



NEVADA STATE BOARD OF PHARMACY

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MINUTES

January 15-16, 2025

BOARD MEETING

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, January 15, 2025, at 9:00 am. The meeting will continue Thursday, January 16, 2025, at 9:00 am if necessary or until the Board concludes its business. Pursuant to NRS 241.023(1)(c) the meeting is being conducted by means of remote technology. The public may attend the meeting via live stream remotely or at the following location:

Hilton Garden Inn
7830 S Las Vegas Blvd.
Las Vegas, NV

Via Videoconference at Zoom: <https://zoom.us/j/5886256671>

or

Via Teleconference at 1 (669) 900-6833
Meeting ID: 588 625 6671

Board Members Present:

Helen Park	Krystal Freitas	Richard Tomasso	Adam Porath
Jade Jacobo	Chanyis Taylor	Anna Carr	

Board Staff Present:

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

1. Call to Order and Roll Call – Establishment of Quorum

President Park performed the roll call. Board members were present, and a quorum was established.

2. Public Comment January 15, 2025, 9:12 AM

The following person(s) offered public comment:

Liz McMenamin, Retail Association of Nevada.

3. Approval of December 4-5, 2024, Board Meeting Minutes (**FOR POSSIBLE ACTION**)

Board Action:

Motion: Krystal Freitas moved to approve the December 4-5, 2024 Board Meeting Minutes.

Second: Jade Jacobo

Action: Passed unanimously.

◆ CONSENT AGENDA ◆

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

4.1 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-Appearance (**FOR POSSIBLE ACTION**)

- A. 365 DME, LLC – Pittsford, MI
- B. Cabretta, LLC – St. George, UT
- C. Dr. Micro Labs, LLC – Houston, TX
- D. Eastern Medtech – Walpole, MA
- E. R.A. Fischer Company – Moorpark, CA

4.2 Applications for Out-of-State Wholesaler License (NRS 639.233) – Non- appearance (**FOR POSSIBLE ACTION**) **Background Check Not Required by Law.**

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

- F. Cardinal Health 200, LLC – Sacramento, CA

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

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

- G. G1 Therapeutics, Inc – Research Triangle Park, NC
- H. Nuvation Bio Inc – Burlington, MA

4.2.4 Publicly Traded, VAWD-Accredited, and Manufacturer (NAC 639.593(6)(a), (c), and (d))

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

- I. Drugzone Pharmaceuticals, Inc – Nanuet, NY
- J. Specialty Care Distribution – Ontario, CA
- K. VET4U, LLC – Clay City, NY

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

- L. Bausch & Lomb, Inc – Lynchburg, VA
- M. Bausch & Lomb, Inc – Woodruff, SC
- N. Boehringer Ingelheim Pharmaceuticals, Inc – Ridgefield, CT
- O. Bora Pharmaceuticals Injectable Inc – Baltimore, MD
- P. DiaSorin Inc – Stillwater, MN
- Q. Exeltis USA, Inc – Florham Park, NJ
- R. Fronseca Biosciences, LLC – Long Beach Township, NJ
- S. Leo Pharma Inc – Madison, NJ
- T. Marius Pharmaceuticals, Inc – Raleigh, NC
- U. Matheson Tri-Gas, Inc – Vernon, CA
- V. Neurotech Pharmaceuticals, Inc – Cumberland, RI
- W. Novadoz Pharmaceuticals, LLC – Piscataway, NJ
- X. Societal CDMO Gainesville, LLC – Gainesville, GA
- Y. Valinor Pharma, LLC – Bedminster, NJ

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

- Z. Braeburn Inc. – Plymouth Meeting, PA

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

- AA. Advanz Pharma (US) Corp – Bannockburn, IL
- BB. Coloplast Corp – Burnsville, MN
- CC. Intuvie LLC – Natick, MA
- DD. The Flume Catheter Company, Inc – Salt Lake City, UT

