January 2025 Board Meeting Handouts

5C – Samuel Yu

5E – Jeffrey Gross

5F – Wal-Mart Pharmacy #10-5070 & 5H – Hermon Bariagabr

5G – William Hergenroeder

5J – John T. Katzen

5L – Alexander Lee

5M – Jesse Bradberry

6A – Nova Specialty Pharmacy

7A – American Wellness Pharmacy

8A – Advance Pharma

14 – Presentation by NV Governor's Council on DME
(Durable Medical Equipment)

15 – Discussion and Determination Related to
NRS 639.120

16A – Public Comment

18 – Executive Report

5C

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **SAMUEL YU, APRN,** **Certificate of Registration No. CS27231, and** **MEE HAN, APRN,** **Certificate of Registration No. CS22622,** **Respondents.**	**CASE NOS. 22-185-CS-A-S** **22-185-CS-B-S** **STIPULATION AND ORDER** **[RESPONDENT YU 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 Samuel Yu, APRN, Certificate of Registration No. CS27231, by and through counsel, Craig K. Perry, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.

2. On or about October 4, 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 November 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 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 contests 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 was engaged to serve as medical director of Opus Face N Body Aesthetics (Opus);

B. Opus owner Mee Kwyung Lee and registered nurses (RNs) had unrestricted access to their inventory of dangerous drugs at Opus, in violation of NAC 639.898(1);

C. RNs at Opus could independently access, possess, furnish and administer dangerous drugs without direct practitioner supervision, in violation of NRS 454.213, NRS 454.217, NRS 454.221, NRS 454.316, NRS 454.321, NRS 454.356 and/or NRS 639.100(1); and

D. Opus purchased, possessed, sold, furnished and/or administered drug products intended for distribution in foreign markets and not approved for distribution or use in the U.S., in violation of 21 USC § 331, 21 USC § 355(a), NRS 454.351(1) and/or NRS 585.490.

8. Those alleged violations are pled with particularity in the Accusation, and, if proven, are grounds for action pursuant to NRS 453.236(1)(e), NRS 453.241(1), NRS 639.210(12) and/or NRS 639.255.

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 Samuel Yu, APRN, Certificate of Registration No. CS27231, 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 March 1, 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 March 1, 2025; and

D. 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. CS27231 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 January 15, 2025. 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 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. 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: 1/1/2025

Signed this ___ day of _____ 2024

ID Fg3iHNViua9dViFrwLhYA9jR

SAMUEL YU, APRN
Certificate of Registration No. CS27231

Signed this ___ day of _____ 2024

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

APPROVED AS TO FORM AND CONTENT
this ___ day of _____ 2024 1/1/2025

Craig K. Perry
ID 1FtdvKn81yLSGxRiiY4b9Z3j

CRAIG K. PERRY, ESQ.
Counsel for Respondent

DECISION AND ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Respondent Samuel Yu, APRN, Certificate of Registration No. CS27231, in Case No. 22-185-CS-A-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

IT IS SO ORDERED.

Entered this ___ day of January 2025.

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

eSignature Details

Signer ID:	**Fg3iHNViua9dViFrwLhYA9jR**
Signed by:	Samuel Yu
Sent to email:	dryu8275@gmail.com
IP Address:	72.14.148.33
Signed at:	Jan 1 2025, 9:54 am PST

Signer ID:	**1FtdvKn81yLSGxRiiY4b9Z3j**
Signed by:	Craig Perry
Sent to email:	cperry@craigperry.com
IP Address:	129.222.101.251
Signed at:	Jan 1 2025, 1:18 pm PST

5E

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **JEFFREY D. GROSS, MD,** **Certificate of Registration No. CS20182,** **Respondent.**	**CASE NO. 22-417-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 Jeffrey D. Gross, MD, Certificate of Registration No. CS20182, by and through counsel, Ilene Albala, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.

2. On October 22, 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 by certified mail addressed to Respondent at his last address of record in conformance with NRS 639.242(2).

3. Respondent timely filed an Answer and Notice of Defense to the Accusation on November 14, 2024.

4. Respondent is 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 contests 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 in the Accusation, *to wit*:

A. On or about August 7, 2020, in *United States of America v. Jeffrey David Gross*, United States District Court for the Central District of California, Case 8:18-cr-00014-JLS, Respondent pled guilty pursuant to a plea agreement and was convicted on one felony count of conspiracy, in violation of 18 U.S. Code § 371; and

B. By his conviction, Respondent engaged in unprofessional conduct as defined in NAC 639.945(1)(h), has committed acts that would render his Nevada controlled substance registration inconsistent with the public interest, and is therefore subject to discipline pursuant to NRS 453.236(1)(e) and NRS 453.241(1).

8. The alleged violations described in Paragraph 7(B) are pled with particularity in the Accusation, and are grounds for action pursuant to NRS 453.236(1)(e), NRS 453.241(1), and/or NRS 639.255.

9. On or about October 18, 2024, and subsequent to the filing and service of the Accusation, Respondent surrendered his DEA Registration No. FG3245455 by executing a DEA Form 104, entitled "Surrender for Cause," consistent with the terms of a Memorandum of Agreement with the DEA executed on October 17, 2024. Pursuant to NRS 639.2107, the surrender of DEA Registration No. FG3245455 operated as an immediate suspension of his Certificate of Registration No. CS20182 with the Board, and Respondent is no longer authorized by federal law to dispense controlled substances and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

10. In order to resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Jeffrey D. Gross, MD, Certificate of Registration No. CS20182, stipulate to the following penalties:

A. The certificate of registration of Respondent Jeffrey D. Gross, MD, Certificate of Registration No. CS20182, is revoked pursuant to NRS 453.241(1)(b);

B. Respondent may not possess (except pursuant to the lawful order of a practitioner), administer, prescribe or dispense a controlled substance in Nevada until he has petitioned the Board for reinstatement pursuant to NRS 639.257 and the Board reinstates his certificate of registration;

C. Pursuant to NRS 622A.410(1) and 639.257(1), Respondent may not petition for reinstatement of his certificate of registration for a period of one (1) year from the effective date of this Order;

D. In the event Respondent applies for reinstatement of his certificate of registration, or applies for any other certificate, license or permit with the Board, he shall appear

before the Board to answer questions and give testimony regarding his application, his compliance with this Order, and the facts and circumstances underlying this matter;

E. Pursuant to NRS 639.255(1)(f), Respondent shall pay a fine of Five Thousand Dollars ($5,000.00), 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 July 1, 2025; and

F. Pursuant to NRS 622.400, Respondent shall pay One Thousand Dollars ($1000.00) 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 July 1, 2025.

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 impose additional discipline upon Respondent not inconsistent with the provisions of NRS Chapters 453 and 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 January 15, 2025. 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.

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 U.S.C. § 1396r–2 and 45 CFR Part 60.

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. 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 each other from any and all additional claims arising from the facts set forth in the Accusation on file herein and/or the Notice of Suspension dated November 6, 2024, 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 30th **day of** December, **2024**

JEFFREY D. GROSS, MD,
Certificate of Registration No. CS20182

Signed this ___ day of _____ 2024

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

APPROVED AS TO FORM AND CONTENT
this 30th **day of** December **2024**



ILENE ALBALA, ESQ.
Counsel for Respondent

DECISION AND ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Respondent Jeffrey D. Gross, MD, Certificate of Registration No. CS20182, in Case No. 22-417-CS-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

IT IS SO ORDERED.

Entered this ___ day of January 2025.

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

5F & 5H

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **WALMART PHARMACY #10-5070, Pharmacy License No. PH01814,** **WILLIAM HERGENROEDER, RPH, Certificate of Registration No. 12708, and** **HERMON BARIAGABR, RPH, Certificate of Registration No. 19456,** **Respondents.**	**CASE NOS. 22-537-PH-S** **22-537-RPH-A-S** **22-537-RPH-B-S** **STIPULATION AND ORDER [RESPONDENT'S WALMART PHARMACY #10-5070 AND BARIAGABR ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through Brett Kandt, General Counsel, Respondent Hermon Bariagabr (Bariagabr), Certificate of Registration No. 19456, and Respondent Walmart Pharmacy #10-5070, Pharmacy License No. PH01814, jointly by and through counsel, William Stilling, Esq. of Stilling & Harrison, **HEREBY STIPULATE AND AGREE THAT:**

1. On or about October 21, 2024, 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 are entering this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusation.

2. 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.

3. 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.

4. 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 knowingly 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.

5. Without admitting to the alleged facts or legal conclusions, Respondents admit that evidence exists, and that Board's staff prosecuting this case could present such evidence at an administrative hearing, to establish a factual basis for the violations alleged in the Accusation, *to wit,* that:

A. Respondent William Hergenroeder, RPh (Hergenroeder), Certificate of Registration No. 12708 (not a party to this Stipulation), engaged in unprofessional conduct as defined in NAC 639.945(1)(d) and (i) when he performed both the four point check of data entry and final verification of prescription no. 7533967 and failed to detect the erroneous direction to inject 24 units subcutaneously, resulting in patient harm, and is subject to discipline pursuant to NAC 639.252, NAC 639.702, NRS 639.210(4) and/or (12);

B. Bariagabr violated NRS 639.266, NAC 639.707 and/or NAC 639.708 when she failed to properly document medication counseling for prescription no. 7533967, and is subject to discipline pursuant to NRS 639.210(12); and

C. As the pharmacy/pharmacy owner at which the violations of law alleged herein occurred, Respondent Walmart Pharmacy #10-5070 is responsible for those violations,

including all errors and omissions of Hergenroeder and Bariagabr alleged in the Accusation, pursuant to NRS 639.230(5), NAC 639.702 and/or NAC 639.945(3).

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

7. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Hermon Bariagabr, Certificate of Registration No. 19456, stipulate to the following penalties:

A. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent Bariagabr shall pay a fine of One Thousand Dollars ($1,000.00) for the violations; and

B. Pursuant to NRS 622.400, Respondent Bariagabr shall pay Five Hundred Dollars ($500.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs.

8. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Walmart Pharmacy #10-5070, Pharmacy License No. PH01814, stipulate to the following penalties:

A. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent Walmart Pharmacy #10-5070 shall pay a fine of One Thousand Dollars ($1,000.00) for the violations; and

B. Pursuant to NRS 622.400, Respondent Walmart Pharmacy #10-5070 shall pay Five Hundred Dollars ($500.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs.

9. 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.

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 January 15, 2025. Respondents 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 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. Upon approval of this Stipulation by the Board, Respondents shall pay the fines agreed to herein 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 March 1, 2025.

14. Upon approval of this Stipulation by the Board, Respondents shall pay the attorney's fees and recoverable costs agreed to herein 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 March 1, 2025.

15. 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, whether known or unknown that might otherwise have existed on or before the effective date of this Order.

16. The parties acknowledge that Respondent William Hergenroeder, RPh (Hergenroeder), Certificate of Registration No. 12708, is not a party to this Stipulation and not bound by the terms and conditions contained herein, and remains entitled to a full hearing on the merits in Case No. 22-537-RPH-A-S.

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

WALMART PHARMACY #10-5070
Pharmacy License No. PH01814

Signed this ___ day of _____ 2025

HERMON BARIAGABR, RPH
Certificate of Registration No. 19456

APPROVED AS TO FORM AND CONTENT
this ___ day of _____ 2025

WILLIAM J. STILLING, ESQ.
Counsel for Respondents

Signed this ___ day of _____ 2025

BRETT KANDT
General Counsel
Nevada State Board of Pharmacy

ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent Walmart Pharmacy #10-5070, Pharmacy License No. PH01814, and Respondent Hermon Bariagabr, Certificate of Registration No. 19456, in Case Nos. 22-537-PH-S and 22-537-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 January 2025.

_____

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

5G

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **WALMART PHARMACY #10-5070, Pharmacy License No. PH01814,** **WILLIAM HERGENROEDER, RPH, Certificate of Registration No. 12708, and** **HERMON BARIAGABR, RPH, Certificate of Registration No. 19456,** **Respondents.**	**CASE NOS. 22-537-PH-S** **22-537-RPH-A-S** **22-537-RPH-B-S** **STIPULATION AND ORDER [RESPONDENT HERGENROEDER ONLY]**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through Brett Kandt, General Counsel, and Respondent William Hergenroeder, RPh (Hergenroeder), Certificate of Registration No. 12708, by and through counsel, William Stilling, Esq. of Stilling & Harrison, **HEREBY STIPULATE AND AGREE THAT:**

1. On or about October 21, 2024, Board Staff served Respondent 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 is entering this Stipulation in lieu of filing an Answer and Notice of Defense to the Accusation.

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

3. 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.

4. 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 knowingly 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.

5. Without admitting to the alleged facts or legal conclusions, Respondent admits that evidence exists, and that Board's staff prosecuting this case could present such evidence at an administrative hearing, to establish a factual basis for the violations alleged in the Accusation, *to wit,* that Hergenroeder engaged in unprofessional conduct as defined in NAC 639.945(1)(d) and (i) when he performed both the four point check of data entry and final verification of prescription no. 7533967 and failed to detect the erroneous direction to inject 24 units subcutaneously, resulting in patient harm, and is subject to discipline pursuant to NAC 639.252, NAC 639.702, NRS 639.210(4) and/or (12).

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

7. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and William Hergenroeder, RPh, Certificate of Registration No. 12708, stipulate to the following penalties:

A. Pursuant to NRS 639.255(1)(f) and NAC 639.955(5), Respondent Hergenroeder 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 March 1, 2025; and

B. Pursuant to NRS 622.400, Respondent Hergenroeder shall pay Five Hundred Dollars ($500.00) to partially reimburse the Board for reasonable attorney's fees and recoverable costs, 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 March 1, 2025.

8. 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, the Board may impose additional discipline upon Respondent consistent with the provisions of NRS Chapter 639.

9. 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 January 15, 2025. Respondent 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 counsel are not present at the meeting.

10. 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.

11. 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.

12. 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 ___ day of _____ 2025

_____
WILLIAM HERGENROEDER, RPH
Certificate of Registration No. 12708

APPROVED AS TO FORM AND CONTENT
this ___ day of _____ 2025

_____
WILLIAM J. STILLING, ESQ.
Counsel for Respondents

Signed this ___ day of _____ 2025

_____
BRETT KANDT
General Counsel
Nevada State Board of Pharmacy

ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondent William Hergenroeder, RPh, Certificate of Registration No. 12708, in Case No. 22-537-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 January 2025.

_____

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

5J

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **JOHN T. KATZEN, MD,** **Certificate of Registration No. CS24228,** **Respondent.**	**CASE NO. 24-389-CS-S** **MEMORANDUM OF ATTORNEY'S FEES AND COSTS**

Pursuant to NRS 622.400, the undersigned hereby submits the following itemized bill of costs and reasonable attorney's fees incurred by the Nevada State Board of Pharmacy in connection with the investigation and prosecution of the above-entitled administrative action.

Investigative Time - Dena McClish				
Date(s)	Description	Hours	Rate	Amount
			$53.00/hr	-
Subtotal (Investigation):				
Attorney Time - Brett Kandt				
Date(s)	Description	Hours	Rate	Amount
9/25/24	Confer with staff and review investigative case file in case 24-389-CS-S; research and serve notice of suspension and draft Notice of Intended Action and Accusation.	7.50	$86.50/hr	$648.75
11/19/24	Confer with staff and respondent regarding pending charges and hearing date.	1.50	$86.50/hr	$129.75

11/21/24	Confer with staff and respondent regarding pending charges and continuance of hearing date.	2.00	$86.50/hr	$173.00
12/24/24	Confer with staff; prepare exhibits for hearing.	1.25	$104.00/hr	$130.00
12/30/24	Confer with staff; prepare exhibits for hearing.	1.75	$104.00/hr	$182.00
1/6/25	Confer with staff and respondent regarding hearing.	1.00	$104.00/hr	$104.00
1/8/25	Confer with staff; prepare memorandum of attorney's fees and costs; submit to respondent; draft proposed findings of fact, conclusions of law and order.	3.25	$104.00/hr	$338.00
1/15/25	Hearing in case 24-389-CS-S; finalize order.	1.00	$104.00/hr	$104.00
Subtotal (Attorney Time): $1,809.50				
Subtotal (Staff Time)				
Date(s)	Description	Hours	Rate	Amount
10/08/24	Erin Miller served Accusation via certified/regular mail.	1.0	$25.00/hr	$25.00
10/31/24	Jessette Phaynarikone served Notice of Hearing for December 4, 2024.	0.25	$25.00/hr	$6.25
12/24/24	Jessette Phaynarikone served Notice of Hearing for January 15, 2025.	0.25	$25.00/hr	$6.25
Subtotal (Staff Time): $37.50				

Additional Recoverable Costs: Postage/Mailing Costs: $33.42
Total Attorney's Fees and Recoverable Costs: $1,880.42

I, Brett Kandt, affirm, to the best of my knowledge and belief, that the foregoing is a true and correct statement of reasonable attorney's fees and costs incurred by the Board in the above-entitled action.

DATED this 8th day of January, 2025.



Brett Kandt
General Counsel
Nevada State Board of Pharmacy

5L

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, Petitioner, v. ALEXANDER LEE, M.D., Certificate of Registration No. CS18089, Respondent.	Case No. 22-217-CS-S STIPULATION AND ORDER

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, by and through counsel, Gregory L. Zunino, Esq., and Respondent Alexander Lee, M.D. ("Respondent"), by and through counsel, Adam Knecht, 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.

3. Respondent acknowledges that he understands the terms of this Stipulation and Proposed Order ("Stipulation"), and that he has executed it knowingly and voluntarily after consulting with his attorney.

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, NRS Chapter 639, the Nevada Pharmacy Act, and NRS Chapter 453, the Nevada Uniform Controlled Substances 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 voluntarily waives his right to a hearing, reconsideration, appeal, and other rights related to this action as identified above.

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

A. In July 2022, Respondent transported, in his personal backpack, a supply of controlled substances between his home/vehicle/office and various hospital operating rooms and/or surgery centers. By possessing and/or storing controlled substances in a location other than a registered office, Respondent violated NAC 453.130(3)(b) and 21 CFR § 1301.12(b)(3).

B. By transporting and storing controlled substances in his personal backpack, Respondent failed to establish and maintain effective controls and procedures to prevent or guard against the theft and misuse of controlled substances as required by NAC 453.300.

C. While transporting controlled substances and/or dangerous drugs in his personal backpack, Respondent commingled expired and unexpired drugs and/or controlled substances. In so doing, Respondent breached a legal duty to take reasonable precautions to prevent his patients from being injected with adulterated substances and/or incorrect drugs.

D. Respondent knowingly or intentionally acquired controlled substances and/or dangerous drugs without a prescription, and from some source other than a manufacturer, wholesaler, or pharmacy. In so doing, Respondent violated NRS 435.336 and/or NRS 454.316.

E. Respondent knowingly or intentionally removed controlled substances and/or dangerous drugs from the custody of various hospital pharmacies and surgical centers in the Las Vegas metropolitan area. Respondent did so without authority and in a manner intended to avoid detection, thus violating NRS 453.331 and/or NRS 454.311.

F. In 2021 and 2022, Respondent failed to query the controlled substance information database known as the Prescription Monitoring Program, thus violating NRS 639.23507 and/or NRS 453.164(7).

7. Respondent represents and warrants that after being made aware of the investigation and/or charges in this case, he has taken the following steps to ensure that his conduct is at all times compliant with state and federal law as it relates to dangerous drugs and controlled substances, to wit:

A. Respondent voluntarily participated in a diversion counseling program on or about July 29, 2022;

B. During Respondent's diversion counseling program, Respondent also participated in drug testing with results indicate no alcohol abuse or dependency issues;

C. Respondent voluntarily participated in three (3) days of Physician Assessment and Clinical Education (PACE) in December 2022;

D. Respondent voluntarily participated in a course to refamiliarize himself regarding the Prescription Monitoring Program (PMP);

E. Respondent has diligently assisted various medical executive committees with respect to their investigation of this matter and has been permitted to exercise his medical privileges at said medical facilities with no disciplinary or corrective action being taken.

F. After the subject incident, Respondent immediately discontinued bringing his backpack with outside medications into medical facilities.

G. Respondent has been compliant with the medical facilities' policies, procedures and bylaws since the subject incident.

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

A. Respondent's certificate of registration no. CS18089 shall be **REVOKED;** however, the imposition of the revocation shall be stayed, and Respondent shall be placed on probation

for a period of two (2) years from and after the effective date of this Stipulation. Upon successful completion of the terms and conditions of probation as forth herein, Respondent's certificate of registration shall be automatically reinstated without conditions or restrictions.

B. From the effective date of this Stipulation through January 14, 2026, as a condition of probation, Respondent shall not possess controlled substances except while on the premises of a hospital, a surgery center for ambulatory patients, or another medical facility where Respondent is treating or caring for a surgical patient. As used herein, "medical facility" has the meaning ascribed to it in NRS 449.0151. The foregoing limitation on Respondent's authority to possess controlled substances shall not be construed as a limitation on his authority to possess a controlled substance for his own use pursuant to a lawfully issued prescription.

