\_\_\_  
BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

**ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Meta Pharmacy Services, Pharmacy License No. PH03433, and Respondent Sean Barclay, RPh, Certificate of Registration No. 17303, in Case Nos. 24-125-PH-S and 24-125-RPH-A-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**META PHARMACY SERVICES,  
Pharmacy License No. PH03433,**

**SEAN BARCLAY, RPH,  
Certificate of Registration No. 17303,**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325, and**

**MICHELLE LYNN BADTEN, RPH,  
Certificate of Registration No. 14966-B,**

**Respondents.**

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**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**PARTELL SPECIALTY PHARMACY,  
Pharmacy License No. P1-102028, and**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325,**

**Respondents.**

**CASE NOS. 24-125-RPH-B-S  
23-175-RPH-S**

**STIPULATION AND ORDER  
[Respondent Peters ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Christopher Peters, RPh (Peters), Certificate of Registration No. 16325, by and through counsel, Joey Gilbert, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent Peters and these matters.

2. On or about February 5, 2025, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in Case No. 23-175-RPH-S together with the Statement to Respondent and Notice of Hearing.

3. On or about March 11, 2025, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in Case No. 24-125-RPH-B-S together with the Statement to Respondent and Notice of Hearing.

4. Respondent is entering into this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusations in Case Nos. 23-175-RPH-S and 24-125-RPH-B-S.

5. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.

6. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal, and any and all other rights which may be accorded pursuant to NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

7. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives his rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to him by NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

8. Respondent does not contest the allegations in each Accusation, but acknowledges that Board staff prosecuting this case could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, *to wit*:

Case No. 23-175-RPH-S

A. By refusing to transfer a prescription at the request of a patient, Peters violated NRS 639.2357(1), and is subject to discipline pursuant to NRS 639.210(12).

B. By asserting the pharmacy's exclusive right to compound 0.11% retinoic acid cream, Peters attributed "secret formula" status to 0.11 % retinoic acid cream and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(c), and is subject to discipline pursuant to NRS 639.210(4).

Case No. 24-125-RPH-B-S

A. By counseling, inducing and/or soliciting Vincent Nalbone, MD, to issue unlawful prescriptions for controlled substances for the purpose of obtaining those controlled substances for office administration to multiple patients, Peters violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 639.210(11).

B. By counseling, inducing and/or soliciting Vincent Nalbone, MD, to issue unlawful prescriptions for controlled substances for the purpose of obtaining those controlled substances for office administration to multiple patients, Peters violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c), NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

C. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice for office administration to multiple patients, Peters violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21

U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 639.210(11).

D. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice for office administration to multiple patients, Peters NRS 453.321(1)(a) and (c), NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

E. By his conduct Peters was party to a fraudulent or deceitful practice or transaction, performed his duties as registered pharmacist in an incompetent, unskillful or negligent manner, and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and (i), and is subject to discipline pursuant to NRS 639.210(4).

9. Those violations are pled with particularity in the Accusation and are grounds for action pursuant to NRS 639.210 and NRS 639.255.

10. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Christopher Peters, RPh, Certificate of Registration No. 16325, stipulate to the following penalties. Peters' Certificate of Registration No. 16325 is suspended for a period of two (2) years pursuant to NRS 639.255(1)(c). The suspension is stayed, and Peters is placed on probation pursuant to NRS 639.255(1)(b) subject to the following conditions:

A. Pursuant to NRS 639.255(1)(e), Peters shall accept this Stipulation and Order as a public reprimand regarding his duties and responsibilities as a pharmacist;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Peters shall pay a fine of Two Thousand Dollars (\$2,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be

received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

C. Pursuant to NRS 622.400, Peters shall pay Two Thousand Dollars (\$2,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting both cases, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025; and

D. Peters shall comply with all federal and state statutes and regulations regarding controlled substances and dangerous drugs, and have no additional charges filed against him while on probation.

Upon the successful completion of probation, Peters' Certificate of Registration No. 16325 will be fully restored pursuant to NRS 639.256.

11. Any failure by Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by Respondent, the Board may lift the stay and immediately suspend Certificate of Registration No. 16325, and impose additional discipline upon Respondent consistent with the provisions of NRS Chapter 639.

12. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on April 16, 2025. Respondent or his counsel will appear in person at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent or is counsel are not present at the meeting.



13. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 USC § 1396r-2 and 45 CFR Part 60, and shall be further reported pursuant to NAC 639.960.

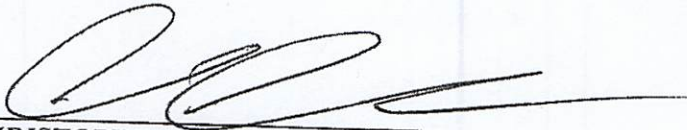
14. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board at a later date. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

15. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release one another from any and all additional claims arising from the facts set forth in the Accusations in Case Nos. 23-175-RPH-S and 24-125-RPH-B-S on file herein, whether known or unknown that might otherwise have existed on or before the effective date of this Order.

Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in Case No. 23-175-RPH-S, and the *Notice of Intended Action and Accusation* in Case No. 24-125-RPH-B-S, and the terms of this Stipulation, and has knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

**AGREED:**

Signed this 3<sup>rd</sup> day of April 2025



CHRISTOPHER PETERS, RPH  
Certificate of Registration No. 16325

APPROVED AS TO FORM AND  
CONTENT  
this 3<sup>rd</sup> day of April 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025



JOEY GILBERT, ESQ.  
Counsel for Respondent

BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

**ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Christopher Peters, RPh, Certificate of Registration No. 16325, in Case Nos. 23-175-RPH-S and 24-125-RPH-B-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**PARTELL SPECIALTY PHARMACY,  
Pharmacy License No. PH02028,**

**and**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325,**

**Respondents.**

**Case Nos. 23-175-PH-S  
23-175-RPH-S**

**NOTICE OF INTENDED ACTION  
AND ACCUSATION**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, files the following document that will serve as both a notice of intended action under NRS 233B.127(3) and an accusation under NRS 622A.300(1) and NRS 639.241.

**JURISDICTION**

1. The Nevada State Board of Pharmacy ("Board") has jurisdiction over Respondent Christopher Peters ("Respondent Peters") because the Board has issued to Respondent Peters a certificate of registration authorizing him to engage in the practice of pharmacy.

2. The Board has jurisdiction over Respondent Partell Specialty Pharmacy ("Respondent Partell") because the Board has licensed Respondent Partell to operate a pharmacy at 5835 South Eastern Avenue #101, in Las Vegas, Nevada.

**FACTUAL ALLEGATIONS**

3. Respondent Partell dispenses nonsterile compounded drug products among other prescription drugs.

4. In 2023, Respondent Peters was a registered pharmacist employed by Respondent Partell at its pharmacy location on South Eastern Avenue in Las Vegas, Nevada.

5. In April 2023, Respondent Partell received a prescription for 0.1% retinoic acid cream, written by Nilofar Kuraishi, M.D., a Las Vegas physician.

6. Respondent Peters advised Dr. Kuraishi that the pharmacy was unable to lawfully compound the prescription as written because the 0.1% concentration of retinoic acid was commercially available.

7. After speaking with Respondent Peters, Dr. Kuraishi reissued the prescription for 0.11% retinoic acid cream. Dr. Kuraishi authorized one refill.

8. In April 2023, Respondent Partell filled and dispensed the prescription for 0.11% retinoic acid cream. However, in May 2023, the patient requested that the refill be transferred to the National Specialty Pharmacy, a licensed pharmacy located at 3022 West Post Road in Las Vegas, Nevada.

9. On May 12, 2023, Brian Ford, a registered pharmacist with the National Specialty Pharmacy, called Respondent Peters to tell him that the patient wished to transfer the prescription to the National Specialty Pharmacy. Respondent Peters refused to transfer the prescription, telling Pharmacist Ford to call Dr. Kuraishi to obtain the prescription.

10. Respondent Peters refused to transfer the prescription to the National Specialty Pharmacy based on his belief that Dr. Kuraishi had given Respondent Partell the exclusive right to compound 0.11% retinoic acid cream.

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### APPLICABLE LAW

11. The Board may revoke or suspend the registration of any pharmacist who has been guilty of unprofessional conduct or conduct contrary to the public interest. NRS 639.210(4); NRS 639.255.
12. The Board may revoke or suspend the registration of any pharmacist who has violated Nevada law relating to prescription drugs. NRS 639.210(12); NRS 639.255.
13. Aside from revoking or suspending a pharmacist's registration, the Board may impose fines and/or a public reprimand as a disciplinary measure. NRS 639.255; NAC 639.955.
14. A pharmacist's conduct is deemed unprofessional if the pharmacist uses secret formulas. NAC 639.945(1)(c).
15. At the request of a patient, a pharmacist must transfer a prescription to another registered pharmacist. NRS 639.2357(1). The Board has adopted regulations that set forth the procedures and methods that a pharmacy must follow when transferring a prescription. *See* NAC 639.713 to 639.7145.
16. A pharmacy is responsible for the acts and/or omissions of its pharmacists. NRS 639.230(5); NAC 639.707; NAC 639.945(3).

### COUNT ONE

#### **Unprofessional Conduct (Respondent Peters and Respondent Partell)**

17. As alleged above, Respondent Peters refused to transfer a prescription at the request of a patient. Respondent Peters refused to transfer the prescription because he mistakenly believed that the prescribing practitioner, Dr. Kuraishi, had given his employer, Respondent Partell, the exclusive right to compound 0.11% retinoic acid cream.

18. By asserting the pharmacy's exclusive right to compound 0.11% retinoic acid cream, Respondent Peters attributed "secret formula" status to 0.11% retinoic acid cream.

19. Because it is unprofessional to use secret formulas, *see* NAC 639.945(1)(c), Respondent Peters engaged in unprofessional conduct when he refused to transfer Dr. Kuraishi's prescription for 0.11% retinoic acid cream. Therefore, Respondent Peters is subject to discipline pursuant to NRS 629.210(4) and NAC 639.945(1)(c).

20. As the owner/operator of the pharmacy at which Respondent Peters was employed, Respondent Partell is responsible for Respondent Peters' conduct as alleged above. Accordingly, the Board may discipline Respondent Partell pursuant to NRS 639.230(5) and NAC 639.945(3).

**COUNT TWO**  
**Violation of NRS 639.2357(1)**  
**(Respondent Peters and Respondent Partell)**

21. As alleged above, Respondent Peters refused to transfer a prescription at the request of a patient. By refusing to transfer the prescription, Respondent Peters violated NRS 639.2357(1).