4.2.9 Background checks completed in compliance with NRS 639.500.

- EE. 365 DME, LLC – Pittsford, MI
- FF. Advanced Medical Sales, Inc – San Clemente, CA
- GG. Drive DeVilbiss Healthcare – Palmeto, GA
- HH. Drive DeVilbiss Healthcare – South Brunswick, NJ
- II. Durbin USA – Garner, NC
- JJ. Nippon Express U.S.A., Inc – Grapevine, TX

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

- KK. Asteria Health – Birmingham, AL

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

- LL. Allivet – Las Vegas, NV
- MM. Culinary Pharmacy – North Las Vegas, NV

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

- NN. AeQuita Pharmacy – Kirkland, WA
- OO. Kroger Specialty Infusion – Torrance, CA
- PP. Northwest Compounders – Beaverton, OR
- QQ. PharmaLogic Salt Lake City, LLC – Salt Lake City, UT
- RR. Precision Compounding Pharmacy and Wellness – Bellmore, NY
- SS. RLS (USA), Inc. – Wooddale, IL
- TT. Saveway Compounding Pharmacy, LLC – Newark, DE
- UU. Wedgewood Pharmacy – Novato, CA

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

- VV. Allivet – Fishers, IN
- WW. Allivet – Miami Lakes, FL
- XX. AmeriPharma Medbox – Laguna Hills, CA
- YY. BioPlus Specialty Pharmacy Services, LLC – Durham, NC
- ZZ. CarelonRx Pharmacy, Inc. Mason, OH
- AAA. Go MD Pharmacy, LLC – Memphis, TN
- BBB. Health Care Medical Infusion Specialties – Ridgeland, MS
- CCC. LifeMD Pharmacy Services, LLC – Lancaster, PA

DDD. NPS Pharmacy Direct – Nashville, TN
EEE. Pathway Pharmacy, Inc – Ocala, FL
FFF. Santa Cruz Rx Texas Pharmacy –
Weatherford, TX

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

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

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

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Consent Agenda.

Second: Adam Porath

Action: Passed unanimously.

◆ REGULAR AGENDA ◆

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

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

Ken Hogen appeared as counsel on behalf of Mee Han, APRN.

Mee Han was present.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Respondent Han was engaged to serve as medical director of a practice that allowed unlicensed persons to access, possess, furnish and administer dangerous drugs without a direct practitioner supervision, including drug products intended for distribution in foreign markets and not approved in the U.S..

Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-185-CS-B-S for the Board's consideration.

The proposed stipulated penalties for Mee Han, APRN, Certificate of Registration No. CS22622, are the following: Respondent Han's Certificate of Registration No. CS22622 is suspended. The suspension is stayed, and Respondent is placed on probation for a period of one (1) year with the following conditions: 1) public reprimand; 2) Respondent fined \$5,000; and 3) Respondent assessed \$1,000 in attorney fees and costs.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the Stipulation and Order for Mee Han as presented by Mr. Kandt.

Second: Krystal Freitas

Action: Passed unanimously.

C. Samuel Yu

(22-185-CS-A-S)

Craig Perry appeared as counsel on behalf of Samuel Yu, APRN.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Respondent Yu was engaged to serve as medical director of a practice that allowed unlicensed persons to access, possess, furnish and administer dangerous drugs without a direct practitioner supervision, including drug products intended for distribution in foreign markets and not approved in the U.S.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-185-CS-A-S for the Board's consideration.

The proposed stipulated penalties for Samuel Yu, APRN, Certificate of Registration No. CS27231, are the following: Respondent Yu's Certificate of Registration No. CS27231 is placed on probation for a period of one (1) year with the following conditions: 1) public reprimand; 2) Respondent fined \$2,500; and 3) Respondent assessed \$1,000 in attorney fees and costs.

Board discussion ensued.

Board Action:

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

Second: Jade Jacobo

Action: Passed unanimously.

E. Jeffrey Gross

(22-417-CS-S)

Jordan Moran and Ilene Albala appeared as counsel on behalf of Jeffrey Gross, MD.