C. Respondent shall pay an administrative fine of **Ten Thousand and 00/100 Dollars ($10,000.00)**, 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 March 31, 2025.

D. Respondent shall pay the sum of **Five Thousand and 00/100 Dollars ($5,000.00)** 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 March 31, 2025.

E. As a condition of probation, Respondent shall not engage in any conduct for which disciplinary action may be imposed pursuant to the provisions of NRS 639.210, NRS 453.236, and/or associated regulations.

9. This Stipulation constitutes a full and final resolution of the Accusation in Case No. 22-217-CS-S. However, Respondent understands and acknowledges that his failure 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 not inconsistent with the provisions of NRS Chapter 639 and/or NRS Chapter 453.

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 January 15, 2025, in Las Vegas, Nevada. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent 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

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before the effective date of this Order.

AGREED:

Signed this 10 day of January 2025.

ALEXANDER LEE, M.D.
Certificate of Registration No. CS18089

Signed this 10th day of January 2025.

Nevada State Board of Pharmacy

By
GREGORY L. ZUNINO
Senior General Counsel

Approved as to Form and Content:

ADAM KNECHT, ESQ.
Hall & Evans, LLC

Attorneys for Respondent Alexander Lee, M.D.

DECISION AND ORDER

As to Respondent Alexander Lee, M.D., in Case No. 22-217-CS-S, the Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its final decision in the matter and hereby orders that the terms of the foregoing Stipulation be made effective upon the date of entry set forth below.

IT IS SO ORDERED.

Entered this 15th day of January 2025.

Helen Park, President
Nevada State Board of Pharmacy

5M

Exhibit 1
23-409-PTT-S
Jesse Bradberry

JOE LOMBARDO
Governor

HELEN PARK
President

J. DAVID WUEST
Executive Secretary

STATE OF NEVADA

BOARD OF PHARMACY

985 Damonte Ranch Pkwy, Ste 206
Reno, NV 89521

December 28, 2023

Via Certified Mail and Email
Jesse James Bradberry (PT28790)
[redacted] Court
Las Vegas, NV [redacted]
Email: [redacted]@yahoo.com

CITATION-AND-FINE ORDER: Case No. 23-490-PTT-S, Failure to Respond Accurately to Personal and Professional History Questions on a Pharmaceutical Technician in-Training Application

Greetings:

The Nevada State Board of Pharmacy (Board) has determined that you failed to respond accurately to personal and professional history questions on your pharmaceutical technician in-training application. The Board has the authority to regulate pharmaceutical technicians (PTs) and pharmaceutical technicians in-training (PTTs) under NRS 639.070 and 639.1371(2). Pursuant to NAC 639.240(1), no person may perform the duties of a PT without being registered with the Board. Additionally, PTTs must be registered by the Board pursuant to NAC 639.242.

The Board requires disclosures to be made on a PTT application pursuant to NRS 639.070, NRS 639.1371, and NAC 639.242. The Executive Secretary of the Board is required to issue a certificate of registration for properly completed pharmaceutical technician in-training applications unless there is good cause to deny the registration. NAC 639.242(3). Obtaining any certificate of registration by the filing of an application which is false or fraudulent is a violation of Nevada law and can subject the holder of a certificate of registration to discipline by the Board. NRS 639.100(1)(b); NRS 639.210(10); NRS 639.281(1); and NRS 639.2895.

By failing to accurately respond to questions in the "personal and professional history" section of your PTT application, you have obtained a certificate of registration by the filing of an application which is false and are subject to discipline by the Board. *See* NRS 639.100(1)(b); NRS 639.210(10); NRS 639.281(1); and NRS 639.2895. The relevant facts are as follows:

- On or about June 13, 2023, you applied to become a PTT.

• On your PTT application, you answered "no" to the question that asked whether you had been charged, arrested, or convicted of a felony or misdemeanor in any state, regardless of the outcome.

• On your PT application, you also answered "no" to the question which asked whether you had been charged, arrested, or convicted of a felony or misdemeanor in any state, regardless of the outcome.

• Board staff determined that you did not respond accurately to this question on your PTT application. You later admitted to Board Investigator Kenneth Scheuber that you failed to respond accurately to the question that asks whether you had been charged, arrested, or convicted of a felony or misdemeanor in any state, regardless of the outcome on your PTT applications.

Accordingly, this notice shall serve as a **CITATION** for your failure to respond accurately to personal and professional history questions on your PTT applications. Pursuant to NRS 639.2895 and NRS 639.100(1)(b), the Board has assessed an **administrative fine** against you in the amount of **Five Hundred and 00/100 Dollars ($500.00). Once your fine is received by the Board, a NEW PT application with proper disclosures may be processed. Your initial PT application is set to be denied at the Board's January 2024 meeting. You will be given the opportunity to appeal that decision.**

If you do not intend to contest the above fine, please pay the fine within 30 days of receipt of this citation, or otherwise contact Board staff to request an alternative payment plan. Payment must be by *cashier's check*, *certified check* or *money order* made payable to **"State of Nevada, Office of the Treasurer,"** to be received at the Board's Reno office, located at 985 Damonte Ranch Parkway – Suite 206, Reno, NV 89521. Additionally, please be advised that should you fail to comply with the terms of this citation and order, your noncompliance will be reported to the National Practitioner Data Bank and referred to the Nevada Controller's Office for collection pursuant to NRS 353C.195. *See* 45 C.F.R. §§ 60.3 and 60.5.

You may contest this citation by submitting to the Board, at the Reno address listed above, a written request for a public hearing. You must submit any such request no later than 30 days after receipt of this notice. *See* NRS 639.2895(2). Additionally, please be aware that issuance of the foregoing letter does not preclude the filing of an administrative disciplinary complaint, a civil suit, or criminal charges, if deemed appropriate based upon evidence not currently available to the Board's investigative staff.

If you have any questions, please contact Nevada State Board of Pharmacy Assistant General Counsel Gustaf Vanderdonck by telephone at 775-850-1440, ext. 132, or *via* email at gvanderdonck@pharmacy.nv.gov.

Best regards,

Nevada State Board of Pharmacy

9171 9690 0935 0280 1507 13

Exhibit 2
23-490-PTT-S
Jesse Bradberry

Case No. 23-490-PTT-S. Citation and Fine Order - Jesse James Bradberry

Erin Miller <emiller@pharmacy.nv.gov>
Thu 12/28/2023 4:36 PM
To [redacted]@yahoo.com [redacted]@yahoo.com>
Cc:Gus Vanderdonck <gvanderdonck@pharmacy.nv.gov>;Darlene Nases <dnases@pharmacy.nv.gov>;Shirley Hunting <shunting@pharmacy.nv.gov>

1 attachments (248 KB)
Case No. 23 490 PTT S Bradberry.pdf;

Dear Mr. Bradberry,

The **Citation and Fine Order** has been sent out via certified mail. Please see attached courtesy copy for Case No. 23-490-PTT-S regarding Jesse James Bradberry (PT28790).

If you have any questions, please contact Gus Vanderdonck (gvanderdonck@pharmacy.nv.gov).

Thank you,

Erin Miller
Administrative Assistant - Board Coordinator II
Nevada State Board of Pharmacy
985 Damonte Ranch Pkwy, Ste 206
Reno, NV 89521
Office: (775) 850-1440
emiller@pharmacy.nv.gov

This information is provided as a courtesy on behalf of the Nevada State Board of Pharmacy. This information does not constitute legal advice and does not override the specific provisions of Nevada law as applied to a particular set of facts.

CONFIDENTIALITY NOTICE: This message and any accompanying documents are intended only for the use of the individual or entity to which they are addressed. They may contain information that is proprietary, privileged, confidential or exempt from disclosure under applicable Federal or State law. If the reader of this message is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, using, sharing or copying this communication or its contents. If you have received this email in error, please notify the sender immediately and destroy the original transmission.

Exhibit 3
23-490-PTT-S
Jesse Bradberry

USPS Tracking®

FAQs >

Remove ×

Tracking Number:

9171969009350280150713

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item is being held at the ZIP Code 89178 post office at 1:57 pm on January 2, 2024. This is at the request of the customer.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt
Held at Post Office, At Customer Request
89178
January 2, 2024, 1:57 pm

Delivered to Agent for Final Delivery
LAS VEGAS, NV 89178
January 2, 2024, 12:05 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates ⌄

USPS Tracking Plus® ⌄

Product Information ⌄

Feedback

23-490-PTT-S. Exhibit3.Bradberry001

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

USPS Tracking®

FAQs >

Remove ×

Tracking Number:

9171969009350280150713

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

We attempted to deliver your item at 1:57 pm on January 2, 2024 in LAS VEGAS, NV 89178 and a notice was left because no secure delivery location was available. If this item is unclaimed after 15 days then it will be returned to the sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt
Notice Left (No Secure Location Available)
LAS VEGAS, NV 89178
January 2, 2024, 1:57 pm

Delivered to Agent for Final Delivery
LAS VEGAS, NV 89178
January 2, 2024, 12:05 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates ⌄

USPS Tracking Plus® ⌄

Product Information ⌄

Feedback

23-490-PTT-S. Exhibit3.Bradberry003

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Exhibit 4
23-490-PTT-S
Jesse Bradberry

FILED
OCT 07 2024
NEVADA STATE BOARD
OF PHARMACY

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **JESSE BRADBERRY, PTT,** **Certificate Registration No. PT28790,** **Respondent.**	**Case No. 23-490-PTT-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 personal jurisdiction over Respondent Jesse Bradberry (Respondent), because Respondent, at the time of the violations alleged herein, held a Certificate of Registration issued by the Board pursuant to NRS 639.100 and NRS 639.1371, authorizing Respondent to work as a pharmaceutical technician in training. Since June 13, 2023, Respondent has held Certificate of Registration No. PT28790, allowing him to work as a pharmaceutical technician in training issued by the Board pursuant to NRS 639.100 and NRS 639.1371.

2. The Board has jurisdiction over the subject matter of this accusation because the alleged violations involve the issuance of Certificates of Registration as required by Nevada law and the regulation of the practice of pharmacy. NRS 639.070.

FACTUAL ALLEGATIONS

3. Respondent submitted a pharmaceutical technician in training (PTT) application on or around June 13, 2023.

4. Respondent did not disclose any arrests, charges, or convictions in any state on his PTT application.

5. On or around September 20, 2023, Respondent submitted a pharmaceutical technician (PT) application to the Board.

6. Respondent later admitted that he failed to disclose arrests and/or convictions on his original PTT application submitted on June 13, 2023.

7. The Board issued a Citation-and-Fine Letter to Respondent dated December 28, 2023.

8. Respondent was issued an administrative fine of $500.00 for failing to properly disclose previous arrests, charges, and/or convictions on his original PTT application.

9. Respondent failed to timely pay the fine or submit a written request for appeal within the statutory 30-day timeframe to do so. NRS 639.2895(2).

10. Respondent's fine was sent to collections pursuant to Nevada law. NRS 353C.195(3).

11. Respondent continues to hold a PTT registration despite not having complied the Board's Citation-and-Fine Letter.

APPLICABLE LAW

12. In Nevada, the Board may discipline the holder of any registration if the holder or applicant is guilty of unprofessional conduct or conduct contrary to the public interest. NRS 639.210(4).

13. Conduct contrary to the public interest includes, "performing any duties as the holder of a license issued by the Board in an incompetent, unskillful or negligent manner. NAC 639.945(1)(i).

14. The Board has the authority to register PTTs pursuant to NAC 639.242.

15. The Board may issue a Citation-and-Fine Order to individuals and/or entities that fail to comply with regulations adopted by the Board. NRS 639.100(1); NRS 639.2895.

16. The Board may impose a fine of up to $10,000 for each violation committed. NRS 639.255(1)(f) and (3).

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COUNT ONE

Unprofessional Conduct – Failure to Comply with a Board Citation-and-Fine Order

17. Respondent failed to comply with a Board Citation-and-Fine Order in a timely manner. NRS 639.2895(2). The Citation-and-Fine Order was lawfully issued pursuant to NRS 639.2895 and NRS 639.100(1)(b). Respondent was required to either pay the $500.00 fine or submit a written appeal request within 30 days of the issuance of the letter. NRS 639.2895(2). Respondent failed to do either.

18. Because of these actions, Respondent performed his duties as the holder of a registration issued by the Board in an incompetent, unskillful or negligent manner. Respondent performed his duties in an incompetent, unskillful, or negligent manner because he failed to comply with a Board Citation-and-Fine Order. NRS 639.210(4); NAC 639.945(1)(i).

19. Having engaged in unprofessional conduct as alleged above, Respondent is subject to discipline by the Board. NRS 639.210(4); NRS 639.255; NAC 639.945; and NAC 639.955.

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

DATED this 7th day of OCTOBER 2024.

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.** **JESSE BRADBERRY, PTT,** **Certificate of Registration No. PT28790,** **Respondent.**	**Case No. 23-490-PTT-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, January 15, 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 **gvanderdonck@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 7th day of OCTOBER 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.** **JESSE BRADBERRY, PTT,** **Certificate of Registration No. PT28790,** **Respondent.**	**Case No. 23-490-PTT-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 _____ 2024.

JESSE BRADBERRY, PTT

CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada State Board of Pharmacy, and that on this 8th day of October 2024, I served a true and correct copy of the foregoing document by Certified U.S. Mail and Standard U.S. mail to the following:

Jesse Bradberry, PTT
[redacted]Ct
Las Vegas, NV [redacted]

JESSETTE PHAYNARIKONE
ADMINISTRATIVE ASSISTANT
BOARD COORDINATOR I

Exhibit 5
23-490-PTT-S
Jesse Bradberry

Jesse Bradberry
[redacted] Ct
Las Vegas, NV [redacted]
23-490-PTT-S. NIAA

FILED
OCT 08 2024
NEVADA STATE BOARD OF PHARMACY

MAILED
10/8/24

9171 9690 0935 0313 8183 44

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Available for Pickup

Available for Pickup
WESTRIDGE
7925 W RUSSELL RD
LAS VEGAS NV 89113-9998
M-F 0830-1700; SAT 0900-1500
October 12, 2024, 11:58 am

Notice Left (No Authorized Recipient Available)
LAS VEGAS, NV 89178
October 11, 2024, 12:13 pm

Departed USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER
October 11, 2024, 9:03 am

Arrived at USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER
October 10, 2024, 12:05 pm

In Transit to Next Facility
October 9, 2024

Arrived at USPS Regional Facility
RENO NV DISTRIBUTION CENTER
October 8, 2024, 11:43 pm

Accepted at USPS Origin Facility
RENO, NV 89521
October 8, 2024, 10:28 pm

Pre-Shipment, USPS Awaiting Item
October 8, 2024

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FAQs

CERTIFIED MAIL

9171 9690 0935 0313 8183 44

Nevada State Board of Pharmacy
985 Damonte Ranch Parkway Suite 206
Reno, Nevada 89521

Return Service Requested

Jesse Bradberry
[redacted] Ct
Las Vegas, NV [redacted]

-R-T-S- 891785021-1N 11/10/24

RETURN TO SENDER
UNABLE TO FORWARD
UNABLE TO FORWARD
RETURN TO SENDER

23-490-PTT-S Exhibit5 Bradberry004

Exhibit 6
23-490-PTT-S
Jesse Bradberry

NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Pkwy Suite 206, Reno, Nevada 89521
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444
Email: pharmacy@pharmacy.nv.gov • Web Page: bop.nv.gov

December 24, 2024

Jesse Bradberry
[redacted]Ct
Las Vegas, NV [redacted]

Re: Jesse Bradberry and Case No. 23-490-PTT-S

Dear Jesse Bradberry

The hearing for case number **23-490-PTT-S** has been scheduled for **Wednesday, 1/15/2025** at **9:00:00 AM PST** or soon thereafter at the following location:

Hilton Garden Inn
7830 S Las Vegas Boulevard
Las Vegas, NV 89123

This is an in-person hearing; all respondents, witnesses and counsel must appear in person before the Board.

Pursuant to NRS 241.033, 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.

If you have any questions, please feel free to contact the board staff.

Sincerely,

Jessette Phaynarikone
Administrative Assistant - Board Coordinator I
Nevada State Board of Pharmacy

9171 9690 0935 0314 1240 31

Exhibit 7
23-490-PTT-S
Jesse Bradberry

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Alert
Addressee Unknown
LAS VEGAS, NV 89178
December 30, 2024, 12:33 pm

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LAS VEGAS NV DISTRIBUTION CENTER
December 28, 2024, 9:45 am

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FAQs

FILED
JAN 07 2025
NEVADA STATE BOARD OF PHARMACY

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **JESSE BRADBERRY, PTT,** **Certificate of Registration No. PT28790,** **Respondent.**	**Case Nos. 23-490-PTT-S** **MEMORANDUM OF COSTS AND FEES**

Pursuant to NRS 622.400, the undersigned hereby submits the following itemized bill of costs and reasonable attorney's fees incurred by the Nevada State Board of Pharmacy in connection with the investigation and prosecution of the above-entitled administrative action.

Investigation Time (Investigator Kenneth Scheuber)

Date(s)	Description	Hours	Rate	Amount
12/2023	See attached	5.0	$50.00	$250.00
Subtotal (Investigation):				$250.00

Attorney Time (Gus Vanderdonck)

Date(s)	Description	Hours	Rate	Amount
10/2024	Draft Accusation (Estimated)	1.5	$60.00	$90.00

Attorney Time (Gregory Zunino)

Date(s)	Description	Hours	Rate	Amount
1/7/25	Review Investigative File	.5	$60.00	$30.00
1/7/25	Assemble Exhibits for Hearing	.5	$60.00	$30.00
1/15/25	Hearing (Estimated)	.5	$60.00	$30.00
Subtotal (Attorney Time)				$180.00

Exhibit 8

Administrative Costs

Date(s)	Description	Hours	Rate	Amount
12/28/23	Erin Miller sent the Citation and Fine letter.	0.50	$25.00/hr	$12.50
10/8/24	Jessette Phaynarikone processed and mailed out the Accusation.	1.0	$25.00/hr	$25.00
12/24/24	The Notice of Hearing letter was sent for the January 2025 Board Meeting.	0.50	$25.00/hr	$12.50

Subtotal (Administrative Costs): $50.00

Total Mailing Costs: $31.46

Subtotal (Administrative and Mailing Costs) $81.46

Total Costs and Fees: **$511.46**

I, Gregory L. Zunino, affirm, to the best of my knowledge and belief, that the foregoing is a true and correct statement of costs and reasonable attorney's fees incurred by the Board in the above-entitled action.

DATED this 7th day of January 2025.

Senior General Counsel
Nevada State Board of Pharmacy

INVESTIGATION HOURS

CASE NUMBER 23-490-PTT-S STAFF NAME Kenneth Schreiber

DATE	ACTIVITY	TOTAL HRS
12-05-23	DATE CASE RECEIVED AND REVIEWED. FILES CREATED.	.25
	INVESTIGATIVE REPORT OPENED. CONTACTS INFO PRINTED	1.00
12.06.23	INTERVIEWED PT BRADBERRY.	
12.07.23	RECEIVED PT BRADBERRY'S STATEMENT. TYPED THE CASE COMPLETE. READY FOR THE LAS VEGAS REVIEW.	3.00
12-19-23	CASE REVIEWED IN LAS VEGAS. RECOMMEND AN ACCUSATION BE WRITTEN	.25

6A

BEFORE THE NEVADA STATE BOARD OF PHARMACY

NEVADA STATE BOARD OF PHARMACY, **Petitioner,** **v.** **ECHO HEALTH LLC, DBA NOVA SPECIALTY PHARMACY,** **OBIECHINA EZEKWESILI, PHARM.D.,** **Respondents.**	**CASE NO. 24-354-PH-O** **STIPULATION AND ORDER**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy (Board), by and through Brett Kandt, General Counsel, and Respondents Echo Health dba Nova Specialty Pharmacy and Owner and Managing Pharmacist Obiechina Ezekwesili, Pharm.D,, jointly by and through counsel, Luis J. Lanz, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. On or about September 11, 2024, pursuant to NRS 639.2895 a Cease-and-Desist Order together with a Citation and Fine (Citation) was served upon Respondents alleging violations of Nevada law related to unlicensed activity.

2. On or about September 11, 2024, Respondents appealed the Citation.

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 knowingly 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 admit that evidence exists, and that Board's staff prosecuting this case could present such evidence at an administrative hearing, to establish a factual basis for the violations alleged in the Citation, *to* wit;

A. Between December 2023 and January 2024, Respondents, located in Mansfield, Texas, compounded and dispensed no fewer than 103 prescriptions for compounded drug products to 64 patients located in Nevada, without holding a Nevada pharmacy license, in violation of NRS 639.100(1) and NRS 639.2328; and

B. The prescriptions dispensed to Nevada patients may not have been compounded in compliance with NAC 639.661-.690, *inclusive*, and 21 U.S.C. § 353a and USP-797 standards.

7. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondents stipulate to the following penalties pursuant to NRS 233B.121(5), NRS 622.330 and NRS 622A.170:

A. Pursuant to NRS 639.2895(3), Respondents shall pay a fine of Twenty-Five Thousand Dollars ($25,000.00) 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 immediately upon approval of this Stipulation by the Board; and

B. Respondents shall not dispense prescriptions to patients located in Nevada unless and until licensed by the Board pursuant to NRS 639.2328 and in compliance with NAC 639.661 -.690, *inclusive*, and 21 U.S.C. § 353a and USP-797 standards.

8. 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 January 15, 2025. Respondents will appear in person or through counsel 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 counsel are not present at the meeting.

9. 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.

10. 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.

11. 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, 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 Cease-and-Desist Order/Citation and Fine 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 9th **day of** ~~2025~~ January **2025**

Obiechina Ezekwesili

ECHO HEALTH LLC, DBA NOVA SPECIALTY PHARMACY

Signed this 9th **day of** ~~2025~~ January **2025**

Obiechina Ezekwesili

OBIECHINA EZEKWESILI, PHARM.D.

APPROVED AS TO FORM AND CONTENT
this 10th **day of** January **2025**

LUIS J. LANZ, ESQ.
Counsel for Respondents

Signed this ___ **day of** _____ **2025**

BRETT KANDT
General Counsel
Nevada State Board of Pharmacy

ORDER

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as to Respondents Echo Health dba Nova Specialty Pharmacy and Obiechina Ezekwesili, Pharm.D., in Case No. 24-354-PH-O, 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 January 2025.

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

Nova Specialty Pharmacy - Request for Appeal 24-354-PH-O

From: Pharmacy Team
To: Gus Vanderdonck
Cc: Jessette Phaynarikone; Darlene Nases
Subject: Re: Case #24-354-PH-O. Nova Specialty Pharmacy - Notice of Cease-and-Desist and Citation-and-Fine
Date: Thursday, September 12, 2024 9:40:55 AM
Attachments: image002.png

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you. Are we allowed to file for a non resident license or a 503B license? We were under the impression that being 503B allowed us to be federal and ship nationwide. It was never our intention to violate compliance. It's all just so vague and no one has the answers we need.

Dr. Obiechina Ezekwesili, PharmD
Director of Pharmacy
Nova Specialty Pharmacy
Office: (682) 400-8154
Direct: [redacted]
www.novaspecialtypharmacy.com

On Thu, Sep 12, 2024 at 11:38 AM Gus Vanderdonck <gvanderdonck@pharmacy.nv.gov> wrote:

> We can put you on the agenda for our December 4th meeting. The fine would be stayed pending the outcome of the appeal at that meeting.
>
> Best,
> Gustaf Vanderdonck
> General Counsel
> Nevada State Board of Pharmacy
> (775)-850-1440 Ext. 132
> gvanderdonck@pharmacy.nv.gov
> **From:** Pharmacy Team <pharmacy@novaspecialtypharmacy.com>
> **Sent:** Wednesday, September 11, 2024 4:17 PM
> **To:** Jessette Phaynarikone <jphaynarikone@pharmacy.nv.gov>
> **Cc:** Gus Vanderdonck <gvanderdonck@pharmacy.nv.gov>; Darlene Nases <dnases@pharmacy.nv.gov>
> **Subject:** Re: Case #24-354-PH-O. Nova Specialty Pharmacy - Notice of Cease-and-Desist and Citation-and-Fine

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I intend to appeal. Please see my statement attached. We did maintain quality standards, if not, we would have been shut down. Inspection warnings were strictly due to our stored items not benign visible to the inspector from outside the cleanroom, not due to the lack there of. Please let me know next steps for the hearing. That's not a fine we will be able to pay. That's more than we've made all year. You'd be killing my company and rendering my children to nothingness. Please advise.

Dr. Obiechina Ezekwesili, PharmD
Director of Pharmacy
Nova Specialty Pharmacy
Office: (682) 400-8154
Direct: [redacted]
www.novaspecialtypharmacy.com

On Wed, Sep 11, 2024 at 6:03 PM Jessette Phaynarikone <jphaynarikone@pharmacy.nv.gov> wrote:

> Hello,
>
> The **Notice of Cease-and-Desist and Citation-and-Fine** letter has been sent out via certified mail.
> Please see attach courtesy copy for your records.
>
> If you have any questions, please contact Gus Vanderdonck (gvanderdonck@pharmacy.nv.gov).
>
> Thank you.
>
> Jessette Phaynarikone
> **Administrative Assistant - Board Coordinator I | Nevada State Board of Pharmacy**
> jphaynarikone@pharmacy.nv.gov
> Office: 775-850-1440
> Fax: 775-850-1444
> 985 Damonte Ranch Pkwy Suite 206
> Reno, NV 89521

7A

Exhibit 1
American Wellness Pharmacy
23-063-PH-S

Outlook

American Wellness - Correective Action Plan

From Maxson-Rushton Kimberly <KRUSHTON@cooperlevenson.com>

Date Tue 10/15/2024 1:31 PM

To David Wuest <dwuest@pharmacy.nv.gov>; Brett Kandt <bkandt@pharmacy.nv.gov>

Cc George Maiorano <george@americanwellnesspharmacy.com>; Eytan Klepach <eytan@americanmedicalwellness.com>

4 attachments (20 MB)

American Wellness 3.pdf; American Wellness 4.pdf; American Wellness 1.pdf; American Wellness 2.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ex. Secretary Wuest and Mr. Kandt:

As you're aware, American Wellness is requesting rescission of Section 8(c) of the Board of Pharmacy's ("BOP") Settlement and Order dated September 4, 2024. In lieu of the suspension of its ability to compound sterile drug compounds and, in an effort, to demonstrate American Wellness's commitment to compliance please find below a proposed corrective action plan:

***NEW PIC:** American Wellness has hired a new PIC. Please see attached BOP License.

***PIC TRAINING:** The PIC will complete compounding and USP core training courses through accredited vendor PCCA. Said training will take place onsite and online at https://www.pccarx.com/PCCAEducation/Pharmacy. Moreover, in anticipation of the Board Certified Sterile Compounding Pharmacist (BCSCP) certification examination, the new PIC has enrolled in an ACPE-accredited course which consists of 27.5 hours, "Compounded Sterile Preparations Certificate for Pharmacists."

Additionally, the new PIC and Pharmacy Tech will immediately enroll in continuing educations courses through PowerPak at https://www.powerpak.com. This will further assist the PIC's knowledge and skills relative to achieving and maintaining compliance with USP 797 standards.

***FDA MONITORING:** Pharmacy Tech's responsibilities were expanded following the November 2023 inspection to include regular review of FDA notices and maintenance of an internal log of said changes. Thereby confirming that there is constant monitoring and review of all FDA actions and notices.

***QUARTERLY INSPECTIONS:** American Wellness will agree to quarterly inspections equivalent to those performed by Accreditation Commission for Health Care (ACHC), with all results/findings sent directly to the Board of Pharmacy.

***PRIOR CORRECTIVE ACTIONS:** The above referenced actions are in addition to the immediate steps taken by American Wellness following the November 2023 inspections (See, attachment to American Wellness Pharmacy's Motion for Special / Emergency Meeting).

***ACHC INSPECTIONS TO DATE:** Equally important to the BOP's consideration in rescinding the suspension are the ongoing inspections by ACHC of American Wellnesses pharmacies nationwide. See attached inspection reports. These independent ACHC inspection reports demonstrate the Company's commitment to maintaining the highest standards of practice and their compliance with both federal and state-specific regulations. By adhering to ACHC's rigorous inspection criteria, American Wellness aims to elevate its operations to meet and exceed the requirements for sterile compounding facilities thereby, ensuring excellence in quality and patient safety.

***CEM INSPECTIONS TO DATE:** Additionally, the last four sterile cleanroom inspections from Controlled Environment Management (CEM) confirm American Wellness's certification for sterile compounding pharmacies. See attached inspection reports. Specifically, the certification includes verification of the airflow volume and velocity, room air exchange rates, differential pressure testing, HEPA filter integrity, non-viable particle counting, and temperature/humidity control. Optional tests cover air balancing, airflow visualization, environmental monitoring, and compressed air/gas testing. All tests are performed per cGMP, ISO, and IEST standards to ensure cleanroom compliance, safety, and regulatory adherence.

***NOVEMBER 2023 INSPECTION FINDINGS:** Lastly, as you are aware, the primary basis for the Notice of Accusation was the Pharmacy's failure to adhere newly proposed FDA standards and guidelines specific to Category 2 drugs and "beyond use dates." See, paragraphs 4 & 5 of the Notice of Accusation.

In response to the Notice, I would respectfully submit that neither PT-141 nor GAC were a part of the FDA category 2 list as GAC is not a peptide and all 3 active ingredients have a monograph to reference. Instead, the peptides that were added to the FDA Category 2 list on September 29, 2023: AOD-9604, CJC-1295, Ipamorelin, Thymosin Alpha, and Selank. ***Pursuant to the September 2024 FDA Updates, said bulk drug substances have been removed from the Category 2 list.*** See attached FDA Updates dated September 20, 2024 and September 27, 2024.

***BEYOND USE DATES/STORAGE:** Relative to the BUD and storage issues, American Wellness has corrected all labeling and storage matters for Semaglutide, Myers cocktail, and Glutathione. Specifically, relative to all three (3) compounds, American Wellness is following USP 797 Guidelines. Similarly, as applicable to Testosterone 50mg/ml, please find attached testing performed by American Wellness, which evidences that the potency issue has been resolved. Please see attached COA's.

As always, on behalf of my client, American Wellness, we would like to thank you for your consideration of this proposed corrective action plan, which we think more than satisfactorily demonstrates my client's commitment to compliance. In light of the fact that American Wellness has been in operation in Nevada since 2012, with no prior disciplinary actions, coupled with the fact that it operates in good standing in multiple other jurisdictions, we'd respectfully submit that the November 2023 inspection findings do not warrant a suspension of operations.

Warmly,
Kimberly

Kimberly Maxson-Rushton, Esquire
Cooper Levenson, Attorneys at Law
3016 W. Charleston Blvd, Suite 195
Las Vegas, NV 89102
Phone (702) 832-1900
Cell (702) 787-8444
URL: http://www.cooperlevenson.com

Cooper Levenson, P.A.
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Exhibit 2
American Wellness Pharmacy
23-063-PH-S

JOE LOMBARDO
Governor

HELEN PARK
President

J. DAVID WUEST
Executive Secretary

STATE OF NEVADA

BOARD OF PHARMACY

985 Damonte Ranch Pkwy, Ste 206
Reno, NV 89521

Date: January 8, 2025

To: Board Members, Nevada State Board of Pharmacy

From: Leo Basch, Inspector NVBOP

Purpose: Review of American Wellness Pharmacy's compliance with revised stipulation

Board Members,

This paper details my review of American Wellness Pharmacy's compliance with the first three paragraphs of section 8(C) of the revised stipulation signed by President Helen Park on October 16th, 2024.

Stipulation requires (in brief):

8(C)(i) Patient list and patient letter (provided to Board staff but not yet audited)
8(C)(ii) PCCA training (partially completed)
8(C)(iii) Critical Point training Sterile Compounding Training Schedule (Completed)

The patient list and letter required in 8(C)(i) of the revised stipulation has been provided to Board staff and will be audited for completeness during the inspection pursuant to 8(C)(iv) once 8(C)(ii) and 8(C)(iii) have been completed. The requirements of 8(C)(iii) have been completed as detailed in the CPE Monitor Activity Transcript under the provider TRC Healthcare for both Mr Barber and Ms Molina. Therefore, my review provided below is for completion of 8(C)(ii), PCCA training, which includes both onsite (meaning at PCCA Headquarters) and online coursework.

Three specific PCCA courses are identified in the revised stipulation: USP Implementation Training, CORE Compounding Training and Sterility Assurance Training. Each of the courses has online CE requirements, in addition to in-person training at PCCA's training center in Houston, Tx.

Below is a breakdown of the online and in-person hours of instruction for the identified PCCA courses required in the revised stipulation.

PCCA course	Online Hours	Onsite Hours	Total Hours
USP Implementation Training	8	15.5	23.5
CORE Compounding Training	15	18	33
Sterility Assurance Training	24-32	30	54-62
Total Hours	47-55	63.5	110.5-118.5

PCCA's online coursework for Sterility Assurance Training includes ASHP online hours that have been completed by Mr Barber and Ms Molina and is identified in the chart above by the yellow highlight and circle. All remaining coursework identified in the chart has not been completed by either Mr. Barber or Ms. Molina.

To date, American Wellness Pharmacy has not provided any information showing completion of any aspect of USP Implementation nor CORE Compounding Training, and their staff members have only partially completed PCCA's Sterile Assurance Training. Therefore, American Wellness Pharmacy has not provided Board staff evidence of completion of any of the training courses required in paragraph 8(C)(ii) of the revised stipulation.

Stipulated training completion timeline scenario

Below is a timeline of how the stipulated training could have been completed by American Wellness Pharmacy staff in early December 2024 based on PCCA's 2024 schedule.

> USP Implementation was offered November 6-8 (enrollment deadline October 20, 2024)
> CORE Compounding Training was offered November 12-15
> Sterility Assurance Training was offered December 2-5

Again, American Wellness Pharmacy has not provided any information showing completion of USP Implementation Training and CORE Compounding Training, and their pharmacist and technician have only completed the online portion of Sterility Assurance Training.

Additional details of my review

The ASHP coursework completed by Ms. Molina, including 6 demo videos American Wellness Pharmacy provided to demonstrate completion of Mr Barber and Ms Molina's "onsite" training was reviewed. The total video time across the 6 videos is under 50 minutes, and only shows Ms. Molina, but not Mr. Barber. I reached out to ASHP via email on December 17th, 2024, to get information on if or how the videos were graded, but they did not respond even though I said, "This is a time sensitive matter…". I also reached out to ASHP telephonically on December 10th, 2024.

During my review of the videos, I took notes of my observations, but wished the training was live so I could give instructional feedback when Ms. Molina made inappropriate movements in the IV hood, or inappropriately touched non-sterile items with her sterile gloves without re-applying sterile alcohol to her gloves. No information was provided for my review to demonstrate the videos were graded or critiqued by ASHP, which is why I reached out to ASHP directly. Again, ASHP did not respond to my request to speak with the person who graded the videos.

Additionally, based on the licensee's request to determine equivalency of training completed vs what the order requires, I did a comparison of ASHP and PCCA coursework. For the comparison I went to each vendor's website to capture descriptions and details of their courses and modules. For each vendor (ASHP and PCCA) I copied specific information about their courses into a document. What I determined is there is no ASHP equivalent to the PCCA training, except that PCCA requires ASHP online courses be completed as a pre-requisite for their Sterility Assurance Training course. ASHP only offers online modules, whereas PCCA offers courses that include both didactic learning online as well as onsite training at their headquarters in Houston, TX.

Conclusion

American Wellness Pharmacy has not completed the required staff training agreed upon by both the Board and the Respondent during the October 2024 Board meeting.

Upon completion of the requirements of paragraphs 8(C)(i), 8(C)(ii) and 8(C)(iii) of the revised stipulation Board staff may then complete the inspection required in paragraph 8(C)(iv), which is an onsite inspection.

American Wellness Pharmacy continues to request the inspection required in paragraph 8(C)(iv) prior to completion of required training in the preceding paragraphs. Board staff has followed both the intent and the language of the revised stipulation and has employed numerous methods to communicate to the owners of American Wellness Pharmacy and their counsel that they have not yet completed the required training. Board staff continues to get pushback from the owners.

As outlined earlier in this letter, there was a pathway for completion of the required staff training that could have had them approved once again for sterile compounding as early as the first week of December 2024.

Currently, American Wellness Pharmacy has not completed the required staff training, so they are not yet approved to engage in sterile compounding.

Respectfully,

Leo Basch PharmD, RPh
Inspector, NVBOP

Exhibit 3
American Wellness Pharmacy
23-063-PH-S

2024 SCHEDULE AT A GLANCE

Trade Show Schedule

Visit the PCCA booth at the below tradeshows.

MARCH
Australian Pharmacy Professional Conference & Trade Exhibition
14-17 | Gold Coast, Australia

APhA Annual Meeting & Expo
22-25 | Orlando, Florida

APRIL
APC Owner Summit 2024
4-6 | La Jolla, California

CPhA Western Pharmacy Exchange
18-21 | Las Vegas, Nevada

JUNE
APC EduCon 2024
20-21 | Virtual

McKesson ideaShare 2024
23-26 | New Orleans, Louisiana

JULY
Cardinal Health RBC 2024
24-27 | Chicago, Illinois

AmerisourceBergen ThoughtSpot 2024
24-27 | Orlando, Florida

SEPTEMBER
APC Compounders on Capitol Hill
17-18 | Washington, D.C.

OCTOBER
NCPA 2024 Annual Convention
26-29 | Columbus, Ohio

PCCA Education

AUGUST

1-2	**Pharmacy Student Advanced Compounding Lab** | Houston, Texas
6	**Quality & Compliance for NONSTERILE Compounding Webinar** | Online
8-9	**Pharmacy Student Boot Camp** Houston, Texas
13	**Dermatology One-Day Virtual Conference** Online
20, 27, Sept 3	PCCA Australia Quality Care Workshop Online
26-29	**Sterility Assurance Training** Houston, Texas

SEPTEMBER

9-11	Hands-On Three-Day Training Sydney, Australia
10-13	**CORE Compounding Training** Houston, Texas
16-20	Comprehensive Compounding Course (C3) | London, Ontario
24-27	**Sterility Assurance Training** Houston, Texas

OCTOBER

1	**Quality & Compliance for STERILE Compounding Webinar** | Online
16	**Concierge Congress** | Houston, Texas
17-19	**ThinkNext: International Seminar 2024** Houston, Texas + Virtual

NOVEMBER

4-7	Canadian Sterility Assurance Training London, Ontario
5, 12, 26	PCCA Australia Quality Care Workshop Online
6-8	**USP Implementation Training: Best Practices for USP 795/800 and Beyond** Houston, Texas
11	**Master Course: HRT Begins (November 11 – February 7, 2025)** | Online
12-15	**CORE Compounding Training** Houston, Texas
21	**LDN One-Day Virtual Conference** Online

DECEMBER

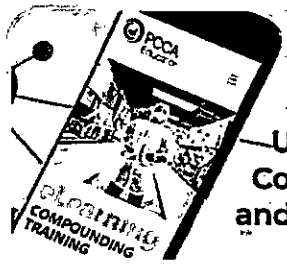
2-4	Hands-On Three-Day Training Sydney, Australia
2-5	**Sterility Assurance Training** Houston, Texas
4-6	Comprehensive Compounding Course (C3) HYBRID | London, Ontario + Online
12-13	**Pharmacy Student Veterinary Compounding Lab** | Houston, Texas
17-18	**Pharmacy Student Boot Camp** Houston, Texas

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OCTOBER 17-19
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Exhibit 4
American Wellness Pharmacy
23-063-PH-S

ashp

pharmacists advancing healthcare®

Professional Certificate

James Barber

has successfully completed

Compounded Sterile Preparations Certificate for Pharmacists

10/31/2024

Paul W. Abramowitz, Pharm.D., Sc.D. (Hon.), FASHP
Chief Executive Officer

Certificate Validation Number:

85295bcc214641029635e8ef227d21e5-06f7713703364de89c727b31319edf8e

CPE Monitor Activity Transcript

Participant Name: James Michael Barber
NABP e-Profile ID: 1646075
CPE Activity Date Range: 01/01/2024 to 12/31/2024
Total CPE Hours Earned: 63.00

Recorded CPE activity for the period of 01/01/2024 to 12/31/2024 . Please allow 35 days for the CPE Provider to process your CPE and submit it through the CPE Moni System. If it has been more than 35 days since you submitted the necessary information for CPE credit, please contact the CPE Provider.