22. Having violated NRS 639.2357(1), Respondent Peters is subject to discipline pursuant to NRS 639.210(12), NRS 639.255.

23. As the owner/operator of the pharmacy at which Respondent Peters was employed, Respondent Partell is responsible for Respondent Peters' conduct as alleged above. Accordingly, the Board may discipline Respondent Partell pursuant to NRS 639.230(5), NRS 639.255, NAC 639.945(3), and NAC 639.955.

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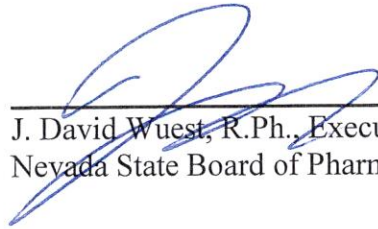
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WHEREFORE it is requested that the Nevada State Board of Pharmacy take appropriate disciplinary action with respect to the certificate of registration of Respondent Peters and the pharmacy license of Respondent Partell.

DATED this 3<sup>rd</sup> day of FEBRUARY 2025.



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J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy

### **NOTICE TO RESPONDENT**

You have the right to show the Nevada State Board of Pharmacy that your conduct, as alleged above, complies with all lawful requirements. NRS 233B.127(3). You have the right to a hearing before the Board to answer the Notice of Intended Action and Accusation and present evidence and argument on all issues involved, either personally or through counsel. NRS 233B.121; NRS 233B.127(3); NRS 622A.300(1) and (3). The hearing shall be conducted pursuant to NRS 639.241 through NRS 639.258. To be entitled to a hearing, you must complete, and file two (2) copies of the Answer and Notice of Defense served herewith, to be received by the Board's Reno office located at 985 Damonte Ranch Parkway -- Suite 206, Reno, Nevada 89521, within twenty (20) days of your receipt of this Notice of Intended Action and Accusation. NRS 622A.320; NRS 639.243. Your failure to timely file an Answer and Notice of Defense constitutes an admission of the charges and waiver of the right to a hearing. NRS 639.244. If you fail to appear at the hearing and the Board finds that you were given sufficient legal notice of the hearing, the Board may accept the allegations as true and may proceed to consider the case and render a decision. NRS 622A.350. A regulatory body may recover from a person reasonable attorney's fees and costs that are incurred by the regulatory body as a part of its investigative, administrative, and disciplinary proceedings against the person if the regulatory body finds that the person has violated any provision of this title. NRS 622.400(1).



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325,**

**Respondent.**

**Case No. 23-175-RPH-S**

**STATEMENT TO THE  
RESPONDENT AND  
NOTICE OF HEARING**

TO THE RESPONDENT ABOVE-NAMED: PLEASE TAKE NOTICE THAT:

1. Pursuant to the authority and jurisdiction conferred upon the Nevada State Board of Pharmacy ("Board") by NRS 639.241 to NRS 639.2576, inclusive, and NRS chapter 233B and 622A, a Notice of Intended Action and Accusation ("Accusation") has been filed with the Board by the Petitioner, J. David Wuest, Executive Secretary for the Board, alleging grounds for imposition of disciplinary action by the Board against you.

2. **A hearing on the Accusation filed against you has been scheduled before the Board for Wednesday, March 5, 2025, at 9:00 AM PST, or soon thereafter at the following location:**

**Hilton Garden Inn Las Vegas Strip South  
7830 S. Las Vegas Blvd  
Las Vegas, NV 89123**

3. At the hearing, you have the right to show the Nevada State Board of Pharmacy that your conduct, as alleged above, complies with all lawful requirements. NRS 233B.127(3). At the hearing, you are entitled to present argument and evidence including witness testimony on all issues involved, either personally or through counsel. NRS 233B.121; NRS 233B.127(3); NRS 622A.300(1) and (3); NRS 639.241; NRS 639.246. To do so, you must complete, and file two (2) copies of the Answer and Notice of Defense served herewith, within twenty (20) days of your receipt of this Statement and Notice, and the Accusation. NRS 622A.320; NRS 639.243.

You may file your answer electronically by emailing a copy of your Answer and Notice of Defense to the Board's coordinating staff and its prosecuting attorney at the email addresses below:

TeamBC@Pharmacy.nv.gov

and

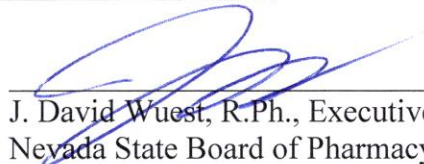
zunino@pharmacy.nv.gov

Alternatively, you may file your Answer and Notice of Defense by mailing two (2) copies to Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521. Upon receipt of your Answer and Notice of Defense, a file stamped copy will be returned to you.

4. Pursuant to NRS 241.033 and 241.034, please be advised that the hearing is a public meeting, and the Board may, without further notice, take administrative action against you if the Board determines that such administrative action is warranted after considering your character, alleged misconduct, professional competence, or physical or mental health. The Board at its discretion may go into closed session to consider your character, alleged misconduct, professional competence, or physical or mental health. You may attend any closed session, have an attorney or other representative of your choosing present during any closed session, and present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health during any closed session.