Jeffrey Gross was present.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case where Respondent Gross pled guilty pursuant to a plea agreement and was convicted on one felony count of conspiracy in United States of America v. Jeffrey Dave Gress, United States District Court for Central District of California, Case 8:18-cr-00014-JLS. Respondent subsequently surrendered his DEA Registration No. FG3245455 by executing a DEA Form 104 .

Mr. Kandt presented a proposed Stipulation and Order for Case No. 22-417-CS-S for the Board's consideration.

The proposed stipulated penalties for Jeffrey Gross, MD, Certificate of Registration No. CS20182, are the following: Respondent's Certificate of Registration No. CS20182 is revoked; Respondent may not petition for reinstatement for a period of one year from the effective date of the Order. Respondent fined \$5,000 and assessed \$1,000 for attorney's fees and costs.

Board discussion ensued.

Board Action:

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

Second: Jade Jacobo

Action: Passed unanimously.

F. Walmart Pharmacy #10-5070

(22-537-PH-S)

G. William Joseph Hergenroeder

(22-537-RPH-A-S)

H. Hermon Habtom Bariagabr

(22-537-RPH-B-S)

Jade Jacobo and Anna Carr recused themselves from this matter.

President Park stated that she is familiar with Hermon Habtom Bariagabr from her time at Roseman University but can participate in this matter fairly and without bias.

William Stilling appeared as counsel for all respondents in this case.

Shelley Tustison (Senior Director of Pharmacy and Practice Compliance for Walmart), Grace Collinson (Director of Pharmacy and Practice Compliance for Walmart), William Joseph Hergenroeder, and Hermon Habtom Bariagabr were present..

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Walmart and its employees engaged in an error of a prescription which resulted in a negative outcome to a patient.

Mr. Kandt presented proposed stipulations for Case Nos. 22-537-PH-S, 22-537-RPH-A-S, and 22-537-RPH-B-S for the Board's consideration.

The proposed stipulated penalties for Hermon Habtom Bariagabr, RPh, Certificate of Registration No. 19456 are the following: 1) Respondent to be fined \$1,000; and 2) Respondent assessed \$500 in attorney fees and costs.

The proposed stipulated penalties for Walmart Pharmacy #10-5070, License No. PH01814 are the following: 1) Respondent to be fined \$1,000; and 2) Respondent assessed \$500 in attorney fees and costs.

The proposed stipulated penalties for William Joseph Hergenroeder, RPh, Certificate of Registration No. 12708 are the following: 1) Respondent to be fined \$1,000; and 2) Respondent assessed \$500 in attorney fees and costs.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the Stipulation and Orders for Walmart #10-5070, Hermon Bariagabr, and William Hergenroeder as presented by Mr. Kandt.

Second: Chanyis Taylor

Action: Passed unanimously. (Jacob and Carr recused)

L. Alexander Lee

(22-217-CS-S)

Adam Knecht appeared as counsel on behalf of Alexander Lee.

Alexander Lee was present.

Gregory Zunino, Senior General Counsel for the Nevada Board of Pharmacy, prosecuted the case alleging that Dr. Lee transported a supply of controlled substances between his home/vehicle/office and various hospital operating rooms and/or surgery centers in a location other than a registered office in violation of Nevada Law. In addition, he knowingly or intentionally acquired controlled substances and/or dangerous

drugs without a prescription and failed to query the controlled substance information in the PMP in violation of Nevada Law.

Board discussion ensued.

The Board approved the following amended stipulated penalties: Respondent Lee's Certificate of Registration No. CS18089 is revoked. The revocation is stayed, and Respondent is placed on probation for a period of five (5) years with the following conditions: 1) During the full period of probation, Respondent Lee 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; 2) Respondent Lee shall participate in four quarterly inspections from the effective date of the Order to January 14, 2026; 3) Respondent fined \$10,000; and 4) Respondent assessed \$5,000 in attorney fees and costs.

Dr. Lee affirmed his agreement with the terms of the proposed Stipulation and Order as amended.