Activity Date	Activity #	Credit Type	Source	Title	Topic	Provider	Live Hours
11/27/2024	JA4008164-0000-24-3000-H07-P	ACPE	ACPE	Hazardous Drug Overview (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3001-H07-P	ACPE	ACPE	Containment Primary and Secondary Engineering Controls (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3002-H07-P	ACPE	ACPE	Personal Protective Equipment for HD Handling for USP 795 and 797 Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3003-H07-P	ACPE	ACPE	HD Work Practice: Receiving through Transport to Patients	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3004-H07-P	ACPE	ACPE	HD Work Practice: Decontamination and Spill Management (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3005-H07-P	ACPE	ACPE	Determining USP 797 Beyond-Use Dating	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3006-H07-P	ACPE	ACPE	Investigation and Remediation of Viable Environmental Monitoring and Personnel Sampling Excursions	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3007-H07-P	ACPE	ACPE	Best Practices for Mixing Outside of ISO-Classified Conditions (USP 797)	Compounding	TRC Healthcare-NetCE	0.00

11/27/2024	JA4008164-0000-24-3008 -H07-P	ACPE	ACPE	Sterility Testing Requirements of USP Chapters 71 and 797	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3009 -H07-P	ACPE	ACPE	Viable Air and Surface Sampling	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3010 -H07-P	ACPE	ACPE	Bacterial Endotoxin Testing	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3011 -H07-P	ACPE	ACPE	Steam and Dry-Heat Sterilization Methods	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3012 -H07-P	ACPE	ACPE	Sterilization by Filtration	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3013 -H07-P	ACPE	ACPE	Quality Releases and Final Checks for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3014 -H07-P	ACPE	ACPE	Master Formulation and Compounding Records for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3015 -H07-P	ACPE	ACPE	General Elements of Documentation for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3016 -H07-P	ACPE	ACPE	Sterile Compounding Environments Principles of Cleaning and Disinfection	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3017 -H07-P	ACPE	ACPE	Standard Operating Procedures for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3018 -H07-P	ACPE	ACPE	Use of Equipment and Integrating Technology for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3019 -H07-P	ACPE	ACPE	Overview of Environmental Monitoring	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3020 -H07-P	ACPE	ACPE	Cleaning of Primary Engineering Controls for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3021 -H07-P	ACPE	ACPE	Cleaning of Secondary Engineering Controls for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3022 -H07-P	ACPE	ACPE	Aseptic Technique and Conduct for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3023 -H07-P	ACPE	ACPE	Hand Hygiene and Garbing for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3024 -H07-P	ACPE	ACPE	USP 797 Primary Engineering Controls	Compounding	TRC Healthcare-NetCE	0.00

11/27/2024	JA4008164-0000-24-3025-H07-P	ACPE	ACPE	USP 797 Secondary Engineering Controls	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3026-H07-P	ACPE	ACPE	Quality Management of Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3027-H07-P	ACPE	ACPE	History of Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3028-H07-P	ACPE	ACPE	Best Practices for USP 797 Material Handling	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3029-H07-P	ACPE	ACPE	Personnel Competency Testing in Aseptic Manipulation	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3030-H07-P	ACPE	ACPE	Use of Supplies and Components	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-3055-H07-P	ACPE	ACPE	USP 797 CSP Handling: Staging Through Transport	Compounding	TRC Healthcare-NetCE	0.00
11/27/2024	JA4008164-0000-24-686-H04-P	IPCE	ACPE	Specialty Medications: Strategies to Navigate Barriers to Care (On Demand)	Pharmacy Administration	TRC Healthcare-NetCE	0.00
10/29/2024	0204-0000-23-788-H07-P	ACPE	ACPE	Patient Care	Compounding	American Society of Health-System Pharmacists	0.00
10/29/2024	0204-0000-23-789-H07-P	ACPE	ACPE	Quality Management	Compounding	American Society of Health-System Pharmacists	0.00
10/28/2024	0204-0000-23-785-H07-P	ACPE	ACPE	Hazardous Drugs: Safety and Compliance	Compounding	American Society of Health-System Pharmacists	0.00
10/28/2024	0204-0000-23-786-H07-P	ACPE	ACPE	Hazardous Drugs: Training and Work Practices	Compounding	American Society of Health-System Pharmacists	0.00
10/28/2024	0204-0000-23-787-H07-P	ACPE	ACPE	Managing Compounded Sterile Preparations until Final Check or Disposal	Compounding	American Society of Health-System Pharmacists	0.00
10/25/2024	0204-0000-23-781-H07-P	ACPE	ACPE	Aseptic Techniques for Compounding Sterile Preparations	Compounding	American Society of Health-System Pharmacists	0.00

10/25/2024	0204-0000-23-782-H07-P	ACPE	ACPE	Sterile Preparations: Dosage Forms, Administration, and Special Compounding Considerations	Compounding	American Society of Health-System Pharmacists	0.00
10/25/2024	0204-0000-23-783-H07-P	ACPE	ACPE	Compounding Non-sterile to Sterile Preparations	Compounding	American Society of Health-System Pharmacists	0.00
10/25/2024	0204-0000-23-784-H07-P	ACPE	ACPE	Managing and Maintaining the Cleanroom Environment	Compounding	American Society of Health-System Pharmacists	0.00
10/24/2024	0204-0000-23-779-H07-P	ACPE	ACPE	Compounding Materials, Equipment, and Resources	Compounding	American Society of Health-System Pharmacists	0.00
10/24/2024	0204-0000-23-780-H07-P	ACPE	ACPE	Stability and Sterility: Assigning Beyond-Use Dates	Compounding	American Society of Health-System Pharmacists	0.00
10/23/2024	0204-0000-23-777-H07-P	ACPE	ACPE	Compounding Facilities and Engineering Controls	Compounding	American Society of Health-System Pharmacists	0.00
10/23/2024	0204-0000-23-778-H07-P	ACPE	ACPE	Cleanroom Personnel Behaviors and Competencies	Compounding	American Society of Health-System Pharmacists	0.00
10/22/2024	0204-0000-23-775-H07-P	ACPE	ACPE	Overview of Standards, Guidelines, Regulations, and Best Practices	Compounding	American Society of Health-System Pharmacists	0.00
10/22/2024	0204-0000-23-776-H07-P	ACPE	ACPE	Pharmacy Calculations for Pharmacists	Compounding	American Society of Health-System Pharmacists	0.00

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pharmacists advancing healthcare®

Professional Certificate

Rebekah Molina

has successfully completed

Practical Training in Compounding Sterile Preparations Certificate

11/25/2024

Paul W. Abramowitz, Pharm.D., Sc.D. (Hon.), FASHP
Chief Executive Officer

Certificate Validation Number:

6cae56d6c60e42cd84b536dc6b37736e-7f91b400864d43ffb15d488d70125c3f

CPE Monitor Activity Transcript

Participant Name: Rebekah Rosalie Molina
NABP e-Profile ID: 1684201
CPE Activity Date Range: 01/01/2024 to 12/31/2024
Total CPE Hours Earned: 56.75

Recorded CPE activity for the period of 01/01/2024 to 12/31/2024 . Please allow 35 days for the CPE Provider to process your CPE and submit it through the CPE Monitor System. If it has been more than 35 days since you submitted the necessary information for CPE credit, please contact the CPE Provider.

Activity Date	Activity #	Credit Type	Source	Title	Topic	Provider	Live Hours	Home Hours
11/27/2024	JA4008164-0000-24-3000-H07-T	ACPE	ACPE	Hazardous Drug Overview (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3001-H07-T	ACPE	ACPE	Containment Primary and Secondary Engineering Controls (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3002-H07-T	ACPE	ACPE	Personal Protective Equipment for HD Handling for USP 795 and 797 Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3003-H07-T	ACPE	ACPE	HD Work Practice: Receiving through Transport to Patients	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3004-H07-T	ACPE	ACPE	HD Work Practice: Decontamination and Spill Management (USP 795 and 797)	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3005-H07-T	ACPE	ACPE	Determining USP 797 Beyond-Use Dating	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3006-H07-T	ACPE	ACPE	Investigation and Remediation of Viable Environmental Monitoring and Personnel Sampling Excursions	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3007-H07-T	ACPE	ACPE	Best Practices for Mixing Outside of ISO-Classified Conditions (USP 797)	Compounding	TRC Healthcare-NetCE	0.00	1.00

11/27/2024	JA4008164-0000-24-3008-H07-T	ACPE	ACPE	Sterility Testing Requirements of USP Chapters 71 and 797	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3009-H07-T	ACPE	ACPE	Viable Air and Surface Sampling	Compounding	TRC Healthcare-NetCE	0.00	0.50
11/27/2024	JA4008164-0000-24-3010-H07-T	ACPE	ACPE	Bacterial Endotoxin Testing	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3011-H07-T	ACPE	ACPE	Steam and Dry-Heat Sterilization Methods	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3012-H07-T	ACPE	ACPE	Sterilization by Filtration	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3013-H07-T	ACPE	ACPE	Quality Releases and Final Checks for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3014-H07-T	ACPE	ACPE	Master Formulation and Compounding Records for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3015-H07-T	ACPE	ACPE	General Elements of Documentation for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3016-H07-T	ACPE	ACPE	Sterile Compounding Environments Principles of Cleaning and Disinfection	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3017-H07-T	ACPE	ACPE	Standard Operating Procedures for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3018-H07-T	ACPE	ACPE	Use of Equipment and Integrating Technology for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3019-H07-T	ACPE	ACPE	Overview of Environmental Monitoring	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3020-H07-T	ACPE	ACPE	Cleaning of Primary Engineering Controls for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3021-H07-T	ACPE	ACPE	Cleaning of Secondary Engineering Controls for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3022-H07-T	ACPE	ACPE	Aseptic Technique and Conduct for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3023-H07-T	ACPE	ACPE	Hand Hygiene and Garbing for Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	2.00
11/27/2024	JA4008164-0000-24-3024-H07-T	ACPE	ACPE	USP 797 Primary Engineering Controls	Compounding	TRC Healthcare-NetCE	0.00	2.00

11/27/2024	JA4008164-0000-24-3025-H07-T	ACPE	ACPE	USP 797 Secondary Engineering Controls	Compounding	TRC Healthcare-NetCE	0.00	2.00
11/27/2024	JA4008164-0000-24-3026-H07-T	ACPE	ACPE	Quality Management of Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3027-H07-T	ACPE	ACPE	History of Sterile Compounding	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3028-H07-T	ACPE	ACPE	Best Practices for USP 797 Material Handling	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3029-H07-T	ACPE	ACPE	Personnel Competency Testing in Aseptic Manipulation	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3030-H07-T	ACPE	ACPE	Use of Supplies and Components	Compounding	TRC Healthcare-NetCE	0.00	1.00
11/27/2024	JA4008164-0000-24-3055-H07-T	ACPE	ACPE	USP 797 CSP Handling: Staging Through Transport	Compounding	TRC Healthcare-NetCE	0.00	1.00
10/31/2024	0204-0000-23-802-H07-T	ACPE	ACPE	Compounding Process: Sourcing Through Final Check or Disposal	Compounding	American Society of Health-System Pharmacists	0.00	1.75
10/30/2024	0204-0000-23-800-H07-T	ACPE	ACPE	Handling Hazardous Drugs: Part 1	Compounding	American Society of Health-System Pharmacists	0.00	1.50
10/30/2024	0204-0000-23-801-H07-T	ACPE	ACPE	Handling Hazardous Drugs: Part 2	Compounding	American Society of Health-System Pharmacists	0.00	2.00
10/29/2024	0204-0000-23-797-H07-T	ACPE	ACPE	Dosage Forms, Administration, and Special Compounding Considerations	Compounding	American Society of Health-System Pharmacists	0.00	2.75
10/29/2024	0204-0000-23-798-H07-T	ACPE	ACPE	Non-sterile to Sterile Compounding	Compounding	American Society of Health-System Pharmacists	0.00	2.00
10/29/2024	0204-0000-23-799-H07-T	ACPE	ACPE	Maintaining the Cleanroom Environment	Compounding	American Society of Health-System Pharmacists	0.00	1.50
10/25/2024	0204-0000-23-795-H07-T	ACPE	ACPE	Stability, Sterility, and Beyond-Use Dates	Compounding	American Society of Health-System Pharmacists	0.00	2.00

10/25/2024	0204-0000-23-796-H07-T	ACPE	ACPE	Mastering Aseptic Technique	Compounding	American Society of Health-System Pharmacists	0.00	1.50
10/24/2024	0204-0000-23-793-H07-T	ACPE	ACPE	Cleanroom Personnel Basics	Compounding	American Society of Health-System Pharmacists	0.00	1.50
10/24/2024	0204-0000-23-794-H07-T	ACPE	ACPE	Materials, Equipment, and Resources for Compounding Sterile Preparations	Compounding	American Society of Health-System Pharmacists	0.00	2.25
10/23/2024	0204-0000-23-791-H07-T	ACPE	ACPE	Practical Pharmacy Calculations	Compounding	American Society of Health-System Pharmacists	0.00	2.00
10/23/2024	0204-0000-23-792-H07-T	ACPE	ACPE	Overview of Compounding Facilities and Engineering Controls	Compounding	American Society of Health-System Pharmacists	0.00	1.00
10/22/2024	0204-0000-23-790-H07-T	ACPE	ACPE	Introduction to Compounding Sterile Preparations	Compounding	American Society of Health-System Pharmacists	0.00	0.50

Disclaimer: The National Association of Boards of Pharmacy® (NABP®) generated this Activity Transcript (Transcript) or Compliance Report (Report) from NABP's systems. The Transcript or Report contains information provided to NABP from the Accreditation Council for Pharmacy Education (ACPE) and, if applicable, information from you, the non-ACPE course participant (Participant). The Transcript or Report can be used as proof of CPE credit for ACPE-accredited CPE. The ACPE provider is responsible for the accuracy of the ACPE course data and Participant is responsible for the accuracy of the non-ACPE course data on this Transcript or Report. Requests for changes to ACPE activity data must be directed to the ACPE-accredited provider that offered the activity. You are responsible for verifying that this Transcript or Report accurately reflects all continuing pharmacy education you participated in, whether ACPE-accredited or not. CPE Monitor Plus is unable to track CPE hours or CPE completion for specialty licenses, including without limitation, pharmacist-in-charge and immunizer licenses; you are responsible for tracking CPE hours for specialty licenses. If there is a discrepancy between this Transcript or Report and the data contained in the NABP systems or your records, please contact the NABP CPE Monitor Team at cpemonitor@nabp.pharmacy. **Boards of pharmacy, not NABP, determine CPE compliance.** Participant attested that any non-ACPE course data submitted to NABP is true and correct, that Participant complied with the NABP Terms of Use, and accepts full responsibility for all information submitted to NABP and the accuracy of their Transcript or Report.

Exhibit 5
American Wellness Pharmacy
23-063-PH-S

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IDY0MTYy*_ga_5WL5JPM7T0*MTczNDQ2NDE2MS4xLjEuMTczNDQ2NDIwMS4yMC4wLjA.)

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Available Until 5/31/2026

Add to Cart

Compounded Sterile Preparations Certificate for Pharmacists

Release Date: May 31, 2023
Expiration Date: May 31, 2026
Activity Type: Application-based
CE Credit Hour(s): up to 27.50 contact hours (ACPE only)

Activity Overview

This self-guided, online learning activity serves as a preparatory course for pharmacists planning to sit for the Board of Pharmacy Specialties (BPS) Board Certified Sterile Compounding Pharmacist (BCSCP) certification examination. The curriculum is also designed to develop the knowledge and skills required to achieve and maintain compliance with USP <797> standards.

The activities incorporate the updated USP <797> standards that will become effective on November 1, 2023.

The activities cover sterile preparation practice standards and regulations, pharmacy calculations, facilities and engineering controls, environmental monitoring, cleanroom personnel behaviors, sterile compounding components and procedures, stability and sterility, beyond-use date assignments, nonsterile to sterile compounding, hazardous drugs, managing products until final check or disposal, patient care, and quality management. After completing all of the modules, participants should be proficient in both basic compounding techniques, as well as the advanced skills required to lead and manage safe and compliant sterile preparations operations.

This course is **NOT** intended for those obtaining recertification credit.

Professional Certificate Requirement

Once a learner has successfully completed the educational curriculum, they have the opportunity to complete an online comprehensive exam. If the learner successfully completes the exam (minimum 80% passing rate; unlimited attempts permitted), they earn a professional certificate.

Accreditation

The American Society of Health-System Pharmacists is accredited by the Accreditation Council for Pharmacy Education as a provider of continuing pharmacy education with Commendation.

Target Audience

Learning Objectives

Course Modules

Learning Activity	ACPE Number	Contact Hours
Overview of Standards, Guidelines, Regulations, and Best Practices	0204-0000-23-775-H07-P	1.75
Pharmacy Calculations for Pharmacists	0204-0000-23-776-H07-P	1.75
Compounding Facilities and Engineering Controls	0204-0000-23-777-H07-P	1.75
Cleanroom Personnel Behaviors and Competencies	0204-0000-23-778-H07-P	1.5
Compounding Materials, Equipment, and Resources	0204-0000-23-779-H07-P	2.25
Stability and Sterility: Assigning Beyond-Use Dates	0204-0000-23-780-H07-P	2.5
Aseptic Techniques for Compounding Sterile Preparations	0204-0000-23-781-H07-P	1.5
Sterile Preparations: Dosage Forms, Administration, and Special Compounding Considerations	0204-0000-23-782-H07-P	2.75
Compounding Non-sterile to Sterile Preparations	0204-0000-23-783-H07-P	2

Managing and Maintaining the Cleanroom Environment	0204-0000-23-784-H07-P	1.5
Hazardous Drugs: Safety and Compliance	0204-0000-23-785-H07-P	1.5
Hazardous Drugs: Training and Work Practices	0204-0000-23-786-H07-P	2
Managing Compounded Sterile Preparations until Final Check or Disposal	0204-0000-23-787-H07-P	1.75
Patient Care	0204-0000-23-788-H07-P	1.5
Quality Management	0204-0000-23-789-H07-P	1.5
→ **Final Assessment** (80% passing score required)		

Faculty

Relevant Financial Relationship Disclosure

Methods and CE Requirements

This online activity consists of a combined total of 15 learning modules. Pharmacists are eligible to receive a total of 27.5 hours of continuing education credit by completing all 15 modules within this professional certificate.

Participants must participate in the entire activity and complete the evaluation and all required components to claim continuing pharmacy education credit online at ASHP Learning Center (http://www.elearning.ashp.org/). Follow the prompts to claim credit and view your statement of credit within 60 days of completing the activity.



Member
$460.00

Non-Member
$560.00

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209

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54

Tags:

ACPE TOPIC 07 (COMPOUNDING)

CAREER/PROF. DEVELOPMENT



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Exhibit 6
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23-063-PH-S

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ile-preparations-
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Available Until 5/31/2026

Add to Cart

Practical Training in Compounding Sterile Preparations Certificate

Release Date: May 31, 2023
Expiration Date: May 31, 2026
Activity Type: Application-based and Knowledge-based
CE Credit Hour(s): (no partial credit): up to 22.25 contact hours (see below for details)

Activity Overview

This self-guided, online learning activity is intended for pharmacy technicians and pharmacists who wish to build their knowledge and skills in compounding sterile preparations. It is a PTCB-recognized sterile compounding education/training program for pharmacy technicians pursuing the PTCB Compounded Sterile Preparation Technician® (CSPT®) certification.

The activities incorporate the updated USP <797> standards that will become effective on November 1, 2023.

The activities will cover sterile preparation practice standards and regulations, pharmacy calculations, facilities and equipment, cleanroom personnel behaviors and expectations, sterile compounding components and procedures, stability and sterility, nonsterile to sterile compounding, hazardous drugs, and all aspects of handling from material receipt to final check or disposal.

After completing all of the modules, participants should be proficient in the fundamental concepts required to ensure safe and compliant sterile preparations

Professional Certificate Requirement

Successful completion of an online comprehensive exam and specified practice exercises is required to earn the professional certificate.

Once a learner has successfully completed the educational curriculum, they will have the opportunity to complete the online comprehensive exam. If the learner successfully completes the exam (minimum 80% passing rate; unlimited attempts permitted), they must then complete and submit videos and other supporting documentation of practice exercises demonstrating the learner's knowledge and competency in garb and glove procedures, gloved fingertip testing, aseptic technique in horizontal and vertical airflow, laminar airflow workbench cleaning, and media fill. Content experts review these demonstrations and, if approved, the learner will be awarded the professional certificate.

A learner is allowed up to three attempts on practice exercises. Learners must have access to a cleanroom to complete these practice exercises.

Accreditation

Target Audience

Learning Objectives

Course Modules

Faculty

Relevant Financial Relationship Disclosure

Methods and CE Requirements



Member
$460.00

Non-Member
$560.00

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Tags:

ACPE TOPIC 07 (COMPOUNDING)

CAREER/PROF. DEVELOPMENT

PHARMACY TECHNICIANS

(/) CONTACT US & FAQ (/contact-us) SYSTEM REQUIREMENTS (/systemreq) USER AGREEMENT (/user-agreement)

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Exhibit 7
American Wellness Pharmacy
23-063-PH-S

Sterility Assurance Training

Protect Patients from Potential Contamination. Reduce the Possibility of Regulatory Scrutiny.