5. Your failure to timely file an Answer and Notice of Defense constitutes an admission of the charges and waiver of the right to a hearing. NRS 639.244. If you fail to appear at the hearing and the Board finds that you were given sufficient legal notice of the hearing, the Board may accept the allegations as true and may proceed to consider the case and render a decision. NRS 622A.350.

DATED this 3<sup>rd</sup> day of FEBRUARY 2025.

  
\_\_\_\_\_  
J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy

**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325,**

**Respondent.**

**Case No. 23-175-RPH-S**

**ANSWER AND NOTICE  
OF DEFENSE**

Respondent above named, in answer to the Notice of Intended Action and Accusation filed in the above-entitled matter before the Nevada State Board of Pharmacy, declares:

1. That his/her objection to the Notice of Intended Action and Accusation as being incomplete or failing to state clearly the charges against him/her, is hereby interposed on the following grounds: (State specific objections or insert "none").

2. That, in answer to the Notice of Intended Action and Accusation, he/she admits, denies and alleges as follows:

I hereby declare, under penalty of perjury, that the foregoing Answer and Notice of Defense, and all facts therein stated, are true and correct to the best of my knowledge.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

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**CHRISTOPHER PETERS, RPH**

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of the Nevada State Board of Pharmacy, and that on this 3<sup>rd</sup> day of February 2025, I served a true and correct copy of the foregoing document by Certified U.S. Mail and Standard U.S. mail to the following:

Partell Specialty Pharmacy  
5835 S Eastern Ave #101  
Las Vegas, NV 89119

Christopher Peters, Rph  
[REDACTED]  
Henderson, NV 89011

Christopher Peters, Rph  
c/o Partell Specialty Pharmacy  
5835 S Eastern Ave #101  
Las Vegas, NV 89119



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JESSETTE PHAYNARIKONE  
ADMINISTRATIVE ASSISTANT,  
BOARD COORDINATOR I

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**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**META PHARMACY SERVICES,  
Pharmacy License No. PH03433,**

**SEAN BARCLAY, RPH,  
Certificate of Registration No. 17303,**

**CHRISTOPHER PETERS, RPH,  
Certificate of Registration No. 16325, and**

**MICHELLE LYNN BADTEN, RPH,  
Certificate of Registration No. 14966-B,**

**Respondents.**

**CASE NOS. 24-125-PH-S**

**24-125-RPH-A-S**

**24-125-RPH-B-S**

**24-125-RPH-C-S**

**STIPULATION AND ORDER  
[Respondent Badten ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through General Counsel Brett Kandt, and Respondent Michelle Lynn Badten, RPh (Badten), Certificate of Registration No. 14966-B, by and through counsel, Joey Gilbert, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent Badten and these matters.
2. On or about March 11, 2025, Board Staff served Respondents with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondents and Notice of Hearing. Respondent Badten is entering this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusation.
3. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.

4. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal, and any and all other rights which may be accorded pursuant to NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

5. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives her rights to a hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to her by NRS Chapter 233B, Nevada Administrative Procedure Act, NRS Chapter 622A, Administrative Procedure Before Certain Regulatory Bodies, and NRS Chapter 639, Nevada Pharmacy Act.

6. Respondent does not contest the allegations in the Accusation, but acknowledges that Board staff prosecuting this case could present such evidence at an administrative hearing to establish a factual basis for the violations alleged therein, *to wit*:

A. By counseling, inducing and/or soliciting Vincent Nalbone, MD, to issue unlawful prescriptions for controlled substances for the purpose of obtaining those controlled substances for office administration to multiple patients, Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 639.210(11).

B. By counseling, inducing and/or soliciting Vincent Nalbone, MD, to issue unlawful prescriptions for controlled substances for the purpose of obtaining those controlled substances for office administration to multiple patients, Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c), NRS



453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

C. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice for office administration to multiple patients, Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate 21 U.S.C. § 829, 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846, 21 CFR 1306.04 and/or 21 CFR 1306.05, and is subject to discipline pursuant to NRS 639.210(11).

D. By knowingly filling and dispensing unlawful prescriptions for controlled substances to Vincent Nalbone, MD's practice for office administration to multiple patients, Badten violated, attempted to violate, assisted or abetted in the violation of or conspired to violate NRS 453.321(1)(a) and (c), NRS 453.331(1)(d) and (i), NRS 453.431(1), NRS 639.268(1)(a), NRS 639.281(1), NRS 639.2813(1), NAC 453.440 and/or NAC 639.757(4) and (5), and is subject to discipline pursuant to NRS 639.210(12).

E. By her conduct Badten was party to a fraudulent or deceitful practice or transaction, performed her duties as registered pharmacist in an incompetent, unskillful or negligent manner, and engaged in unprofessional conduct and conduct contrary to the public interest as defined in NAC 639.945(1)(h) and (i), and is subject to discipline pursuant to NRS 639.210(4).

7. Those violations are pled with particularity in the Accusation and are grounds for action pursuant to NRS 639.210 and NRS 639.255.

8. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Michelle Lynn Badten, RPh, Certificate of Registration No. 14966-B, stipulate to the following penalties. Badten's Certificate of Registration No. 14966-B is suspended for a period of one (1) year pursuant to NRS 639.255(1)(c). The suspension is

stayed, and Badten is placed on probation pursuant to NRS 639.255(1)(b) subject to the following conditions:

A. Pursuant to NRS 639.255(1)(e), Badten shall accept this Stipulation and Order as a public reprimand regarding her duties and responsibilities as a pharmacist;

B. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Badten shall pay a fine of One Thousand Dollars (\$1,000.00) for the violations, by personal, business, certified or cashier's check or money order made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025;

C. Pursuant to NRS 622.400, Badten shall pay One Thousand Dollars (\$1,000.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs incurred in investigating and prosecuting this matter, by personal, business, certified or cashier's check or money order made payable to the "Nevada State Board of Pharmacy" to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, due and payable by June 1, 2025; and

D. Badten shall comply with all federal and state statutes and regulations regarding controlled substances and dangerous drugs, and have no additional charges filed against her while on probation.

Upon the successful completion of probation, Badten's Certificate of Registration No. 14966-B will be fully restored pursuant to NRS 639.256.

9. Any failure by Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by Respondent, the Board

may lift the stay and immediately suspend Certificate of Registration No. 14966-B, and impose additional discipline upon Respondent consistent with the provisions of NRS Chapter 639.

10. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on April 16, 2025. Respondent or her counsel will appear in person at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent or her counsel are not present at the meeting.

11. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 USC § 1396r-2 and 45 CFR Part 60, and shall be further reported pursuant to NAC 639.960.

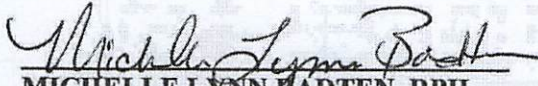
12. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board at a later date. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

13. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release one another from any and all additional claims arising from the facts set forth in the Accusation on file herein, whether known or unknown that might otherwise have existed on or before the effective date of this Order.

Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and has knowingly and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

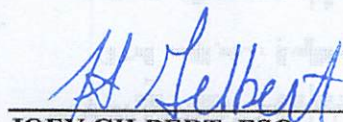
AGREED:

Signed this 3<sup>rd</sup> day of April 2025

  
MICHELLE LYNN BADTEN, RPH  
Certificate of Registration No. 14966-B

APPROVED AS TO FORM AND  
CONTENT  
this 3<sup>rd</sup> day of April 2025

Signed this \_\_\_\_ day of \_\_\_\_\_ 2025

  
JOEY GILBERT, ESQ.  
Counsel for Respondent

\_\_\_\_\_  
BRETT KANDT  
General Counsel  
Nevada State Board of Pharmacy

### ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Michelle Lynn Badten, RPh, Certificate of Registration No. 14966-B, in Case No. 24-125-RPH-C-S, and hereby orders that the terms of the foregoing Stipulation be made immediately effective upon execution below.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of April 2025.

\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

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**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**LINCARE, INC.,  
License No. MP00015,**

**Respondent.**

**Case No. 24-324-MP-N**

**STIPULATION AND ORDER**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy ("Board"), by and through the Board's Senior General Counsel, Gregory L. Zunino, and Respondent Lincare, Inc. ("Respondent"), License No. MP00015, by and through its attorney, J. Malcolm DeVoy, Esq., hereby stipulate and agree as follows:

1. The Nevada State Board of Pharmacy ("Board") has jurisdiction over Respondent and this matter.

2. The Board's staff properly served Respondent with the Notice of Intended Action and Accusation ("Accusation") on file in this matter, together with the Statement to Respondent and Notice of Hearing, to which Respondent timely filed its Objection, Answer, and Notice of Defense on February 25, 2025.

3. Respondent acknowledges that after having the opportunity to be advised by counsel, Respondent understands the terms of this Stipulation and Proposed Order ("Stipulation"), and Respondent has executed it knowingly and voluntarily.

4. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration of a Board determination in a contested case, the right to appeal a Board determination in a contested case, and all other rights afforded to Respondent under NRS Chapter 233B, the Nevada Administrative Procedure Act, NRS Chapter 622A, which governs administrative procedure before the Board, and NRS Chapter 639, the Nevada Pharmacy Act.

5. Conditioned on the acceptance of this Stipulation by the Board, and excluding the right to challenge any determination that Respondent has failed to comply with the provisions of this

Stipulation, Respondent hereby freely and voluntarily waives the rights to a hearing, reconsideration, appeal, and other rights related to this action as identified above.

6. Respondent admits that evidence exists, and that Board staff prosecuting this case could present such evidence at an administrative hearing, that could establish a factual basis for the violation alleged in Count One of the Accusation, namely that Respondent failed to service respiratory equipment furnished to patient M.O. at intervals consistent with the manufacturer's product manual.

7. The Parties agree that the Respondent has produced documentary evidence demonstrating that Respondent communicated with patient M.O. and attempted to resolve the various issues that she raised in order to provide Respondent's services to the patient. Therefore, in the interest of fairness and compromise, the Parties agree that Count Two of the Accusation shall be dismissed upon approval of this Stipulation by the Board.

8. To resolve this matter without incurring any further costs or the expenses associated with a hearing, the Board and Respondent agree to the imposition of the following penalties:

A. Respondent shall pay an administrative fine of One Thousand and 00/100 Dollars (\$1000.00) for the violation alleged in Count One of the Accusation. This sum shall be payable by *cashier's check, certified check or money order* written to the "**State of Nevada, Office of the Treasurer.**" Respondent shall remit payment in full to the Board's Reno office, located at 985 Damonte Ranch Parkway, Suite 206, Reno, Nevada 89521, on or before May 31, 2025.