Board discussion ensued.

Board Action:

Motion: Chanyis Taylor moved to approve the amended Stipulation and Order for Dr. Alexander Lee as presented by Mr. Zunino.

Second: Anna Carr

Action: Passed unanimously.

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

A. Nova Specialty Pharmacy (24-354-O)

Luis Lanz appeared as counsel on behalf of Nova Specialty Pharmacy.

Brett Kandt, General Counsel for Nevada State Board of Pharmacy, prosecuted the appeal of a citation and fine alleging that Nova Specialty Pharmacy compounded and dispensed drug products for 64 patients located in Nevada without holding a Nevada Pharmacy license, and the prescriptions dispensed may not have been compounded in compliance with Nevada Law.

Mr. Kandt noted that the appeal request from Nova Specialty Pharmacy was made via a September 12, 2024 email to be entered into the record.

Mr. Kandt presented a proposed Stipulation and Order for Case No. 24-354-O for the Board's consideration.

The proposed stipulated penalties for Nova Specialty Pharmacy are the following: 1) Respondent fined \$25,000; and 2) Respondent shall not dispense prescriptions to patients in Nevada until licensed by the Board.

Board discussion ensued.

Board Action:

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

Second: Krystal Freitas

Action: Passed unanimously.

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

A. Susan Bell (21-084-CS-S)

Susan Bell was present.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the Order to Show Cause case against Respondent Bell where she had failed to make a timely payment of the \$5,000 fine and \$542.45 in attorney fees and costs from the Default Order filed and entered on December 1, 2022.

Ms. Bell requested a payment plan for her fine and attorney fees and costs due to her financial situation.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve a payment plan for Susan Bell in Case No. 21-084-CS-S. Respondent Bell to pay attorney fees and costs of \$271.23 due and payable by February 1, 2025, and a payment of \$271.22 due and payable by March 1, 2025. Respondent Bell to pay the fine with payments of \$250 due and payable by the 1st of every month from April 2025 through September 2025 and pay the fine with payments of \$500 due and payable by the 1st of every month from October 2025 through April 2026 or until the fine is paid in full.

Second: Chanyis Taylor

Action: Passed unanimously.

John Katzen, MD was present.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Respondent Katzen surrendered his Nevada Medical License No. 15386 to practice medicine for cause and no longer qualifies as a practitioner for registration to dispense controlled substances, and he committed acts that render his registration inconsistent with the public interest.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to make the Findings of Fact consistent with paragraphs 1-3 of accusation.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make the Conclusions of Law consistent with paragraphs 4-9 of the Accusation and to find the respondent guilty on Count One and Count Two.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to revoke Dr. Katzen's Certificate of Registration No. CS24228, and respondent cannot petition for reinstatement for a period of one (1) year.

Second: Krystal Freitas

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to approve a \$2,000 fine for Dr. Katzen's Certificate of Registration No. CS24228 due and payable by April 1, 2025.

Second: Krystal Freitas

Action: Passed unanimously.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to award the attorney's fees and costs of \$1,880.42 on the basis that they were reasonable, necessary, and actually incurred.

Second: Krystal Freitas

Action: Passed unanimously.

M. Jesse Bradberry

(23-490-PTT-S)

Jesse Bradberry failed to appear.

Gregory Zunino, Senior General Counsel for Nevada Board of Pharmacy, prosecuted the case alleging that Mr. Bradberry failed to disclose a criminal charge on his pharmaceutical technician in training (PTT) application and failed to pay the citation of \$500.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to find that Mr. Bradberry was properly served with notice of the hearing.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make the Findings of Fact consistent with paragraphs 3-11 of the Accusation.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to make the Conclusions of Law consistent with paragraphs 12-16 of the Accusation.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo moved to find the respondent guilty on Count One.

Second: Adam Porath

Action: Passed unanimously.

Board Action:

Motion: Jade Jacobo made a motion to retroactively revoke Mr. Bradberry's Certificate of Registration No. PT28790 to the date of October 31, 2024, the date on which he allowed it to lapse, and to award attorney's fees and costs in the amount of \$511.46 on the basis that they were reasonable, necessary, and actually incurred.