CE Eligible

PCCA Learning Center ▪ Houston, TX

Hands-On Training

SummaryPricingAgendaSpeakersAccommodations

← Back to Main Page

Summary

Develop your system to protect patients and be prepared for regulatory inspections through monitoring, collecting, analyzing and responding to data on your facilities, personnel and procedures. Taught in our fully reengineered, next-level training lab by pharmacists and scientific experts with real-world experience, this 4-day course will teach you how to:

- Integrate USP General Chapter 797, FDA guidance documents, federal law along with other relevant guidelines and USP chapters
- Interpret observations identified in recent inspections and learn how to avoid them
- Examine the science behind best practices
- Qualify attendees performing the competencies found in the latest USP General Chapter 797
- Examine your practice from the ground up and develop systems to routinely evaluate, monitor and investigate the data generated

Workstations include laminar flow hoods and biological safety cabinets, as well as sterile compounding equipment.

CE = 30 Hours LIVE (PLUS 22.25 to 27.5 Hours HOME STUDY CE Provided by ASHP)



PCCA Sterility Assurance Training is a PTCB-Recognized Education/Training Program (REP) for the PTCB Certified Compounded Sterile Preparation Technician® (CSPT®) Certification. PTCB requires applicants for CSPT to complete a PTCB-REP for their chosen credential, except when they select another pathway to eligibility. REPs have been reviewed and found to provide learners with foundational knowledge that will help them be successful on PTCB exams.

Course Prerequisite

Completion of CORE Compounding Training (or a PCCA equivalent course) is required, or you will be asked to sign a Pre-Qualification Release Form prior to class participation.

Credit & Certificate of Completion Requirements

1. The ASHP pre-class coursework must be completed prior to attending the hands-on lab training in Houston.
2. Home study CE will be provided by ASHP (up to 27.5 CE hours for pharmacists, and up to 22.25 CE hours for technicians).
3. To obtain live CE and receive a certificate of completion, you must attend the live course in Houston, Texas in its entirety (30 CE hours for pharmacists and technicians).

Pricing

Member Price

$3,995* Per Attendee **Includes $500 for required ASHP home study course materials.*	

Agenda

Day 1	All times listed are Central Time
7:30 AM	**Buses Depart Houston Marriott Sugar Land Hotel for PCCA**
8:00 AM	**Welcome and Introductions**
8:45 AM	**Why Sterility Assurance? Part 1**
9:30 AM	**Break**
9:45 AM	**Why Sterility Assurance? Part 2**
10:30 AM	**Personnel: Limiting Their Contamination**
12:00 PM	**Lunch**
12:45 PM	**Lab: Competencies**
2:15 PM	**Break**
2:30 PM	**Facilities: Creating an Appropriate Environment for Aseptic Processes**
3:45 PM	**Prevention of Facility Contamination Through Cleaning and Disinfecting**
4:45 PM	**Q&A**
5:00 PM	**Adjourn/Buses Depart PCCA for Houston Marriott Sugar Land Hotel**

Day 2	All times listed are Central Time
7:30 AM	**Buses Depart Houston Marriott Sugar Land Hotel for PCCA**
8:00 AM	**Evaluation, Monitoring and Certification of the Facility**
9:30 AM	**Break**
9:45 AM	**Staging and Aseptic Technique Discussion**
10:30 AM	**Methods of Sterilization**
11:30 AM	**Tour of PCCA**
12:15 PM	**Lunch**
1:00 PM	**Lab: Sterile-to-Sterile Manipulations**

3:00 PM	**Break**
3:15 PM	**Lab: Continuation**
5:00 PM	**Adjourn/Buses Depart PCCA for Houston Marriott Sugar Land Hotel**
Day 3	**All times listed are Central Time**
7:30 AM	**Buses Depart Houston Marriott Sugar Land Hotel for PCCA**
8:00 AM	**Tour of Eagle**
8:45 AM	**Buses Depart Eagle for PCCA**
9:00 AM	**Sterile Formulation Considerations – Part 1**
10:30 AM	**Break**
10:45 AM	**Sterile Formulation Considerations – Part 2**
12:00 PM	**Lunch**
12:45 PM	**Lab: Nonsterile-to-Sterile Manipulations**
4:45 PM	**Adjourn/Buses Depart PCCA for Houston Marriott Sugar Land Hotel**
Day 4	**All times listed are Central Time**
7:30 AM	**Buses Depart Houston Marriott Sugar Land Hotel for PCCA**
8:00 AM	**Lecture: USP 800 – The Sterile World**
9:30 AM	**Lab: USP 800**
12:15 PM	**Lunch**
1:00 PM	**QA/QC Planning and Tools**
2:30 PM	**Break**
2:45 PM	**Observation Labs**
3:45 PM	**Break**
4:00 PM	**Wrap-Up and Qualification Discussion**
4:30 PM	**Adjourn/Buses Depart PCCA for Houston Marriott Sugar Land Hotel**

Exhibit 8
American Wellness Pharmacy
23-063-PH-S

2025 SCHEDULE AT A GLANCE

VIEW THE FULL CALENDAR & REGISTER

Go to **pccarx.com/education** or call 800.331.2498.

NEW ONLINE EDUCATION

Brand-new HRT, Veterinary and Men's Health Master Courses are coming soon! Plus, **Supplemental CE courses in Aseptic, Veterinary and HRT** are offered year-round. Register any time. Learn more at **pccarx.com/education**.

FREE PUBLIC AFFAIRS CALLS
10 A.M. CT

Dates are subject to change. For up-to-date information, go to **pccarx.com/PublicAffairs/ArticlesandCalls.aspx**.

- JANUARY 15
- MARCH 19
- MAY 21
- JULY 16
- SEPTEMBER 24
- NOVEMBER 19

PCCA Education

FEBRUARY

3	Master Course: Veterinary Begins (February 3 – April 24) | Online
4-7	CORE Compounding Training Houston, Texas
11, 18, 25	PCCA Australia Quality Care Workshop Online
20-22	HRT Symposium Las Vegas, Nevada + Virtual
24-27	Sterility Assurance Training Houston, Texas

MARCH

3-5	Hands-On Three-Day Training Sydney, Australia
3-7	Comprehensive Compounding Course (C3) | London, Ontario
17-19	Designated Person USP Implementation Training: Best Practices for USP 795/800 and Beyond | Houston, Texas
24-27	Canadian Sterility Assurance Training London, Ontario

APRIL

7-11	Comprehensive Compounding Course (C3) | London, Ontario
14-17	CORE Compounding Training Houston, Texas
15, 22, 29	PCCA Australia Quality Care Workshop Online
28	Master Course: HRT Begins (April 28 – July 17) | Online
28 – May 1	Sterility Assurance Training Houston, Texas

MAY

1-2	Veterinary Symposium San Antonio, Texas
1-3	CONNEXT Canadian Compounding Conference 2025 Vancouver, British Columbia + Virtual
5-7	Hands-On Three-Day Training Sydney, Australia

May continued

12-13	Pharmacy Student Advanced Compounding Lab | Houston, Texas
13-14	ACT Legislative Conference Washington, D.C.
20-21	Pharmacy Student Boot Camp Houston, Texas
29-30	Technician Summit Houston, Texas + Virtual

JUNE

9-13	Comprehensive Compounding Course (C3) | London, Ontario
10-11	Pharmacy Student Boot Camp Houston, Texas
17-20	CORE Compounding Training Houston, Texas

JULY

9-11	Designated Person USP Implementation Training: Best Practices for USP 795/800 and Beyond | Houston, Texas
24-25	HRT Virtual Symposium Online
28-29	Pharmacy Student Veterinary Compounding Lab | Houston, Texas
31 – August 1	Pharmacy Student Advanced Compounding Lab | Houston, Texas

AUGUST

5, 12, 19	PCCA Australia Quality Care Workshop Online
7-8	Pharmacy Student Boot Camp Houston, Texas
19-22	Sterility Assurance Training Houston, Texas
25-27	Hands-On Three-Day Training Sydney, Australia

Continued on next page

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2025 SCHEDULE AT A GLANCE

Trade Show Schedule

Visit the PCCA booth at the below tradeshows.

MARCH
APC Owner Summit 2025
14-16 | Destin, Florida

Australian Pharmacy Professional Conference & Trade Exhibition
20-22 | Gold Coast, Australia

APhA Annual Meeting & Expo
21-24 | Nashville, Tennessee

APRIL
CPhA Western Pharmacy Exchange
4-6 | San Diego, California

JULY
McKesson ideaShare 2025
9-12 | Nashville, Tennessee

Cardinal Health RBC 2025
9-12 | Denver, Colorado

AmerisourceBergen ThoughtSpot 2025
16-19 | Las Vegas, Nevada

SEPTEMBER
APC Compounders on Capitol Hill
16-17 | Washington, D.C.

OCTOBER
NCPA 2025 Annual Convention
18-21 | New Orleans, Louisiana

PCCA Education

SEPTEMBER

9-12	CORE Compounding Training Houston, Texas
15-19	Comprehensive Compounding Course (C3) | London, Ontario
22	Master Course: Men's Health Begins (September 22 – December 31) | Online

OCTOBER

8	Concierge Congress | Houston, Texas
9-11	ThinkNext: International Seminar 2025 Houston, Texas + Virtual
11	PCCA Student Day 2025 | Houston, Texas
21-24	Sterility Assurance Training Houston, Texas

NOVEMBER

3-6	Canadian Sterility Assurance Training London, Ontario
4, 11, 18	PCCA Australia Quality Care Workshop Online
5, 12, 19	Marketing & Sales Webinar Series (2 Hours Each) | Online
11-14	CORE Compounding Training Houston, Texas
24-26	Hands-On Three-Day Training Sydney, Australia

DECEMBER

1-5	Comprehensive Compounding Course (C3) | London, Ontario
15-16	Pharmacy Student Veterinary Compounding Lab | Houston, Texas
18-19	Pharmacy Student Boot Camp Houston, Texas

PCCA
Master Course

Specialized Education. Dynamic Delivery.

Elevate your expertise with our Master Course program, featuring advanced curricula, flexible formatting and engaging online experiences.

NEW!

AVAILABLE IN 2025

PCCA Master Course: HRT
Apr 28 – Jul 17

COMING SOON!

PCCA Master Course: Vet
Feb 3 – Apr 24

COMING SOON!

PCCA Master Course: Men's Health
Sep 22 – Dec 31

thinkNEXT
INTERNATIONAL SEMINAR 2025

OCTOBER 9-11
HOUSTON, TEXAS

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pccainternationalseminar.com

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Keep Your Team Current on Nonsterile Compounding Best Practices

eLearning Compounding Training LMS is the turnkey training tool to help you tackle the biggest and easiest-to-miss challenges of maintaining regulatory compliance standards.

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- Accessible 24/7
- Easily track training progress
- ACPE accredited — up to 23 CE hours per employee
- Scalability for any size team

Learn more and get started!

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8A

NEVADA STATE BOARD OF PHARMACY

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

Designated Representative Application

Rev (05/12/2022)

An application for a license, or a licensee with a license, to conduct a pharmacy or to operate as a wholesaler shall designate at least one natural person to serve as the representative of the pharmacy or wholesaler. The Board will not issue or renew a license of an applicant or licensee that is required to designate a representative of a pharmacy or wholesaler unless the Board determines that the designated natural person meets the following qualifications per NAC 639.5005 (Pharmacy) or NAC 639.5935 (Wholesaler):

1. Is at least 21 years of age;
2. Has been employed for at least 6,000 hours in a pharmacy or with a wholesaler in a capacity related to the dispensing and distribution of, and recordkeeping related to, prescription drugs.

The designated representative of a pharmacy or a wholesaler:

1. Must be actively involved in and aware of the actual daily operations of the pharmacy or wholesaler;
2. Must be employed full-time in a managerial level position with the pharmacy or wholesaler;
3. Must be physically present at site of the pharmacy or at the facility of the wholesaler during regular business hours, except when the absence of the representative is authorized, including sick leaves, vacation leaves and other authorized absences; and
4. May serve in this representative capacity for only one pharmacy or wholesaler at a time

A pharmacy or wholesaler that is required to designate a natural person as its representative shall not open or operate the pharmacy or wholesaler unless that representative is actually employed full-time in the operation of the pharmacy or wholesaler and is physically present at the site of the pharmacy or wholesaler during regular working hours, not including sick leave, vacation leave and other authorized absences from work. If the natural person designated as the representative of a pharmacy leaves the employ of the pharmacy or wholesaler, thus leaving the pharmacy or wholesaler without a representative in violation of this section, the pharmacy or wholesaler shall:

1. Immediately cease conducting business until another qualified natural person is approved by the Board to serve as the representative of the pharmacy or wholesaler; and
2. Not later than 48 hours after that person leaves its employ, notify the Board that the person designated as the representative of the pharmacy or wholesaler has left the employ of the pharmacy or wholesaler.

Before a pharmacy or wholesaler, that is in violation of NAC 639.5005 (Pharmacy) or NAC 639.5935 (Wholesaler) because the natural person designated as the representative of the pharmacy or wholesaler left the employ of the pharmacy or wholesaler, may continue conducting business:

1. The pharmacy or wholesaler must designate, on a form provided by the Board, a new natural person to serve as the representative of the pharmacy; and
2. The Board must approve the natural person so designated.

NEVADA STATE BOARD OF PHARMACY

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

Designated Representative Application

Rev (05/12/2022)

Section 1: Pharmacy/Wholesaler Information

Name of Pharmacy/Wholesaler ADVANCE PHARMA

Pharmacy/Wholesaler License # (if applicable) _____

Physical Address 5000 W OAKEY BLVD B-7

City LAS VEGAS State NV Zip 89146

Mailing Address (if different from physical address) _____

City _____ State _____ Zip _____

Telephone 7025746144 Website ADVANCEPHARMA.US

Licensing Company Email advancepharmalv@gmail.com

Section 2: Personal Information

First DINA Middle _____ Last Haileyesus

Alias(es, nicknames, name changes, etc.) Dina Haileyesus

Date of Birth [redacted] SSN or ITIN [redacted] Sex ☐ M ☒ F ☐ X

Mailing Address [redacted]

City LAS VEGAS State NV Zip [redacted]

Telephone [redacted] Email [redacted]

Are you a citizen of the United States? ☒ Yes ☐ No

Section 3: Military Service (NRS 622.120)	Yes	No
1. Have you ever served on active duty in the Armed Forces of the United States and separated from such service under conditions other than dishonorable? (Mark "Yes" if discharged honorably.)		✔
2. Have you ever been assigned to duty for a minimum of 6 continuous years in the National Guard or a reserve component of the Armed Forces of the United States and separated from such service under conditions other than dishonorable? (Mark "Yes" if discharged honorably.)		✔
3. Have you ever served the Commissioned Corps of the United States Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States in the capacity of a commissioned officer while on active duty in defense of the United States and separated from such service under conditions other than dishonorable? (Mark "Yes" if discharged honorably.)		✔

Section 4: Federally Mandated Requirement (NRS 425.520, NRS 639.129)	Yes	No
1. Are you the subject of a court order for the support of a child? (If "yes", answer question 2.)		✔
2. Are you in compliance with the order or the plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order?		✔

Section 5: List your high school and college experience beginning with the most current. (Use a separate piece of paper if additional space is needed.)

School Name		From - To (MM/YY – MM/YY)	
Ohio State University		1998-2001	
Address	**City**	**State**	**Zip**
281 W Lane Avenue	Columbus	Ohio	43210
Diploma/Degree obtained, if any			
Bachelors of Science in Pharmacy			

School Name		From - To (MM/YY – MM/YY)	
Patrick Henry High School		1994-1997	
Address	**City**	**State**	**Zip**
6702 Wandermere Drive	San Diego	CA	92120
Diploma/Degree obtained, if any			
High School Diploma			

School Name		From - To (MM/YY – MM/YY)	
Address	**City**	**State**	**Zip**
Diploma/Degree obtained, if any			

School Name		From - To (MM/YY – MM/YY)	
Address	**City**	**State**	**Zip**
Diploma/Degree obtained, if any			

School Name		From - To (MM/YY – MM/YY	
Address	**City**	**State**	**Zip**
Diploma/Degree obtained, if any			

Section 6: List all residences you have had for the last 10 years beginning with the most current. (Use a separate piece of paper if additional space is needed.)

From - To (MM/YY – MM/YY)	Address	City	State	Zip
06/2014-present	[redacted]	Las Vegas	NV	[redacted]
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip
From - To (MM/YY – MM/YY)	Address	City	State	Zip

Section 7: A designated representative must provide proof that he or she has been employed for at least 6,000 hours in pharmacies (NAC 639.5005) or wholesalers (NAC 639.5935) in a capacity related to the dispensing and distribution of, and record keeping related to, prescription drugs. Beginning with the most current, list your hours of employment related to the above.

Business Name			From - To (MM/YY – MM/YY)	
Optum/UnitedHealth Group			09/2015-07/2023	
Business Address		**City**	**State**	**Zip**
2716 N Tenaya Way		Las Vegas	NV	89128
Phone	**Title**		**Number of Employed Hours**	
(702) 542-5411	Clinical Pharmacist		more then 6000	
Description of Duties				
MTM and Prior Authorization				

Business Name			From - To (MM/YY – MM/YY)	
CVS Pharmacy			02/2010-01/2015	
Business Address		**City**	**State**	**Zip**
4014 S Rainbow Blvd		Las Vegas	NV	89103
Phone	**Title**		**Number of Employed Hours**	
(702) 873-5917	Pharmacist		more then 6000	
Description of Duties				
Dispensing medication and Counseling patients				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		**City**	**State**	**Zip**
Phone	**Title**		**Number of Employed Hours**	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		**City**	**State**	**Zip**
Phone	**Title**		**Number of Employed Hours**	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		**City**	**State**	**Zip**
Phone	**Title**		**Number of Employed Hours**	
Description of Duties				

Continue on next page if additional space is needed.

Business Name			From - To (MM/YY – MM/YY)	
Business Address		City	State	Zip
Phone	Title		Number of Employed Hours	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		City	State	Zip
Phone	Title		Number of Employed Hours	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		City	State	Zip
Phone	Title		Number of Employed Hours	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		City	State	Zip
Phone	Title		Number of Employed Hours	
Description of Duties				

Business Name			From - To (MM/YY – MM/YY)	
Business Address		City	State	Zip
Phone	Title		Number of Employed Hours	
Description of Duties				

Make copies of this page OR use a separate piece of paper if additional space is needed.

Section 8: Arrests, Detentions, Litigations, Arbitrations?	Yes	No
1. Have you ever been convicted of, or entered, a plea of guilty, guilty by mentally ill or nolo contendere to any criminal offense or civil violation, federal or state, for any reason whatsoever, regardless of the disposition of the event? (Except minor traffic citations.)		✔
2. If you answered "yes" to question 1, was the offense or violation related to drugs, including prescription drugs and/or controlled substances, the manufacturer or distribution of drugs or the practice of pharmacy?		✔
3. Have you ever had a civil or criminal record expunged or sealed by a court order?		✔
4. Have you, as an individual, member or a company, partner, or owner, director or officer of a corporation, ever been a party to a lawsuit as either a plaintiff or defendant (including any administrative proceedings before a licensing board) or of an arbitration as either a claimant or respondent? (Other than divorces.)		✔
5. Has any general or limited partnership, company or limited liability company, business venture, sole proprietorship or closely held corporation, corporation (while you were associated with it as an owner, partner, member, officer, or director) been a party to a lawsuit (including any administrative proceedings before a licensing board), arbitration or bankruptcy?		✔
6. Have you or any general or limited partnership, company or limited liability company, business venture, sole proprietorship or closely held corporation, corporation (while you were associated with it as an owner, partner, member, officer or director) ever appeared before any licensing agency or similar authority in or outside the State of Nevada for any reason whatsoever (including any disciplinary or board citation)?		✔
7. Have you ever been denied a personal license, permit, certificate or registration for a privileged, occupational or professional activity?		✔
8. Has any general or limited partnership, company or limited liability company, business venture, sole proprietorship or closely held corporation, corporation (while you were associated with it as an owner, partner member, officer or director) ever been refused a business license.		✔
9. Have you or any general or limited partnership, company or limited liability company, business venture, sole proprietorship or closely held corporation, corporation (while you were associated with it as an owner, partner, member, officer, or director) ever surrendered a license, permit, certificate or registration relating to the pharmaceutical industry voluntarily or otherwise (other than upon voluntary closure of a manufacturer).		✔
10. 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 license?		✔

Please use and make copies of this page (if necessary) to provide information regarding any questions, 1-10, you have marked "YES" to in section 8 of the application. A signed statement of explanation for each event and a copy of all documents that identify the circumstance or contain an order, agreement or other disposition for the event must be provided.