B. Respondent shall pay the sum of One Thousand and 00/100 Dollars (\$1,000.00) to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter. This sum shall be payable by *cashier's check, certified check or money order* written to the "**Nevada State Board of Pharmacy.**" Respondent shall remit payment in full to the Board's Reno office, located at 985 Damonte Ranch Parkway, Suite 206, Reno, Nevada 89521, on or before May 31, 2025.

9. This Stipulation constitutes a full and final resolution of the Accusation in Case No. 24-324-MP-N. Any failure by Respondent to comply with the terms stated herein may result in issuance by the Executive Secretary of an order to show cause, pursuant to NAC 639.965, directing Respondent

to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation by Respondent, the Board may impose additional discipline upon Respondent not inconsistent with the provisions of NRS Chapter 639.

10. The Board's Senior General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on April 16, 2025, in Reno, Nevada. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent or its attorney fails to appear for the meeting.

11. The Board may accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 U.S.C. § 1396r-2 and 45 CFR Part 60.

12. If the Board rejects any part or all this Stipulation, and unless the parties reach an alternative agreement on the record during the hearing, the parties agree that the Board may hear a full contested hearing on the merits of all alleged violations as stated in the Accusation. The terms and admissions herein may not be used, relied upon, or referred to by any party during any such hearing.

13. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release each other from any or all additional claims arising from the facts set forth in the Accusation on file herein, whether known or unknown that might otherwise have been asserted by the Board on or before the effective date of this Order.

**AGREED:**

Signed this \_\_\_\_ day of April 2025.

**LINCARE, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

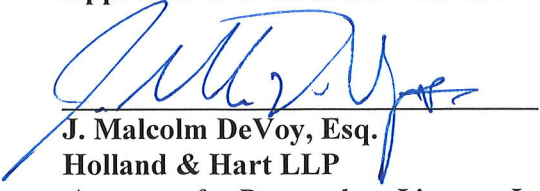
Signed this \_\_\_\_ day of April 2025.

**NEVADA STATE BOARD OF PHARMACY**

By \_\_\_\_\_  
**GREGORY L. ZUNINO**  
**Senior General Counsel**



Approved as to form and content:

  
\_\_\_\_\_  
J. Malcolm DeVoy, Esq.  
Holland & Hart LLP  
*Attorneys for Respondent Lincare, Inc.*

**DECISION AND ORDER**

As to Respondent Lincare, Inc., License No. MP00015, in Case No. 24-324-MP-N, the Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its final decision in the matter and orders that its terms be made effective upon the date of entry set forth below.

**IT IS SO ORDERED.**

Entered this 16th day of April 2025.

\_\_\_\_\_  
Helen Park, President  
Nevada State Board of Pharmacy

9D

# NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Parkway, Suite 206 - Reno, NV 89521 - (775) 850-1440

## Change in Managing Pharmacist/Pharmacist in Charge/Supervising Pharmacist Application

Non-Refundable \$50.00 Fee

Rev (05/17/2023)

### Section 1: Pharmacy Information

Pharmacy Name: Meta Pharmacy Services License #: PH03433  
 Physical Address: 8352 W. Warm Springs Rd Ste 120  
 City: Las Vegas State: NV Zip: 89113  
 Mailing Address (if different from physical address): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: 702-754-0172 Toll Free # (NAC 639.708, NRS 639.23286): (844) 334-1010  
 Fax: 702-754-6996 Contact Email: admin@metapharmacy services.com

### Section 2: Previous Managing Pharmacist/Pharmacist in Charge/Supervising Pharmacist Information

Pharmacist Name: Sean Barclay NV Pharmacist Registration #: 17303  
 State and End Date of the Managing Pharmacist/PIC/Supervising Pharmacist: 4/16/2025

### Section 3: New Managing Pharmacist/Pharmacist in Charge/Supervising Pharmacist Information

Pharmacist Name: Tommy Dinh NV Pharmacist Registration #: 20256  
 State Date as the Managing Pharmacist/PIC/Supervising Pharmacist: 4/16/2025

Personal and Professional History for the New Managing Pharmacist/Pharmacist in Charge/Supervising Pharmacist		Yes	No
1. Have you been diagnosed or treated for any mental illness, including alcohol or substance abuse, or physical condition that would impair your ability to perform the essential functions of your registration?			✓
2. Have you been charged, arrested or convicted of a felony or misdemeanor in <u>any</u> state?			✓
3. Have you been the subject of a board citation or administrative action whether completed or pending in <u>any</u> state?			✓
4. Has your license/registration been subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?			✓
If you marked YES to any questions above, include the following information and provide a <u>signed statement of explanation</u> . <u>Copies of any documents that identify the circumstance or contain an order, agreement or other disposition is required.</u>			
Board Administrative Action:	State:	Date:	Case #:
Criminal Action:	State:	Date:	Case #:
		County:	Court:



**Section 4: New Managing Pharmacist/Pharmacist in Charge/Supervising Pharmacist Acknowledgement**

Managing Pharmacist Name: Tommy Dinh Pharmacist Registration #: 20256  
Pharmacy Name: Meta Pharmacy Services Pharmacy License #: PH03433