Second: Adam Porath

Action: Passed unanimously.

7. Review of compliance with Order Amending Stipulation and Order entered October 16, 2024, in Case No. 23-063-PH-S **(FOR POSSIBLE ACTION)**

A. American Wellness Pharmacy (23-063-PH-S)

Richard Tomasso recused himself from this matter.

Jade Jacobo commented that she is familiar with the new pharmacist in charge for American Wellness Pharmacy but can participate in this matter fairly and without bias.

Kimberly Maxson-Rushton appeared as counsel on behalf of American Wellness Pharmacy.

Eytan Klepach (Co-Owner), George Mariano (Co-Owner), James Barber (Pharmacist in Charge), Rebecca Molina (Chief Technician), and Sarah Fulco (Chiropractor and Administrative and Operations Manager) were present.

Brett Kandt, General Counsel for Nevada Board of Pharmacy, gave a brief overview and indicated that Respondent had requested an appearance before the Board to review compliance with Paragraph 8(c) of the Amended Stipulation and Order.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to find that there was no equivalence of the training completed by American Wellness Pharmacy in comparison to the PCCA training requirement discussed in the Order.

Second: Chanyis Taylor

Action: Passed unanimously.

The Board recessed to permit the parties to negotiate.

Mr. Kandt read the proposed amendments to section 8(C) of the First Amended Stipulation and Order for Case No. 23-063-PH-S for the Board's consideration into record.

The proposed amendments to section 8(C) for American Wellness Pharmacy, Pharmacy License No. PH02705, are the following: Training requirements set forth in Paragraph 8(C)(ii) and (iii) are replaced with the following: the managing pharmacist and a designated person (technician) shall complete no fewer than 30 hours of in-person/live training courses through PCCA, the Kennedy Pharmacy Innovation Center at the University of South Carolina, OR an equivalent training program as determined by Board staff, with documentation of successful completion. Inspection by Board staff pursuant to Paragraph 8(C)(iv) may commence immediately.

Ms. Rushton stated that American Wellness Pharmacy was in agreement with the amended terms presented by Mr. Kandt.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to amend section 8(C) of the First Amended Stipulation and Order for American Wellness Pharmacy as presented by Mr. Kandt.

Second: Jade Jacobo

Action: Passed unanimously.

B. Sherman Washington (19-243-CS-S and 21-104-CS-N)

Michael Mee appeared as counsel on behalf of Sherman Washington, MD.

Sherman Washington was present.

President Park vacated the Show Cause hearing against Dr. Washington.

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

B. Sherman Washington

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the controlled substance application for Dr. Washington pending the updated application of the practice address and the completion of PMP training with Board staff.

Second: Chanyis Taylor

Action: Passed unanimously.

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

This matter was continued.

K. Jon Siems (23-449-CS-S and 24-390-CS-S)

This matter was continued.

N. Stuart Berliner (24-161-RPH-S)

This matter was continued.

O. Medical N Mobility

(24-219-MP-S)

This matter was dismissed.

P. Orthopedic Motion, Inc.

(24-281-MP-S)

This matter was continued.

Public comment January 15, 2025, at 4:25 PM

There was no public comment.

President Park recessed the meeting for the night and reconvened the meeting the next morning at 9:00 AM.

Board Members Present:

Helen Park
Krystal Freitas

Adam Porath
Chanyis Taylor

Richard Tomasso

Jade Jacobo

Board Staff Present:

David Wuest
Monica Moazez
Dena McClish
Leo Basch

Yenh Long
Darlene Nases
Joe Dodge

Gregory Zunino
Erin Miller
Darla Zarley

Brett Kandt
Jesette Phaynarikone
John Castaldo

Call to Order and Roll Call – Establishment of Quorum

President Park performed the roll call. All Board members were present, and a quorum was established.