This is in response to Question # _____. Provide all the following *where applicable*:

Date of Event/Arrest	Disposition Date	State	City	County
Case #		Governing, licensing, Arresting Presiding Body/Agency/Court		
Reason/Charge				
Plaintiff/Defendant/Claimant/Respondent			Lawsuit/Arbitration/Bankruptcy	
Name of Business/Industry/Entity				

Provide explanation below:

_____ _____

Original Signature (electronic, copies or stamps not accepted) Date

I, Dina Haileyesus, **certify that as the designated representative for**

ADVANCE PHARMA,

that I (initial that you have read and meet the following requirements) (NAC 639.5005, NAC 639.5935):

1. dh I am at least 21 years of age;
3. dh I have been employed for at least 6,000 hours in a pharmacy or with a wholesaler in a capacity related to the dispensing and distribution of, and recordkeeping related to, prescription drugs.
4. dh I will be actively involved in and aware of the actual daily operations of the pharmacy or wholesaler;
5. _____ I will be employed full-time in a managerial level position with the pharmacy or wholesaler;
6. dh I will be physically present at site of the pharmacy or at the facility of the wholesaler during regular business hours, except when the absence of the representative is authorized, including sick leaves, vacation leaves and other authorized absences; and
7. _____ I will serve in this representative capacity for only one pharmacy or wholesaler at a time.

Dina Haileyesus

Print Name (First, Last)

Original Signature (electronic, copies or stamps not accepted)

1/3/2025

Date

I certify under penalty of perjury that the information contained in 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.

DINA HAILEYESUS

Print Name (First, Last)

Original Signature (electronic, copies or stamps not accepted)

1/3/2025

Date

Please have this section completed in the presence of a Notary Public.

State of Nevada, ss. County of Clark

I, Dina Haileyesus, being duly sworn, depose and say I have read the foregoing application and know the contents thereof; that the statements contained herein are true and correct and contain a full and true account of the information requested; that I executed this statement with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for denial or revocation of the license, registration, permit, certificate or certification for which I am applying for.

Original Signature

1/3/2025

Date

Subscribed and Sworn to before me this 3 day of January, 2025 by Dina Haileyesus

Notary Public Signature

DIANA REYES
Notary Public-State of Nevada
APPT. NO. 24-9825-01
My Appt. Expires 04-02-2028
(Seal)

NEVADA STATE BOARD OF PHARMACY

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

Pharmacy Application

Non-Refundable $500.00 Fee

Rev (6/11/2024)

Facility Location	Application Type (check all applicable)	Pharmacy Type (check all applicable)	Services the Pharmacy will Provide (check all applicable)
■ Nevada ☐ Out-of-Nevada	☐ New Pharmacy ■ Ownership Change* ☐ Location Change * ☐ Service Modification* ☐ Name Change* (if only a Name Change occurred, submit a $50.00 fee with the application.) * Current license #: PH PH04491	☐ Retail/Community ☐ Hospital (# beds _____) ☐ Internet ☐ Nuclear ☐ Other:	■ Retail/Community ☐ Dangerous drugs ☐ Controlled substances DEA #: _____ ☐ Non-sterile Compounding ☐ Sterile Compounding ☐ Mail-Order Service ☐ Off-site Cognitive Services ☐ Long Term Care ☐ Hospital ☐ Other:

Days of Operation		Ownership Type (check applicable box)
☐ Monday	☐ Friday	☐ Publicly Traded (complete sections 1, 2, 3, 4, 5, 9, 10, 11, 12)
■ Tuesday	☐ Saturday	■ Non-Publicly Traded (complete sections 1, 2, 3, 4, 6, 9, 10, 11, 12)
☐ Wednesday	☐ Sunday	☐ Partnership (complete sections 1, 2, 3, 4, 7, 9, 10, 11, 12)
■ Thursday	☐ Holidays	☐ Sole Owner (complete sections 1, 2, 3, 4, 8, 9, 10, 11, 12)

Section 1: General Information

Pharmacy Name: ADVANCE PHARMA

Physical Address: 5000 W OAKEY BLVD B-7

City: LAS VEGAS State: NV Zip: 89146

Mailing Address (if different from physical address): _____

City: _____ State: _____ Zip: _____

Telephone: 7025746144 Toll Free # (NAC 639.708, NRS 639.23286): _____

Fax: 7024632668 Contact Email: advancepharmalv@gmail.com

Website: _____

Nevada Business License # (if applicable) NV20222583742

Supervising/Managing Pharmacist Name (NRS 639.220): Dina Haileyesus

Supervising/Managing Pharmacist NV Pharmacist Registration # (if applicable): 16016

Section 2: List the name(s) of at least one NEVADA registered pharmacist who practices at the pharmacy, who may be the managing pharmacist or another pharmacist, who will be responsible for any prescriptions dispensed to a patient located in Nevada and responsible for any acts or omissions of pharmacy personnel who are not registered with the Board. NRS 639.2328. (Use a separate piece of paper if additional space is needed.)

Name: Dina Haileyesus	NV Pharmacist Registration #: 16016
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:
Name:	NV Pharmacist Registration #:

Section 3: History of Company	**Yes**	**No**
1. Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)?		✔
2. Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration from any jurisdiction?		✔
3. Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been subject of an administrative action, board citation, cite fine, or proceeding relating to the pharmaceutical industry?		✔
4. Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances?		✔
5. Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)?		✔

If you marked YES to any of the number questions (1-5) above, a signed statement of explanation must be attached. Copies of any documents that identify the circumstance or contain an order, agreement or other disposition is required.

Section 4: Are any of the owners a health professional (i.e. Practitioner as defined by NRS 639.0125, Advanced Practice Registered Nurse, Physician's Assistant, Physical Therapist, Occupational Therapist, Registered Nurse, Respiratory Therapist, etc.)? If yes, please provide the name(s) of the owner(s), their credentials and their percent ownership. Write NA if not applicable. NRS 639.232. (Use a separate piece of paper if additional space is needed.)

Name: N/A	Credentials:	%:
Name:	Credentials:	%:
Name:	Credentials:	%:
Name:	Credentials:	%:
Name:	Credentials:	%:

1. The Board shall not issue a license to conduct a pharmacy:
   a) To any practitioner; or
   b) To any partnership, corporation, or association in which a practitioner has a controlling interest or owns more than 10 percent of the available stock.
2. This section does not:
   a) Apply to a hospital pharmacy or a health maintenance organization which holds a certificate of authority under chapter 695C of NRS.
   b) Prohibit ownership by a practitioner of a building in which a pharmacy is located, if space for the pharmacy is rented at the prevailing rate.

Section 9: Statement of Responsibility - MUST BE COMPLETED by an Authorized Person (NAC 639.945)

Statement of Responsibility

1. I am the PHARMACIST IN CHARGE (title) for ADVANCE PHARMA (name of Pharmacy) and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I understand and acknowledge that any owner(s), shareholder(s), member(s), or partner(s) may be responsible for any violations of pharmacy law that may occur in the Pharmacy owned by such owner(s), shareholder(s), member(s), or partner(s).
3. I further understand and acknowledge that any owner(s), shareholder(s), member(s), or partner(s) may be named in any action taken by the Nevada State Board of Pharmacy against the Pharmacy.
4. I further understand and acknowledge that any owner(s), shareholder(s), member(s), or partner(s) cannot require or permit the pharmacist(s) in said Pharmacy to violate any provision of local, state, or federal laws or regulations pertaining to the practice of pharmacy.
5. I further understand and acknowledge that Nevada law requires that each pharmacy located inside the State of Nevada employ only pharmacists, intern pharmacists, pharmaceutical technicians, and technicians in training that are licensed by the Nevada State Board of Pharmacy. (NRS 639.100).
6. I further understand and acknowledge that Nevada law requires that each pharmacy located outside the State of Nevada engaged in providing pharmacy services into Nevada employs at least one pharmacist licensed by the Nevada State Board of Pharmacy who will be responsible for any prescription dispensed to a patient located in Nevada and responsible for any acts or omissions of pharmacy personnel who are not registered with the Board. (NRS 639.2328).

Dina Haileyesus

Print Name of Authorized Person

Original signature of Authorized Person (copies or stamps not accepted)

1/3/2025

Date

Section 10: Affidavit for Pharmacies- MUST BE COMPLETED by pharmacies NOT CURRENTLY PERFORMING Sterile Compounding

Affidavit for Pharmacy License

I, Dina Haileyesus hereby certify that the assertions in this Affidavit are true and correct to the best of my knowledge and belief, and state as follows:

1. I am the PHARMACIST (title) for ADVANCE PHARMA (name of Pharmacy) and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I certify that upon licensure, the Pharmacy will not perform sterile compounding or ship sterile compounds into Nevada.
3. I understand and acknowledge that the Pharmacy and any of its staff members may be subject to discipline by the Board if the Pharmacy performs sterile compounding or ships any sterile compounds into Nevada without first obtaining written authorization from the Board to do so.
4. I certify that if the Pharmacy makes the decision to perform sterile compounding or to ship any sterile compounds into Nevada, the Pharmacy, through an authorized representative, will first notify the Board via a written request, and obtain written approval to perform sterile compounding or to ship any sterile compounds into Nevada.
5. I understand that if the Pharmacy seeks approval to perform sterile compounding or to ship any sterile compounds into Nevada, an authorized representative of the Pharmacy may be required to appear before the Board to answer questions before such approval is granted.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Signature

State of Nevada
County of Clark
SUBSCRIBED AND SWORN TO
Before me, a notary public this 3 day of January, 2025
by Dina Haileyesus.

Notary Public

DIANA REYES
Notary Public-State of Nevada
APPT. NO. 24-9825-01
My Appt. Expires 04-02-2028

Section 11: Managing Pharmacist Acknowledgement, Professional/Personal History – REQUIRED TO BE COMPLETED BY THE MANAGING PHARMACIST FOR NEVADA LOCATED PHARMACY APPLICANTS ONLY

Managing Pharmacist Name: Dina Haileyesus Pharmacist Registration #: 16016

Pharmacy Name: _____

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

dh 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.

dh 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.

dh 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.

dh 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)).

dh 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

Personal and Professional History	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 license?		✔
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 an administrative action whether completed or pending in <u>any</u> state?		✔
4. Has your license 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:

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.

Original signature of Managing Pharmacist (copies or stamps not accepted)

1/3/2025
Date

14

From:	Grace Larkins
To:	Darlene Nases; Catherine M. Nielsen
Cc:	Jessette Phaynarikone; Jesi Talman; Yenh Long; David Wuest
Subject:	Re: Presentation Request
Date:	Thursday, January 16, 2025 8:17:19 AM
Attachments:	Outlook-hp0cdwbn.png Outlook-cvqdx3hn.png

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Darleen and Catherine,

Good morning! I encountered some kinks overnight with the video/audio component, so have come up with a workaround. Please use this version:

https://nevada.box.com/s/rrzgs3iselflrvuqmik9vfs1rj2mq5kr

If the embedded videos give you a problem, I have uploaded them to YouTube:

Link to Video 1: Connor
https://www.youtube.com/watch?v=5zOocOPqIv8

Link to Video 2: Shelby
https://www.youtube.com/watch?v=VqchI42sxy4

Link to Video 3: Hadlie
https://www.youtube.com/watch?v=xSr7L5eeLw4

Many thanks,
Grace

Grace Larkins
Associate Project Coordinator, Family Navigation Network (FNN)
Nevada Center for Excellence in Disabilities (NCED)
University of Nevada, Reno
1664 N. Virginia Street, WRB2005
Mail Stop: 0285
Pronouns: she/her/hers

FNN Hotline: 833-427-1673
Email: gracelarkins@unr.edu
https://www.unr.edu/nced/projects/family-navigation-network

Medicaid members: don't miss important notices in the mail. Update your address. You can also access your digital Medicaid card by downloading the NVMedicaid App.

UNR is situated on the traditional homelands of the Numu (Northern Paiute), Wašiw (Washoe), Newe (Western Shoshone), and Nuwu (Southern Paiute) peoples. These lands continue to be a gathering place for Indigenous Peoples and we recognize their deep connections to these places. We extend our appreciation for the opportunity to live and learn on their territory.

From: Grace Larkins <gracelarkins@unr.edu>
Sent: Wednesday, January 15, 2025 6:23 PM
To: David Wuest <dwuest@pharmacy.nv.gov>; Darlene Nases <dnases@pharmacy.nv.gov>
Cc: Jessette Phaynarikone <jphaynarikone@pharmacy.nv.gov>; Yenh Long <ylong@pharmacy.nv.gov>
Subject: Re: Presentation Request

Hello Darlene and Team,

Please find the link to the PowerPoint for my presentation tomorrow morning. Since the file includes videos, it is too large to attach directly.

https://docs.google.com/presentation/d/1fRHwaJ9-UaQklkY5eEQIxeRw0ZF3gCx1/edit?usp=drive_link&ouid=117762025209541436390&rtpof=true&sd=true

Feel free to reach out if you have any questions or need anything else. I'm looking forward to the meeting and appreciate being included on the agenda.

Thank you,
Grace

Grace Larkins
Associate Project Coordinator, Family Navigation Network (FNN)
Nevada Center for Excellence in Disabilities (NCED)

University of Nevada, Reno
1664 N. Virginia Street, WRB2005
Mail Stop: 0285
Pronouns: she/her/hers

FNN Hotline: 833-427-1673
Email: gracelarkins@unr.edu
https://www.unr.edu/nced/projects/family-navigation-network

Medicaid members: don't miss important notices in the mail. Update your address. You can also access your digital Medicaid card by downloading the NVMedicaid App.

UNR is situated on the traditional homelands of the Numu (Northern Paiute), Wašiw (Washoe), Newe (Western Shoshone), and Nuwu (Southern Paiute) peoples. These lands continue to be a gathering place for Indigenous Peoples and we recognize their deep connections to these places. We extend our appreciation for the opportunity to live and learn on their territory.

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Family Navigation Network
Nevada Center for Excellence in Disabilities

DME Focus Group

Consumer Experiences

01/16/2025







College of Education & Human Development
Life changing learning.℠

Grace Larkins
Associate Project Coordinator
Family Navigation Network
Mother of Lucy, age 10

Table of Contents

1 Real Stories

2 Real Problems

3 Potential Solutions

4 Next Steps

WHY WE'RE HERE

Some Examples of DME:

Wheelchairs

Hospital beds

Bathing and Toileting Equipment

Incontinence Supplies

Ventilators

Oxygen equipment

Enteral Feeding Supplies

Language Note
Medical Devices, Equipment and Gases (MDEG)
Durable Medical Equipment, Prosthetics, Orthotics & Supplies (DMEPOS)
Durable Medical Equipment (DME)

Nevadans who rely on DME for mobility, personal care, and **life-sustaining support** often face **denials** and significant delays.

It can take months or even **years** to receive the supplies they urgently need.

WHO WE ARE

A collaborative effort comprised of multiple entities & individuals with a common goal:

IMPROVE ACCESS TO MEDICALLY NECESSARY EQUIPMENT & SUPPLIES FOR NEVADANS WITH COMPLEX MEDICAL NEEDS

- Nevada Center for Excellence in Disabilities (NCED)
- Nevada Governor's Council on Developmental Disabilities (NGCDD)
- Medicaid DMEPOS Representative
- DME Workgroup
- Parent Focus Group
- Self Advocates with Complex Medical Needs

Real Stories







These stories
are just a **small sample.**

Similar stories are reflected
in **every corner** of Nevada.

Delays and denials
are not the exception,
but the norm.

Connor Age 31

Nevada Center for Excellence in Disabilities
Digital Media Producer/Editor
Wheelchair Repair Accountability Action Group



Shelby Age 20



Hadlie Age 5
(and a half)

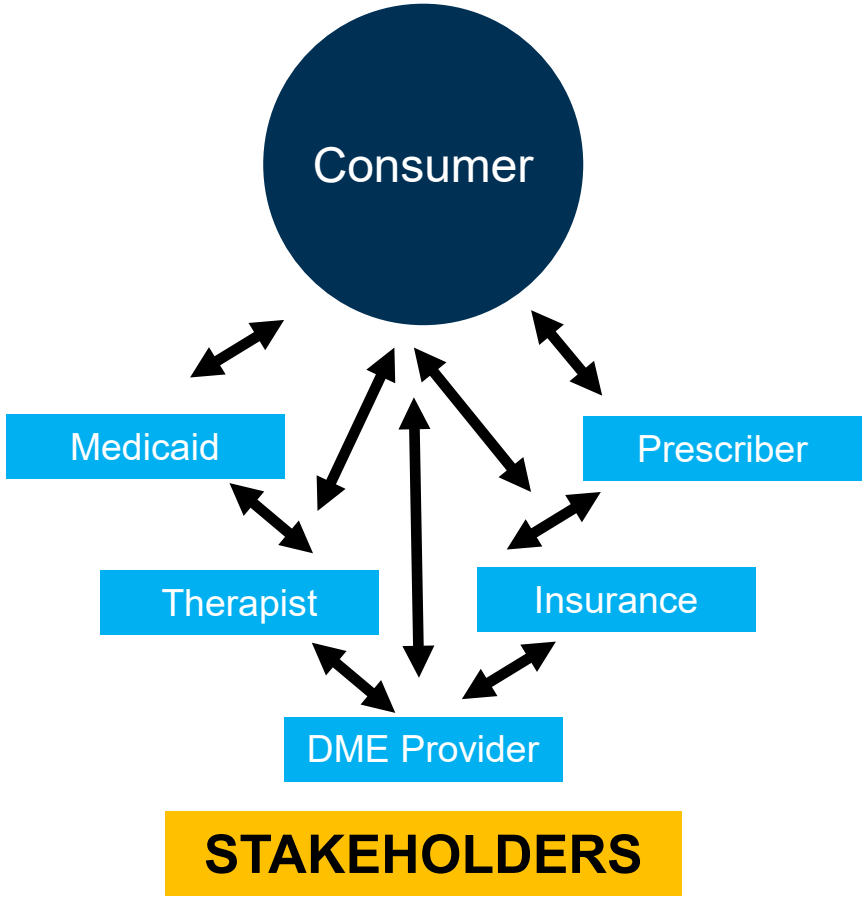


Multifaceted Process

REQUIRES COLLABORATION & COMMUNICATION

BARRIERS

LOOPS
STALLS
RESTARTS
DENIALS
DELAYS



STAKEHOLDERS

PROBLEMS AT EACH JUNCTURE

Medicaid has started working on several fronts to mitigate.

What are DME providers doing?

Real Problems

Complex mobility equipment – only 3 companies contracted with Medicaid are active statewide

- Quality of care has continually declined
- Express frustration with the system

Only 1 company In Northern Nevada: NuMotion

- DME companies understaffed
- Rarely do home visits

DME ORDER **FULFILLMENT** CAN TAKE MONTHS OR **YEARS**

ESSENTIAL **MAINTENANCE** AND REPAIRS CAN TAKE MONTHS OR **YEARS**

Accountability mechanisms are necessary but users rely on them so are hesitant to deter or add more red tape.

Common DME Provider Pitfalls:

Failure to Respond or Follow up

Incorrect Procedure or Documentation

Lack Of Standardized Database

Providing Ineffective or Subquality Products

NEVADA BOARD OF PHARMACY: LICENSING

AN IDEAL COLLABORATION

- NCED
- DD Council
- Medicaid DMEPOS Representative
- Individuals with Complex Medical Needs
- Parent Focus Group
- DME Workgroup

We are working toward solutions

Asking NVBOP to contribute to the conversation

Support and potentially provide guidance to our initiative

Potential Solutions

1) Encourage consumers to file complaints with NVBOP

2) Centralized guidance materials, resources, and central database
   - New Licensee Packet
   - License Renewal Packet
   - Continuing Education (CEUs)

3) NVBOP, NGCDD, NCED, State Agencies, Community Organizations distribute and post

4) Incentivize: Tie DME Medicaid reimbursement rates to quality of care/patient satisfaction

5) Develop regulations that hold companies accountable

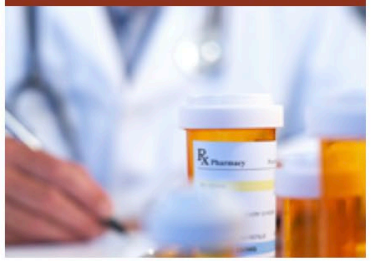
6) Other ideas?

Services
Licensees & Applicants



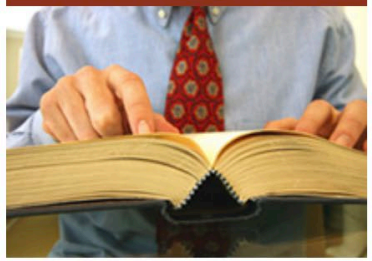
New Applicants Only!
License Renewal
Continuing Education
Official Forms
Change Licensee Info

Services
Patients & Consumers



File A Complaint
Disciplinary Information
Approved Pharmacy Sites
Request A List of Licensees

Information
Resources



Board Meetings
E-Prescribing Systems
Newsletters
Canadian Pharmacy
Prescription Drug Donation Program
Wholesalers/Manufacturers

Information
Links



Safe Injection Practices
Prescription Monitoring Progam (PMP)
Other States & Federal

Durable Medical Equipment



Next Steps

WE EXPAND OUR FOCUS GROUP TARGETS:

Collect feedback on barriers and common problems

- **DME Providers**
- **Medical Providers**
- **Agencies & Stakeholder**

WE REPORT BACK TO NVBOP IN 3-6 MONTHS



Thank you

College of Education
& Human Development

Life changing learning.[sm]

15

NRS: 639.120: Qualifications of applicants to become registered pharmacists.