**Initial each statement below to indicate you have read and agree with the following:**

- TD I understand that as the managing pharmacist I am responsible for compliance by the pharmacy and its personnel with all state and federal laws and regulations relating to the operation of the pharmacy and the practice of pharmacy. I understand my license can be revoked or that I can be subject of disciplinary action if such laws or regulations are knowingly violated in the pharmacy in which I am the managing pharmacist.
- TD I understand within 48 hours after I report for duty as the managing pharmacist, I shall complete an inventory of all controlled substances of the pharmacy pursuant to 21 CFR Part 1304 and maintain a copy of the inventory in the file at the pharmacy.
- TD I understand that if I cease to be managing pharmacist of the above-named pharmacy, I will jointly, with the new managing pharmacist, take an inventory of all controlled substances.
- TD I understand that as the managing pharmacist I must ensure that all loss or theft of controlled substances are reported on forms provided by the Nevada State Board of Pharmacy and Department of Public Safety within 10 days after the date of discovery of theft or loss. NRS 453.568. Federal regulations require that registrants notify the Field Division Office of the Administration in his area, in writing, of the theft or significant loss of any controlled substance, disposal receptacles or listed chemicals within one business day of discovery of such loss or theft. The registrant shall also complete and submit to the Field Division Office in his area, DEA Form 106 regarding the loss or theft (21 C.F.R. §1301.76(b) and 21 U.S.C. §830(b)(1)(C)).
- TD I understand that as the managing pharmacist I must notify the Nevada State Board of Pharmacy of all employment changes of pharmacy staff within 10 days of the change. NAC 639.540

I certify under penalty of perjury that the information I have provided on this application is accurate, true and complete in all material respects. I understand that making any false representation in this application is a crime under NRS 639.281. I understand that, pursuant to NRS 239.010, this entire application and any portion thereof is a public record unless otherwise declared confidential by law, and will be considered by the Nevada State Board of Pharmacy at a public meeting pursuant to NRS 241.020. In the event this application is approved I agree to comply with all applicable federal and state statutes and regulations governing this license or registration and understand that any violation may result in discipline.

Tommy Dinh  
Print Name of New Managing Pharmacist

[Signature]  
Original signature of New Managing Pharmacist (copies or stamps not accepted)

4/15/25  
Date

Board Use Only

Date Received: 4/16/25

Amount: \$50.00

11C

# Statement to the Nevada Pharmacy Board

Good morning, and thank you all for the opportunity to speak with you today. I want to begin by acknowledging the seriousness of the events that led to the suspension of my controlled substance prescribing privileges. I fully understand and respect the Board's duty to protect patients and ensure responsible prescribing, and I take that responsibility very seriously myself.

In 2018, I entered into a plea agreement related to allegations of prescribing opioids without medical necessity. I want to be completely transparent in saying that this plea did not reflect the full truth of the situation, but I accepted it under tremendous pressure. At the time, I was presented with very limited options and faced what felt like a no-win situation. I was cornered and felt isolated, and ultimately I signed the agreement out of fear—not guilt.

I want to make it clear that I did not prescribe opioids to undercover agents, nor did I ever knowingly provide controlled substances without a medical basis. But I also understand that perception matters, and I respect that my decision to take a plea deal raised serious concerns about my judgment.

Since then, I've done a great deal of reflection and growth, both personally and professionally. I've completed additional continuing education on opioid stewardship, ethics, and risk management. I've also worked closely with mentors and colleagues to develop stronger clinical protocols and more robust documentation practices. My goal is to make sure that every prescription I write is medically justified, well-documented, and fully compliant with the law and best practices.

If I'm granted the opportunity to have my Schedule II/V prescribing privileges reinstated, I will approach that responsibility with even greater care and scrutiny than before. I've put safeguards in place, including peer reviews and enhanced documentation workflows, to ensure that nothing is ever left to chance or misinterpretation.

I respectfully ask the Board to consider this request not as an appeal for sympathy, but as a sincere demonstration of my commitment to responsible medicine, to learning from a difficult chapter in my life, and to regaining the trust of this profession and the patients I serve.

Thank you for your time and for considering my request.

Respectfully,

Dr. Patel





**SFY26 BUDGET REPORT**  
**NEVADA STATE BOARD OF PHARMACY**  
**CURRENT MONTH:**

		BUDGET		CURRENT MONTH	YTD	PROJECTIONS THROUGH	TOTAL REVENUE/EXPENSE	
REVENUES	APPROVED BUDGET	AMMENDMENTS	REVISED BUDGET	REVENUE/EXPENSE	REVENUE/EXPENSE	6/30/2026	\$FY26	DIFFERENCE
Beginning Balance	\$ 8,886,272		\$ 8,886,272	\$ -	\$ -	\$ 8,886,272	\$ 8,886,272	\$ -
Renewal Fees	\$ 1,800,000		\$ 1,800,000	\$ -	\$ -	\$ 1,800,000	\$ 1,800,000	\$ -
Registration Fees	\$ 1,209,020		\$ 1,209,020	\$ -	\$ -	\$ 1,209,020	\$ 1,209,020	\$ -
Recovered Costs	\$ 30,000		\$ 30,000	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ -
CC Processing Fees	\$ 155,000		\$ 155,000	\$ -	\$ -	\$ 155,000	\$ 155,000	\$ -
Change MGR RPh	\$ 22,800		\$ 22,800	\$ -	\$ -	\$ 22,800	\$ 22,800	\$ -
Inspections	\$ 5,000		\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ -
Interest Income	\$ 20,000		\$ 20,000	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -
Late Fees	\$ 15,000		\$ 15,000	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ -
Total Revenues	\$ 12,143,092	\$ -	\$ 12,143,092	\$ -	\$ -	\$ 12,143,092	\$ 12,143,092	\$ -

[illegible]



14A

# PROPOSED REGULATION OF THE NEVADA STATE BOARD OF PHARMACY

## Workshop

April 17, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: NRS 639.070(1)(d); NRS 454.213(1)(f) and (g).