Public Comment January 16, 2025, 9:08 AM

The following person(s) offered public comment:

Liz McMenamin, Retail Association of Nevada.

Ken Kunke, Nevada Pharmacy Alliance.

Mark Johnston, Executive Director with CVS Health.

Paul Howse, Representative for Smith's Pharmacy.

Carrie Ortero, Pharmacist.

Alex Fong, Pharmacist.

Brandon Strickhouser Malzone, Pharmacist.

Steven Nguyen, Pharmacist.

Gener Tejero, Pharmacist.

Jeffrey Bezard, Pharmacist.

Mary Staples, National Association of Drug Stores.

◆ PUBLIC HEARING ◆

Thursday, January 16, 2025 – 9:00 am

16. Notice of Proposed Regulation Public Hearing Pursuant to NRS 233B.061(2)
(FOR POSSIBLE ACTION)

- A. **Amendment to Nevada Administrative Code (“NAC”).** The proposed amendments establish the minimum staffing standards in a pharmacy and modify the number of pharmaceutical technicians and pharmaceutical technicians in training a pharmacist may supervise. (LCB File No. R113-24)

This matter was withdrawn.

15. Discussion and Determination Related to NRS 639.120, the Administration of an Exam on the Law by the Board (NRS 241.020(3)(d)(2) - **(FOR POSSIBLE ACTION)**

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

Richard Tomasso was excused from the meeting at 9:38 AM.

Catherine “Leiana” Oswald (Pharmacist and Professor of Law at Roseman University) and Larry Fannin (Pharmacist and Professor at Roseman University) testified.

Richard Tomasso returned to the meeting at 9:43 AM.

President Park opened the floor for public comment.

Testimony was received from the following persons:

Gener Tejero, Pharmacist.

Ken Kunke, Pharmacist.

Roseann Visconti, Licensing Pharmacist and Residency Program Coordinator at the VA in Southern Nevada.

Andrew Funk, Director of Member Relations and Government Affairs at NABP.

Jessica Kinsler, Pharmacist and Residency Program Coordinator at UMC in Southern Nevada

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved that the Board staff take the necessary steps to administer the test instead of the MPJE.

Second: Chanyis Taylor

Action: Passed unanimously.

Richard Tomasso was excused from the meeting at 10:30 AM.

14. Request for Presentation by Nevada Governor's Council on Developmental Disabilities Regarding Potential Solutions with Obtaining Approvals for Durable Medical Equipment (DME) in the State of Nevada – Department of Health and Human Service Staff (NRS 241.020(3)(d)(2) – **(FOR POSSIBLE ACTION)**

Grace Larkins, Nevada Center for Excellence and Disabilities, and Catherine Nelson, Executive Director on the Governor's Council for Disabilities, testified.

Jade Jacobo was excused from the meeting at 10:56 AM.

Jesi Tallman, Nurse Practitioner, testified.

Jade Jacobo returned to the meeting at 11:01 AM.

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

A. Advance Pharma – Las Vegas, NV

Vladimir Hernandez, Managing Partner, and Yailen Matos, Managing Partner, were present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the ownership change for Advance Pharma pending two additional inspections with Board staff and the second inspection at the owner's expense.

Second: Jade Jacobo

Action: Passed unanimously.

C. Health Works Pharmacy – Las Vegas, NV

Yvonne Tamo, Pharmacist in Charge, and Ralph Martinez, Owner, were present.

Jade Jacobo was excused from the meeting at 11:20 AM.

Jade Jacobo returned to the meeting at 11:21 AM.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the new pharmacy application for Health Works Pharmacy pending favorable inspection.

Second: Krystal Freitas

Action: Passed unanimously.

D. Las Vegas Radiopharmacy, Inc – Las Vegas, NV

Glenn Sullivan (Director of Regulatory Affairs), Chris Southwick (Pharmacist in Charge), and Troy Curnutt (Assistant to Mr. Sullivan) were present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the ownership change application for Las Vegas Radiopharmacy, Inc.