1. Except as otherwise provided in NRS 639.134, 639.136 and 639.1365, an applicant to become a registered pharmacist in this State must:
    a. Be of good moral character.
    b. Be a graduate of a college of pharmacy or department of pharmacy of a university accredited by the Accreditation Council for Pharmacy Education or Canadian Council for Accreditation of Pharmacy Programs and approved by the Board or a graduate of a foreign school who has passed an examination for foreign graduates approved by the Board to demonstrate that his or her education is equivalent.
    c. Except as otherwise provided in NRS 622.090:
        i. Pass an examination approved and given by the Board with a grade of at least 75 on the examination as a whole and a grade of at least 75 on the examination on law.
        ii. If he or she is an applicant for registration by reciprocity, pass the examination on law with at least a grade of 75.
        iii. Complete not less than 1,500 hours of practical pharmaceutical experience as an intern pharmacist under the direct and immediate supervision of a registered pharmacist.
    d. Complete not less than 1,500 hours of practical pharmaceutical experience as an intern pharmacist under the direct and immediate supervision of a registered pharmacist.
2. The practical pharmaceutical experience required pursuant to paragraph (d) of subsection 1 must relate primarily to the selling of drugs, poisons and devices, the compounding and dispensing of prescriptions, preparing prescriptions and keeping records and preparing reports required by state and federal statutes.
3. The Board may accept evidence of compliance with the requirements set forth in paragraph (d) of subsection 1 from boards of pharmacy of other states in which the experience requirement is equivalent to the requirements in this State.

NAC 639.5005 Representative of pharmacy: General requirements; exceptions; approval; enforcement. (NRS 639.070, 639.231)

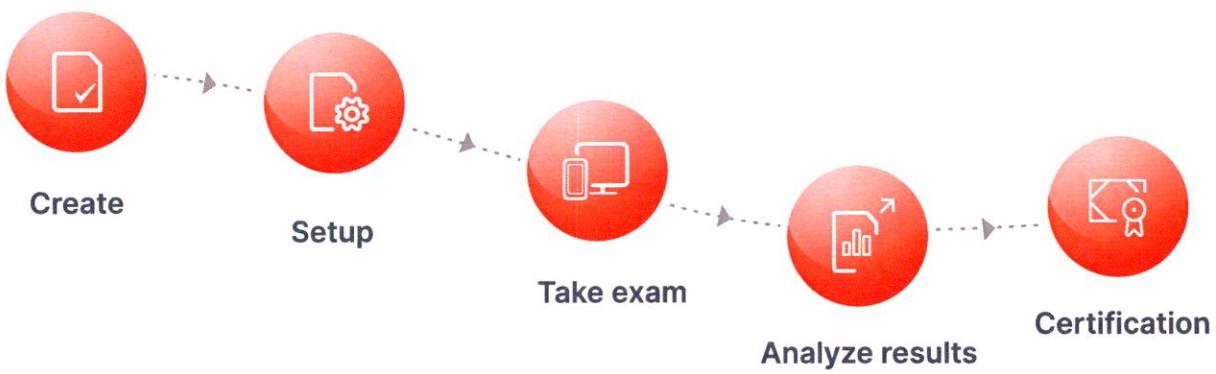
1. Except as otherwise provided in this subsection, an applicant for a license, or a licensee with a license, to conduct a pharmacy shall designate at least one natural person who will be the representative of the pharmacy. The Board will not issue a license to an applicant or renew the license of a licensee that is required to designate a representative of a pharmacy pursuant to this section unless the Board determines that the designated natural person meets the qualifications set forth in subsection 2 and approves that natural person to be the designated representative of the

pharmacy. The requirement to designate a representative set forth in this subsection does not apply to:

a. An applicant or a licensee that is a publicly traded corporation;
b. An applicant or licensee whose pharmacy is determined by the Board to be located within a large retail store, including, without limitation, a grocery store, variety store or department store under common ownership; or
c. An applicant or licensee in which a majority interest of the applicant or licensee is owned by a pharmacist who is:
    i. Licensed by the Board; and
    ii. A resident of this State.

2. Except as otherwise provided in subsection 3, the Board will approve a natural person to be a representative of a pharmacy if the applicant for a license to conduct a pharmacy or the licensee presents proof satisfactory to the Board that the natural person:
    a. Has been employed for at least 6,000 hours in a pharmacy or with a wholesaler in a capacity related to the dispensing and distribution of, and recordkeeping relating to, prescription drugs;
    b. Has received a score of at least 75 percent on an examination given by the Board regarding federal and state laws and pharmacy practices; and
    c. Is at least 21 years of age.
3. The Board may, based upon any of the grounds set forth in NRS 639.210, refuse to approve a natural person for service as the representative of a pharmacy, regardless of whether the person is otherwise qualified...

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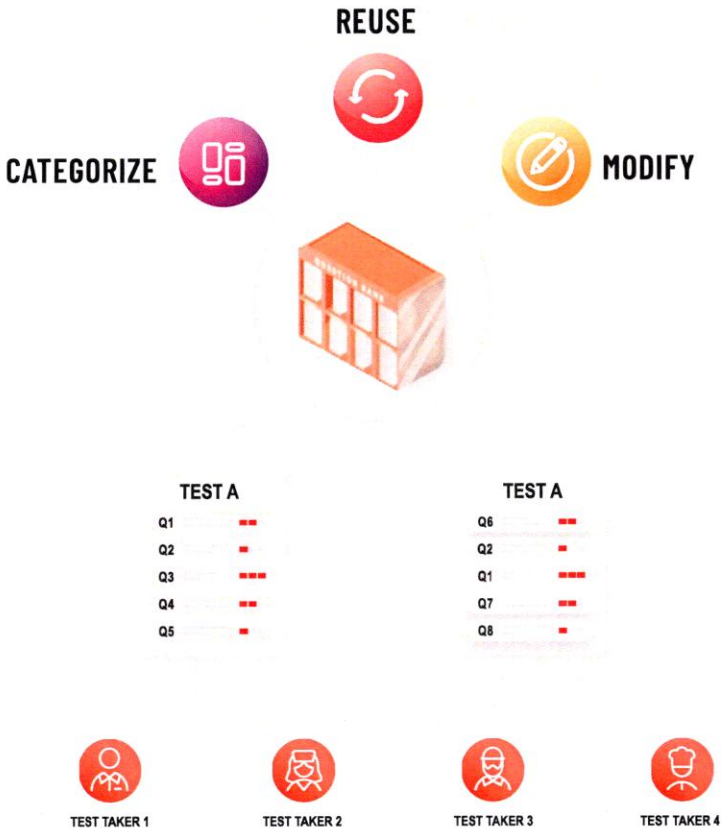
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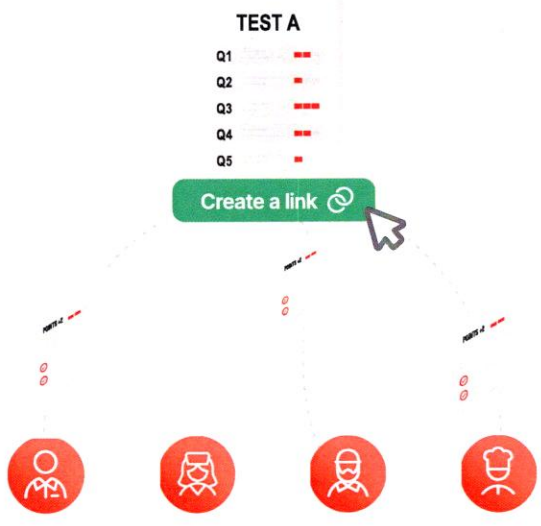
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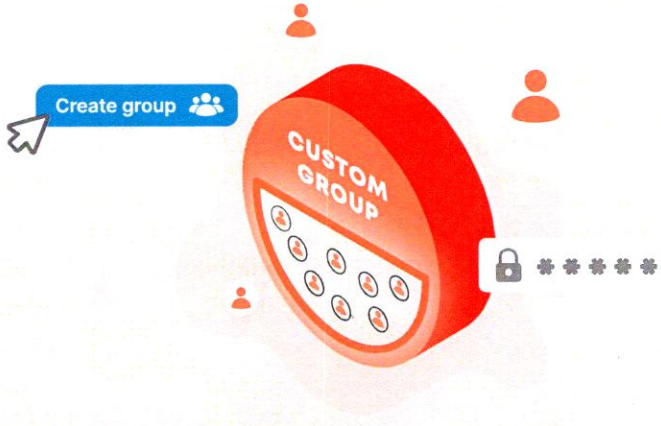
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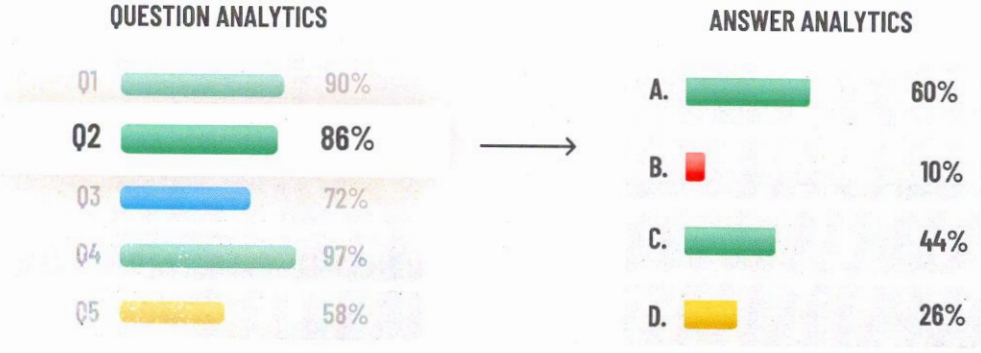
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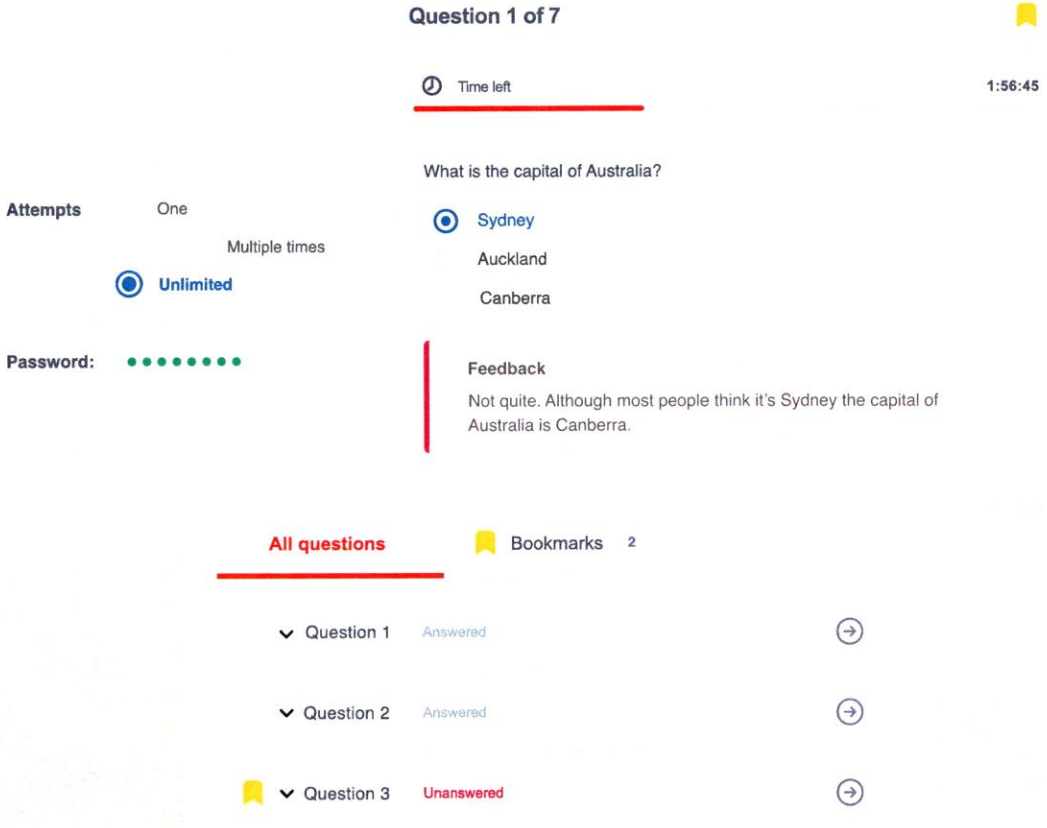
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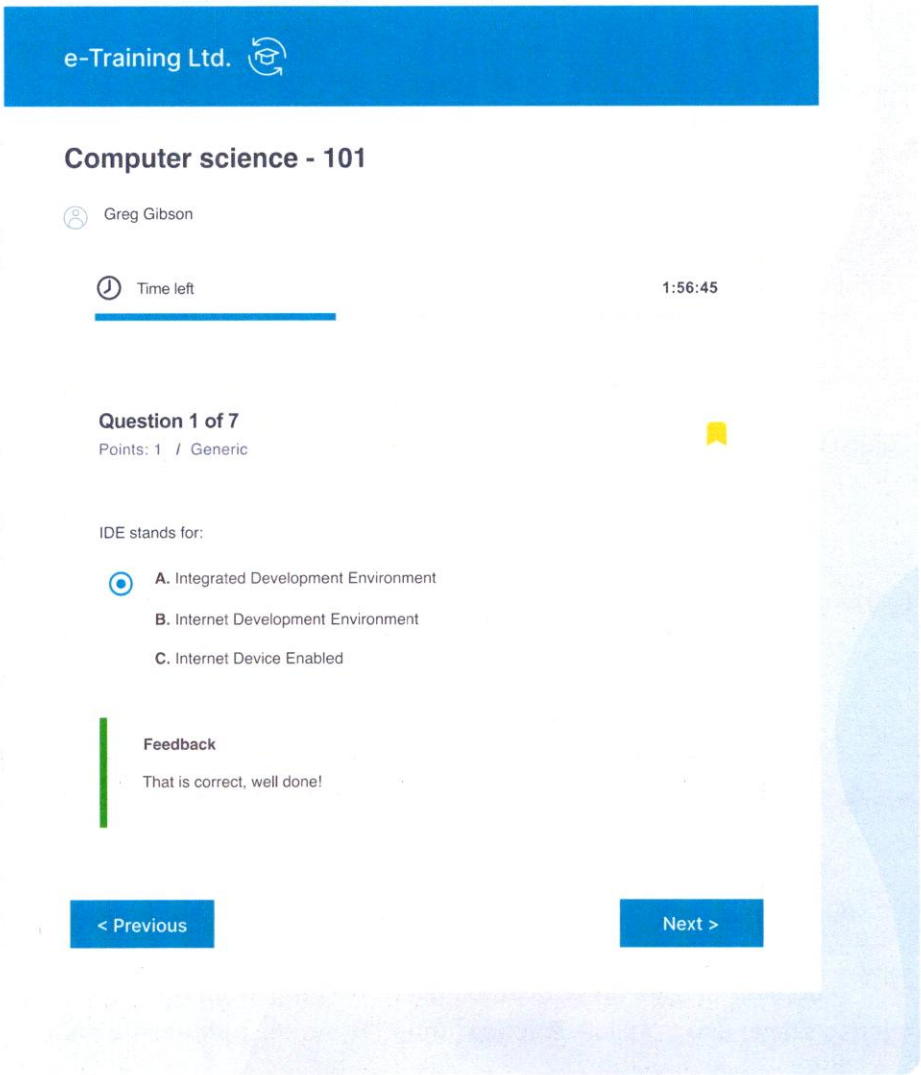
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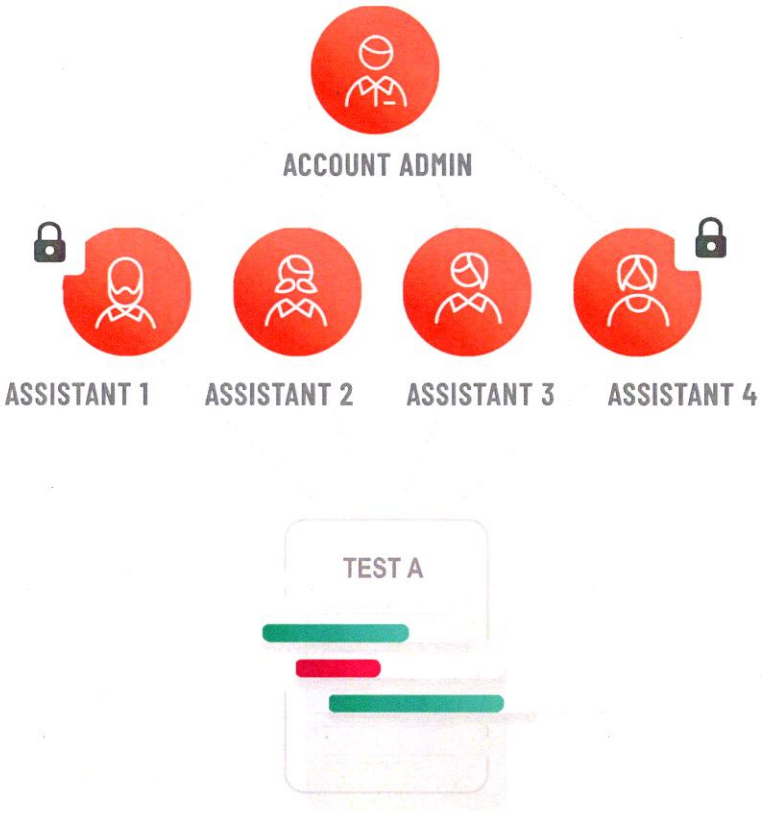


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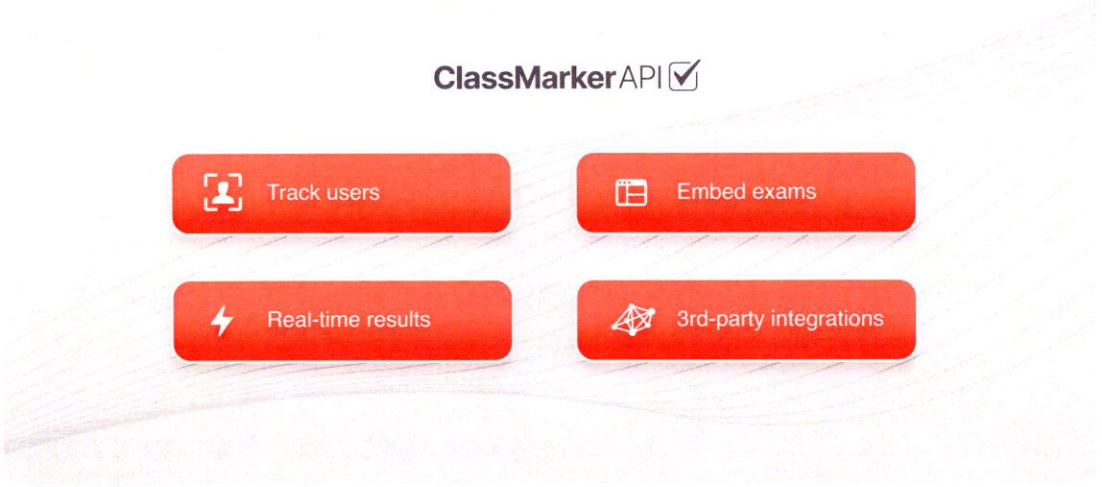
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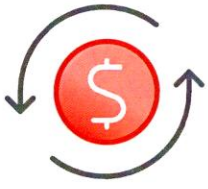
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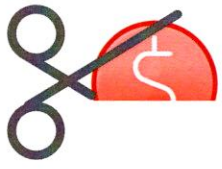
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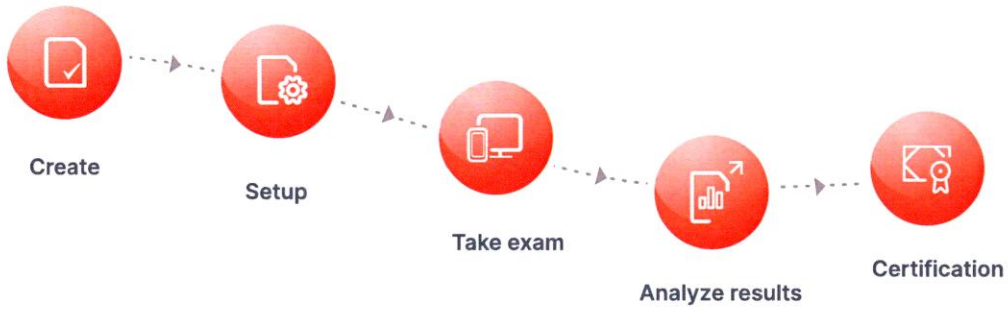
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Rated 4.4 / 5 on G2

16A
Public Comment

PharMerica

OnePoint PATIENT CARE

January 16, 2025

Nevada State Board of Pharmacy
985 Damonte Ranch Parkway, Ste 206
Reno, NV 89521
teambc@pharmacy.nv.gov

Re: LCB File No. R113-24: Proposed amendments to establish minimum staffing standards in a pharmacy and modify the number of pharmaceutical technicians and pharmaceutical technicians in training a pharmacist may supervise.