**A REGULATION relating to the locations where a pharmacist may practice pharmacy;  
and providing other matters properly relating thereto.**

**Section. 1. NAC Chapter 454 of NAC is hereby amended by adding thereto a new section to read as follows:**

*1. An advanced emergency medical technician or paramedic certified pursuant to Nevada Revised Statutes (NRS) 450B may possess and administer dangerous drugs in a licensed hospital under the following conditions:*

- a) the medication is ordered by a licensed practitioner;*
- b) the advanced emergency medical technician or paramedic is currently certified in good standing by the Division of Public and Behavioral Health;*
- c) the hospital has a medication administration policy and protocol related to the possession or administration of the dangerous drug; and*
- d) the advanced emergency medical technician or paramedic follows all guidance, Regulations, and Statutes related to Chapter 450B and the Division of Public and Behavioral Health*



SFY25 MONTHLY BUDGET REPORT  
NEVADA STATE BOARD OF PHARMACY  
Mar-25

REVENUES	APPROVED BUDGET	BUDGET AMENDMENTS	REVISED BUDGET	CURRENT MONTH REVENUE/EXPENSE	PRIOR MONTH(S) REVENUE/EXPENSE	PROJECTIONS THROUGH 6/30/2025	TOTAL REVENUE/EXPENSE SFY25	DIFFERENCE
Beginning Balance	\$ 4,663,661		\$ 4,663,661	\$ -	\$ -	\$ 4,663,661	\$ 4,663,661	\$ -
Renewal Fees	\$ 6,106,426		\$ 6,106,426	\$ 8,110	\$ 6,297,732	\$ (199,417)	\$ 6,106,426	\$ -
Registration Fees	\$ 1,297,680		\$ 1,297,680	\$ 134,030	\$ 795,870	\$ 367,780	\$ 1,297,680	\$ -
Recovered Costs	\$ 30,000		\$ 30,000	\$ 3,880	\$ 81,514	\$ (55,395)	\$ 30,000	\$ -
CC Processing Fees	\$ 300,000		\$ 300,000	\$ 4,530	\$ 335,246	\$ (39,776)	\$ 300,000	\$ -
Change MGR RPh	\$ 22,800		\$ 22,800	\$ 3,000	\$ 12,300	\$ 7,500	\$ 22,800	\$ -
Inspections	\$ 5,000		\$ 5,000	\$ 300	\$ 10,276	\$ (5,576)	\$ 5,000	\$ -
Interest Income	\$ 30,000		\$ 30,000	\$ 14,308	\$ 110,986	\$ (95,295)	\$ 30,000	\$ -
Late Fees	\$ 15,000		\$ 15,000	\$ 45,159	\$ 44,905	\$ (34,020)	\$ 15,000	\$ -
<b>Total Revenues</b>	<b>\$ 12,470,567</b>	<b>\$ -</b>	<b>\$ 12,470,567</b>	<b>\$ 172,274</b>	<b>\$ 7,688,830</b>	<b>\$ 4,609,463</b>	<b>\$ 12,470,567</b>	<b>\$ -</b>
<b>EXPENSES</b>								
Payroll	\$ 4,139,230		\$ 4,139,230	\$ 322,573	\$ 2,437,567	\$ 1,379,090	\$ 4,139,230	\$ -
Operating	\$ 1,382,732		\$ 1,382,732	\$ 85,182	\$ 1,095,938	\$ 201,612	\$ 1,382,732	\$ -
Equipment	\$ 25,000		\$ 25,000	\$ 6,558	\$ 12,355	\$ 6,088	\$ 25,000	\$ -
In-State Travel	\$ 110,000		\$ 110,000	\$ 2,205	\$ 46,630	\$ 61,165	\$ 110,000	\$ -
Out-of-State Travel	\$ 65,000		\$ 65,000	\$ -	\$ 9,986	\$ 55,014	\$ 65,000	\$ -
DAG Cost	\$ 40,000		\$ 40,000	\$ -	\$ 6,634	\$ 33,366	\$ 40,000	\$ -
Reserve	\$ 6,708,605	\$ -	\$ 6,708,605	\$ -	\$ -	\$ -	\$ 6,708,605	\$ -
<b>Total Expenses</b>	<b>\$ 12,470,567</b>	<b>\$ -</b>	<b>\$ 12,470,567</b>	<b>\$ 416,518</b>	<b>\$ 3,609,109</b>	<b>\$ 1,736,335</b>	<b>\$ 12,470,567</b>	<b>\$ -</b>
Balance	\$ -	\$ -	\$ -				\$ -	\$ -