Second: Jade Jacobo

Action: Passed unanimously.

E. Lumis Pharmacy – Las Vegas, NV

Leslie Asanga, Pharmacist, was present.

President Park disclosed that she was familiar with Dr. Asanga but could participate in this matter fairly and without bias in this matter.

The Board heard testimony and received evidence.
Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the new pharmacy application for Lumis Pharmacy pending a favorable inspection.

Second: Adam Porath

Action: Passed unanimously.

F. QHR Pharmacy #3 LLC – Las Vegas, NV

Kimberly Astorino, Pharmacist in Charge, and Mahmoud Nouraldeem, Owner and Pharmacy Technician, were present.

Jade Jacobo disclosed that she was familiar with Dr. Astorino but could participate in this matter fairly and without bias.

The Board heard testimony and received evidence.
Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the ownership change application for QHR Pharmacy #3 LLC pending updated paperwork received by the Board.

Second: Krystal Freitas

Action: Passed unanimously.

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

- A. Paragon Implant Company, LLC – Las Vegas, NV – Background Check Not Required

Gerald Niznick, CEO and President, was present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the new wholesaler license for Paragon Implant Company, LLC.

Second: Chanyis Taylor

Action: Passed unanimously.

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

- B. Albertsons Central Fill Pharmacy Phoenix – Phoenix, AZ

Madeline Kaup, Pharmacist in Charge, and Taylor Allen, Pharmacist and General Manager, were present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Krystal Freitas moved to approve the pharmacy application for Albertsons Central Fill Pharmacy Phoenix.

Second: Jade Jacobo

Action: Passed unanimously.

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

A. John Vennoch

John Vennoch was present.

The Board heard testimony and received evidence.

President Park tabled Dr. Vennoch's application at his request.

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

C. Drugco Health – Roanoke Rapids, NC

Andrew Huggins, CEO/Co-Owner/Pharmacist in Charge, was present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the ownership change application for Drugco Health.

Second: Adam Porath

Action: Passed unanimously.

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

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

Joel Barr, Manager, was present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the new wholesaler license for Stericycle, Inc. pending a favorable inspection.

Second: Krystal Freitas

Action: Passed unanimously.

11. Application for Pharmaceutical Technician in Training Registration (NAC 639.240) – Appearance. **(FOR POSSIBLE ACTION)**

A. Amanda Moreno

Amanda Moreno was present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the pharmaceutical technician in training application for Amanda Moreno.

Second: Adam Porath

Action: Passed unanimously.

B. Lucy Magaly Cruz

Lucy Cruz was present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Adam Porath moved to approve the pharmaceutical technician in training application for Lucy Cruz.

Second: Jade Jacobo

Action: Passed unanimously.

13. Application for Controlled Substance Registration Renewal (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**

B. Steven Huerta

Steven Huerta was present.

The Board heard testimony and received evidence.

Board discussion ensued.

No action taken.

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

A. Allergychoices Pharmacy – Onalaska, WI

Michael Kachel, Director of Pharmacy, and Justin O'Driscoll, Pharmacist in Charge, were present.

The Board heard testimony and received evidence.

Board discussion ensued.

Board Action:

Motion: Jade Jacobo moved to approve the ownership change for Allergychoices Pharmacy pending an updated application and letter of authorization.

Second: Krystal Freitas

Action: Passed unanimously.

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

B. Family Primary and Specialty Care Pharmacy – Las Vegas, NV

This matter was continued.

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

C. Victor Jimenez Bonuel

This matter was continued.

14. Application for Controlled Substance Registration Renewal (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**

A. Dana Marks

This matter was continued.

18. Executive Secretary Report:

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

David Wuest, Executive Secretary for the Nevada Board of Pharmacy, presented.

17. General Counsel Report

Gregory Zunino, Senior General Counsel, presented.

19. Date and Location of Next Scheduled Board Meeting:

March 5-6, 2025 – Las Vegas, NV

20. Public Comment

President Park opened the floor for public comment.

There was no public comment.

21. Adjournment