Dear President Park and Executive Secretary Wuest:

This letter is respectfully submitted by PharMerica and OnePoint Patient Care (OnePoint) pertaining to proposed regulatory changes under LCB File No. R113-24. We would like to thank the Board for allowing our respective organizations to submit these comments seeking clarity on, and providing feedback to, the proposed minimum staffing requirements and supervision of workforce changes for pharmacies.

Comments regarding **Chapter 639**

Our respective Nevada pharmacies provide closed-door pharmacy services to patients residing in congregate care settings including hospice facilities, skilled nursing facilities (SNFs) assisted living facilities, other long-term care (LTC) settings in the community. These pharmacies are located off-premises from the locations they serve. Given the nuances of our respective structure and services, we are seeking the Board's intent on applicability of this proposal to our pharmacy models.

Upon review of the proposed rule, it appears that the Board is intending for the proposal not to apply to off-premises pharmacies providing service to patients in certain medical facilities, including the congregate care settings our closed-door pharmacies support. We are asking the Board to please provide further clarification on whether this proposed rule applies to Hospice and Long-term care pharmacies respectively.

As you know, Hospice and LTC pharmacies function similarly to other institutional, closed-door pharmacies in Nevada. Our pharmacies are driven by maintaining a high level of customer service to patients. Moreover, the nature of our pharmacies is that patients in these settings require consistency and timeliness in both the processing and dispensing of their prescriptions on a longer-term basis. If these pharmacies fail to deliver quality services in a timely manner, the facilities may choose to contract with an alternate pharmacy.

Unlike retail pharmacy settings, Hospice and LTC pharmacies are available to fill emergency prescriptions on a 24x7 basis. The minimum staffing ratio as written would potentially require a pharmacy which fills emergency prescriptions to have a pharmaceutical technician on call should the number of prescriptions put the pharmacy over the allowable threshold for the current number of staff. This would present an entirely new and substantial labor cost for many closed-door pharmacies. Moreover, some pharmacies may struggle to meet this requirement altogether due to labor shortages in the pharmacy field in Nevada.

In addition, Hospice and LTC pharmacies are already regulated in the event any issue with quality of care for patients comes to light. Under current regulations, the Pharmacist in Charge (PIC) is responsible to report to the Board if any regulations are violated and work with the Board to address.

The number of prescriptions processed each day in a Hospice or LTC pharmacy setting are variable and are based on admissions of new patients to certain medical facilities. Because the number of admissions varies in these settings daily across Nevada, these pharmacies are accustomed to meeting the variable volume without compromising timeliness or quality of care for the patient. Implementing the proposed requirement to staff based on a very scripted number of prescriptions would not be possible, given that the number of prescriptions varies from hour to hour. Further, the minimum staffing mandate may result in a Hospice or LTC pharmacy being overstaffed inappropriately. Closed-door pharmacies focus primarily on cycle filling and delivery, whereas retail pharmacy settings have differing staffing needs which enable them to fulfill additional functions such as vaccinations, face-to-face counseling, point of sale transactions, helping with over-the-counter medications, and more.

Lastly, mandating a minimum number of staff does not allow Hospice or LTC pharmacies who choose to implement some form of automation to do so without adding many more pharmacists and pharmaceutical technicians. This defeats the purpose of automation, which Hospice and LTC pharmacies may employ to address staffing shortages and increase consistency.

We appreciate the Board's willingness to accept these comments and ask it to further clarify the applicability of this rule to our pharmacies and the facilities they serve.

Comments regarding **NAC 639.250**

Our respective organizations support the proposed changes to increase the number of pharmaceutical technicians/technicians in training a pharmacist can supervise at one time. Over the years, the role pharmacies play in patient-care services has evolved, requiring pharmacists to fully maximize all their personnel including pharmacy techs. This includes delegating certain functional tasks more independently to pharmacy techs. This expanded scope of responsibilities has facilitated the need to update the existing ratio to match the additional services being offered by pharmacies. Increasing

the ratio would allow pharmacists the ability to distribute the workload more efficiently. In other states with increased ratios, this distribution has led to increases in patient safety and in quality of care. If approved, this initiative would ultimately allow pharmacists to be better pharmacists rather than performing the filling work of technicians as is the case currently in Nevada.

We thank the Board for your consideration of our comments and look forward to additional opportunities for discussion around the ways our closed-door pharmacies operate in the interest of Nevadans. We are available should any questions arise, and we thank you for your time.

Respectively submitted,

Dan Lynch, PharmD
Vice President of Compliance – Pharmacy
BrightSpring Health Services / PharMerica

Erik Jung, PharmD
Vice President – Pharmacy Operations
OnePoint Patient Care

NACDS NATIONAL ASSOCIATION OF CHAIN DRUG STORES

January 15, 2025

Dave Wuest
Executive Secretary
Nevada State Board of Pharmacy
985 Damonte Ranch Parkway, Suite 206
Reno, NV 89521
Submitted via teambc@pharmacy.nv.gov

Re: Oppose Proposed Rule Imposing Unworkable Minimum Staffing Levels in Retail Pharmacies

Dear Mr. Wuest,

On behalf of our members operating chain pharmacies throughout the state of Nevada, the National Association of Chain Drug Stores (NACDS) is writing to the Nevada State Board of Pharmacy (Board) to communicate our serious concerns with the proposed rule on minimum staffing levels in retail pharmacies. This rulemaking would impose staffing requirements that would be unrealistic to meet given the available pharmacy workforce and if adopted, could threaten pharmacies' capacity to meet public demand for pharmacy services and jeopardize patient access to care. We urge the Board to vote against this harmful proposal.

Across the country, communities are experiencing a shortage of healthcare workers, and pharmacies have not been spared from this phenomenon. The number of pharmacy school enrollees and pharmacy school graduates are declining.[i] According to the Pharmacy Workforce Center's most recent *Pharmacy Demand Report for 2024*, there were 19,312 and 45,196 open positions for pharmacists and pharmacy technicians respectively through the third quarter of last year.[ii,iii] At the same time, demand for pharmacy services continues to grow. The number of prescriptions filled by retail pharmacies increased from 6.1 billion in 2018 to 6.9 billion in 2023. Additionally, the public has become deeply reliant on neighborhood pharmacies for an array of services such as immunizations, testing services, and other important clinical pharmacy care.

Rather than impose burdensome staffing requirements that could limit pharmacies' ability to deliver pharmacy care, we urge the Board to instead focus on policy changes that allow pharmacies to deploy innovative pharmacy care models and technologies that improve pharmacy efficiencies and enhance capacity to deliver the level of care that patients demand. To this end, we urge the Board to conduct a workgroup that brings together a diverse group of pharmacy stakeholders from different pharmacy practice types with the goal of identifying needed policy changes that empower all types of pharmacies to optimize available pharmacy staff and resources to deliver the level of pharmacy care that Nevadans have come to expect. Notably, the proposed rules only address workload capacity in certain pharmacies, and in all cases exempt institutional pharmacies and pharmacies in correctional facilities from the proposed staffing minimums. Any policy changes to mitigate workload challenges should apply in these types of pharmacies as well.

Lastly, it's concerning that the Board did not follow all requirements of the Nevada Administrative Procedure Act (NAPA) when issuing this proposed rule. Under NRS Chapter 233B.0601 & 233B.0603 which outlines the procedures for state agencies to adopt, amend, or repeal regulations, the Board should have prepared a statement estimating the economic effect of the proposal on regulated entities and the public, but neglected to do so. In this case, the

proposed rule fails to account for the potential impact to the public where minimum staffing requirements tied to prescription volume might reduce pharmacies' capacity to meet public demand for pharmacy care services. Given the detrimental impact of this proposed rule on patient access to care, this rulemaking should not proceed.

NACDS thanks the Board for the opportunity to share our comments and concerns with this rulemaking. If you have any questions or need additional information, please contact NACDS' Mary Staples, Director, State Government Affairs at MStaples@NACDS.org.

Sincerely,



Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer
National Association of Chain Drug Stores

###

NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate nearly 40,000 pharmacies, and NACDS' chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 155,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 21 countries. Please visit NACDS.org.

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[i] https://www.aacp.org/sites/default/files/2024-10/pharmacy-demand-report-10.31.2024.pdf
[ii] IQVIA Report on "The Use of Medicines in the U.S. 2024 Usage and Spending Trends and Outlook to 2028" Available at: https://www.iqvia.com/insights/the-iqvia-institute/reports-and-publications/reports/the-use-of-medicines-in-the-us-2024
[iii] IQVIA Report on "The Use of Medicines in the U.S. 2023 Usage and Spending Trends and Outlook to 2027" Available at: https://www.iqvia.com/insights/the-iqvia-institute/reports-and-publications/reports/the-use-of-medicines-in-the-us-2023

Cardinal Health
Nuclear & Precision Health Solutions
5795 S Arville, Suite 100
Las Vegas, NV 89118
702.257.1011 tel

cardinalhealth.com

January 14, 2025

Nevada State Board of Pharmacy
985 Damonte Ranch Parkway, Suite #206
Reno, NV 89521
(775) 850-1440
pharmacy@pharmacy.nv.gov

Dear Board:

Please consider this letter the Cardinal Health 414, LLC ("Pharmacy's" or "Cardinal Health's") comments to the Nevada State Board of Pharmacy ("Board"), proposed regulation LCB File No. R113-24 to NAC Chapter 639.

I am contacting you as a staff pharmacist from the Cardinal Health operated nuclear pharmacy (PH02921), and we wish to reaffirm our full commitment to complying with all applicable Nevada State Board of Pharmacy laws and regulations. Cardinal Health is also fully committed to dispensing quality products, to patient safety, and sustainable workload practices.

Our request is that nuclear pharmacies be included in the list of excepted practice settings, excerpted below, along with institutional pharmacy or pharmacy in a correctional institution throughout the entirety of the proposed regulations.

> *"Except as otherwise provided in subsection 2, a pharmacy that dispenses controlled substances or dangerous drugs, other than an institutional pharmacy or a pharmacy in a correctional institution, must have not less than:" (emphasis added)*

Rationale
Current Nevada State Board of Pharmacy Regulations, i.e., NAC 639.5802-584, provide requirements for unique practice of nuclear pharmacy. In practice, nuclear pharmacy much more closely resembles that of institutional or hospital-based pharmacy setting including aseptic handling, order review, and logistics coordination. Nuclear pharmacies cannot dispense radiopharmaceutical prescriptions directly to patients, operate as closed-door pharmacies, and primarily have contact with the health-care providers rather than the patients that receive the prescriptions we dispense. Increasing staffing levels as described in the proposed regulations is not needed and would not be beneficial to our practice. Additionally, the time-critical nature of radiopharmaceuticals including their rapid radioactive decay and very limited beyond use dates requires that nuclear pharmacies dispense prescriptions in a narrow time interval. Limiting the number of prescriptions that can be dispensed over a period of time will adversely impact the access patients have to radiopharmaceuticals needed for nuclear medicine procedures.

Cardinal Health appreciates the consultative, collaborative approach taken by the Board, and it wishes to reaffirm our commitment to regulatory compliance and to providing safe and quality radiopharmaceutical care to our patients. We will have a pharmacist representative at the January 16th public hearing. Should you have any questions or wish to discuss these comments, please contact us.

Sincerely,

Bryan Grassel, PharmD, RPh
NPHS Nuclear Pharmacist
Las Vegas, NV

NEVADA
PHARMACY ALLIANCE

Pharmacy Team Members Feedback on Proposed Regulation R113-24

Across Nevada and the nation, pharmacy professionals have raised concerns about challenging and demanding work environments that negatively impact patient care and safety. Pharmacy teams struggle to fulfill prescriptions, administer vaccinations, and provide other patient care services while facing insufficient staffing and long hours without routine breaks.

The Nevada Pharmacy Alliance (NPA) extends its sincere gratitude to the Nevada Board of Pharmacy (BOP) for their proactive efforts in addressing concerns raised on behalf of pharmacists, technicians, students, and other stakeholders. We commend the BOP for conducting the Nevada Pharmacists Workplace and Patient Safety Survey to explore significant workplace wellbeing challenges.

Key findings from the survey:

- 57.4% of pharmacists believe their practice setting is under-staffed to meet both pharmacy demands and patient care/safety standards. This rises to 74.6% for pharmacists at retail chain pharmacies.
- 51.5% of pharmacists feel their current staffing levels pose a risk to patient safety, with 68.3% of retail chain pharmacists sharing this concern.
- 50% of pharmacists feel their staffing levels lead to delays in timely medication delivery, a figure that rises to 64.9% for retail chain pharmacists.
- 66.9% of pharmacists continue working past their scheduled hours, either sometimes, usually, or always.

These numbers highlight a serious patient safety issue caused by low staffing and heavy workloads.

The Revised Proposed Regulation of The State Board of Pharmacy LCB File. No. R113-24 – July 15th, 2024, was created based on these findings. In August 2024, the NPA conducted a follow-up survey to gather insights from our members on the proposed regulation. This survey assessed various aspects of pharmacy practice, including demographics, workload, and perceptions of the proposed regulations. A total of twenty-six respondents shared their feedback on staffing levels and potential impacts of regulatory changes.

1575 W. Horizon Ridge Pkwy #530792
Henderson, NV 89012
702-714-1931
info@nevadapharmacyalliance.com

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PHARMACY ALLIANCE

Demographics and Practice Settings:

- Years in Practice:
  - 0–10 years: 19%
  - 11–20 years: 42%
  - 21–30 years: 23%
  - 30+ years: 15%
- Primary Practice Settings:
  - Retail Chain Pharmacy: 35%
  - Independent Pharmacy: 35%
  - Institutional/Hospital Pharmacy: 19%
  - Department of Defense or VA Pharmacy: 4%
  - Non-pharmacy settings: 8%
- Roles:
  - Staff Pharmacist: 35%
  - Pharmacy Manager: 42%
  - Pharmacy Owner: 15%
  - Pharmacy Intern and Technician: 8% each
- Employment Status:
  - Full-time: 77%
  - Part-time: 8%
  - PRN: 4%
  - Retired: 4%
  - Not Currently Practicing: 8%

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Pharmacy Workload:

- Weekday Prescription Volume (10-hour shift):
  - 101–200: 6%
  - 201–300: 50%
  - 301–400: 13%
  - 401–500: 6%
  - 501–600, 601–700, >700: 6% each
- Weekend Prescription Volume (10-hour shift):
  - 1–100: 33%
  - 101–200: 22%
  - 201–300: 22%
  - 301–400, 501–600: 11% each

Questions pertaining to the proposed regulation No. R113-24:

Awareness and Perception of Workplace Safety and Proposed Regulations

- 89% of respondents read the Nevada Pharmacists Workplace and Patient Safety Survey conducted by the BOP.
- 94% of respondents were aware of the proposed regulation R113-24.

Perception of Proposed Regulations Addressing Patient Safety Concerns

- 78% of respondents agreed that the proposed regulations effectively address patient safety concerns.
- 22% felt that the regulations do not adequately address these concerns.

Opinions on Staffing Levels in Proposed Regulations

- **Pharmacist Staffing Levels**:
  - 50% believed the proposed regulations have the appropriate number of pharmacists required to ensure patient safety.
  - 17% felt the regulations should mandate more pharmacists to be staffed.
  - 33% thought the regulations should require fewer pharmacists.

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- Additional feedback summary:
  - Some participants highlighted that increasing pharmacist staffing could improve patient care and reduce medication errors but warned it might strain pharmacy finances.
  - Others expressed concerns that the regulations could make it difficult for smaller or independent pharmacies to remain viable, potentially reducing access to services for patients.

- **Technician Staffing Levels**:
  - 56% believed the proposed regulations have the appropriate number of technicians required to ensure patient safety.
  - 39% felt the regulations should mandate more technicians to be staffed.
  - 33% thought fewer technicians should be required.
  - Additional feedback summary:
    - Respondents emphasized that increasing technician support could improve workflow efficiency and allow pharmacists to focus on clinical responsibilities.
    - Some criticized rigid technician-to-pharmacist ratios, arguing that they could decrease flexibility and patient safety by limiting the ability to delegate appropriate tasks to technicians.

Non-Dispensing Services and Staffing

- **Requirement of Additional Pharmacists for Non-Dispensing Services**:
  - 61% of respondents agreed that an additional pharmacist should be required when non-dispensing services (e.g., immunizations, clinical services) are offered.
  - 39% disagreed, suggesting that additional staffing might not always be necessary or feasible.

- **Feedback on Non-Dispensing Services**:
  - Several respondents noted that the requirement for additional pharmacists should be dependent on service volume and complexity.

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- There were concerns that requiring extra staff for clinical services could reduce patient access to these services if pharmacies could not support the increased staffing costs.

General Concerns and Observations:

- Respondents frequently highlighted the financial challenges faced by pharmacies in maintaining adequate staffing due to reimbursement issues, particularly with Pharmacy Benefit Managers (PBMs).
- Some expressed fears that stricter staffing requirements might lead to reduced access to in-state pharmacy services, with more prescriptions being filled by out-of-state mail-order pharmacies.
- A common sentiment was that while the regulations aim to improve patient safety, they must be accompanied by measures to address reimbursement rates to ensure financial feasibility for pharmacies.

The survey results from both the BOP and NPA show that patient safety and workplace wellbeing are top concerns. Members also want to ensure that any regulation passed will not reduce patient access to care.

NPA looks forward to hearing from pharmacy team members, employers, and the Board of Pharmacy at the January 16th BOP meeting to continue discussions on the best way forward.

Jeani Smith, PharmD, MBA, BCACP, BCADM, CDCES
President

Jeani Smith

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SFY25 MONTHLY BUDGET REPORT
NEVADA STATE BOARD OF PHARMACY
Dec-24

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	$ 21,320	$ 6,235,510	$ (150,404)	$ 6,106,426	$ -
Registration Fees	$ 1,297,680		$ 1,297,680	$ 91,965	$ 531,195	$ 674,520	$ 1,297,680	$ -
Recovered Costs	$ 30,000		$ 30,000	$ 13,500	$ 48,164	$ (31,664)	$ 30,000	$ -
CC Processing Fees	$ 300,000		$ 300,000	$ 4,105	$ 324,935	$ (29,040)	$ 300,000	$ -
Change MGR RPh	$ 22,800		$ 22,800	$ 1,800	$ 5,950	$ 15,050	$ 22,800	$ -
Inspections	$ 5,000		$ 5,000	$ 102	$ 9,271	$ (4,372)	$ 5,000	$ -
Interest Income	$ 30,000		$ 30,000	$ 15,275	$ 6,489	$ 8,236	$ 30,000	$ -
Late Fees	$ 15,000		$ 15,000	$ 10,460	$ 24,305	$ (19,765)	$ 15,000	$ -
Total Revenues	**$ 12,470,567**	$ -	**$ 12,470,567**	**$ 158,527**	**$ 7,185,818**	**$ 5,126,221**	**$ 12,470,567**	$ -

EXPENSES								
Payroll	$ 4,139,230		$ 4,139,230	$ 295,890	$ 1,518,854	$ 2,324,486	$ 4,139,230	$ -
Operating	$ 1,382,732		$ 1,382,732	$ 203,360	$ 748,557	$ 430,815	$ 1,382,732	$ -
Equipment	$ 25,000		$ 25,000	$ 453	$ 1,841	$ 22,706	$ 25,000	$ -
In-State Travel	$ 110,000		$ 110,000	$ 7,732	$ 30,950	$ 71,318	$ 110,000	$ -
Out-of-State Travel	$ 65,000		$ 65,000	$ 2,877	$ 7,109	$ 55,014	$ 65,000	$ -
DAG Cost	$ 40,000		$ 40,000	$ 1,570	$ 1,985	$ 36,444	$ 40,000	$ -
Reserve	$ 6,708,605	$ -	$ 6,708,605	$ -	$ -		$ 6,708,605	$ -
Total Expenses	**$ 12,470,567**	$ -	**$ 12,470,567**	**$ 511,882**	**$ 2,309,296**	**$ 2,940,784**	**$ 12,470,567**	$ -
Balance	$ -	$ -	$ -				$ -	$ -