



Nevada State Board of Pharmacy

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QUARTERLY DISCIPLINARY REPORT TO LEGISLATIVE COUNSEL BUREAU

OCTOBER 20, 2002

Please note that the Board heard all of the Walgreens cases at the July 24th board meeting individually, however waited until after all testimony was heard to impose discipline to Walgreens.

1. Stephen C. Lessard Board Meeting 7/24/02 Case No. 02-019-RPH-S

Rebecca Gang took two new prescriptions from her physician to Walgreens #06310 be filled. One prescription was for Ambien 5 mg. #20 and the other was for Synthroid 0.075 mg. #90. Ms. Gang testified that she dropped off the prescriptions and returned to the drive-through window when she was told the prescriptions would be ready. The clerk at the drive through window advised the patient that they owed her 85 Levothyroxine as they had run out. The patient advised the clerk she was to receive Synthroid – not Levothyroxine, a generic – and asked to speak with the pharmacist. Ms. Gang was advised that her prescription for Synthroid would be ready in approximately 15 minutes. Ms. Gang requested the Ambien and indicated that she would return later to pick up the Synthroid. Ms. Gang was not counseled for either new prescription. Mr. Lessard testified that it was Walgreens routine policy to substitute Levothyroxine for Synthroid even though the two are not AB rated. He explained that he did not speak to Ms. Gang as he was relaying information through the clerk as he was re-filling Ms. Gang's Synthroid prescription. He stated he was on his way to the drive-through window with the newly filled Synthroid prescription, however the clerk had already given Ms. Gang her Ambien and she was leaving the drive-through window when he got there. Mr. Lessard was fined \$375 and was ordered to pay administrative fees of \$250.

2. Jessica Nguyen Board Meeting 7/24/02 Case No. 02-031-RPH-S

Robbie lerley is a pharmacist/patient of Walgreens #05015. She had oral surgery and her dentist prescribed Decadron Dosepak because he felt it a superior product to combat infection. Ms. lerley testified that she waited for an hour or more for her prescription to be filled and during that time noticed how busy the pharmacy was. When her prescription was ready, the clerk said she knew she was a pharmacist – and Ms. lerley assumed that was sufficient counseling – as she was not counseled. She noticed that her prescription had been filled with Medrol Dosepak rather than what her dentist had prescribed. She knew the strength was not as strong as what her dentist

had prescribed. Ms. Nguyen told Ms. Lerley that she did not have Decadron Dosepak and argued that they were exactly the same. Ms. Lerley assumed Ms. Nguyen had contacted her dentist to change the prescription so she accepted it and began taking the medication. When Ms. Lerley spoke with her dentist he informed her that no one from Walgreens #05015 had called his office to authorize a change in his prescription. The lower strength failed her treatment. Ms. Nguyen testified that her store was extremely busy and poorly staffed. She also indicated that Walgreens computer system had a gauge that monitored how quickly various tasks were being completed including how quickly prescriptions were being filled. Ms. Nguyen was a seven-month pharmacy school graduate, hired as a managing pharmacist in an extremely busy store with little help. Ms. Nguyen testified that it was Walgreens policy to have clerks ask if the patient had questions for the pharmacist and technicians or clerks would put X's or other marks on the counseling log that would indicate counseling or refusal of counseling and pharmacists would initial next to the X mark at some later time. Ms. Nguyen was fined \$625 and ordered to pay administrative fees of \$250.

3. Michele L. Ito Board Meeting 7/24/02 Case No. 02-032-RPH-S

Aubrey Alexander took two new prescriptions to Walgreens #05014 to be filled. One prescription for Ambien for sleeping difficulties and the other for Ultram for persistent pain. At the time she dropped off the prescriptions she asked if she could pick them up at the drive-through window and was told she could, and that the prescriptions would be ready in the afternoon around 3:00 o'clock. Ms. Alexander testified that she arrived at the pharmacy approximately 4:00 p.m. and had to wait for two cars ahead of her. When she got to the window she was told the prescriptions were not ready. She waited a few minutes and a pharmacy technician returned with her medication. Though the prescriptions were new, Ms. Alexander was asked by the pharmacy technician if she had any questions and she indicated that she did not as she had taken the medications previously. While in her vehicle, Ms. Alexander took one tablet from the Ultram vial for the pain she was experiencing and left the pharmacy to run errands. After an hour had passed and her pain had not diminished, Ms. Alexander took a second tablet from the Ultram vial. After taking the second tablet, Ms. Alexander began feeling disoriented and sick to her stomach. She canceled her plans and went home and testified that she fell asleep in a sitting position in a chair. Several hours later she was awakened by her telephone ringing. When she awoke she reviewed the prescription bottles she had picked up from Walgreens #05014 and discovered that the Ambien medication was in the prescription bottle labeled Ultram and the Ultram medication was in the prescription bottle labeled Ambien. At hearing Ms. Ito explained that when she was verifying the prescriptions filled by a pharmaceutical technician she discovered that the label for one of Ms. Alexander's medications did not have complete directions for use so she sent the prescriptions back for correction and new labels.

Apparently the new labels had been improperly placed upon the wrong vials. Ms. Ito testified that she left the pharmacy at exactly 4:00 p.m. and could not possibly have been the pharmacist that did not counsel Ms. Alexander regarding her medications. Ms. Ito was fined \$250 and was ordered to pay administrative fees of \$250.

4. Robin M. Bonga Board Meeting 7/24/02 Case No. 02-050-RPH-S

At hearing, Darwin Albrecht testified that he had taken a prescription from his physician for Clomiphene Citrate 50 mg. #30 to Walgreens #04197 to be filled. Mr. Albrecht was aware from discussions with his physician that Clomiphene Citrate was an unusual drug to prescribe for a male patient. As a result of that conversation Mr. Albrecht had questions and wanted to speak with a pharmacist. Mr. Albrecht went to the pharmacy to pick up his prescription at the drive-through window between 7:00 and 8:00 p.m. He received his medication from a pharmacy clerk, paid for his prescription and departed through the drive-through lanes and was not counseled. Ms. Bonga testified that she was aware that Clomiphene Citrate is an unusual medication for a male patient, however she was not on duty at the time Mr. Albrecht picked up his prescription. She did testify that it was Walgreens policy to have the clerk ask if the patient wanted to speak to the pharmacist and mark the counseling log for the pharmacist to complete by initialing next to the marks at a later time. The charges of failure to counsel were dismissed against Ms. Bonga.

5. Michael A. Triolo Board Meeting 7/24/02 Case No. 02-062-RPH-S

Linda Owens testified that she took five new prescriptions to Walgreens #03872 to be filled with instructions that she only wanted four of them filled and to hold the fifth one to be filled at a later time. Ms. Owens waited for her prescriptions to be filled and was noticing how busy the pharmacy staff was. When her prescriptions were ready she was given five prescriptions, four of them in one bag and one in a separate bag. When she questioned, the technician stated that there were five. Since she was not feeling well and wanted to go home to bed, she paid for all five and left the pharmacy. Ms. Owens was not counseled for the five new prescriptions she received. Ms. Owens began taking her medications, as directed, that evening. The following day she received a telephone call from Walgreens #03872 and was asked if she picked up prescriptions the previous day, to which she answered she had and she had been taking them as directed. At that time Ms. Owens was advised that one of the prescriptions she had received belonged to another patient, also named Linda Owens. Mr. Triolo testified that the Walgreens verification computer system did not contain any specific information regarding a patient such as the patient's birth date or address at the time of the verification. Mr. Triolo stated that it was foreseeable that errors such as occurred with the two Linda Owens would not be caught by the

counted the tablets and placed them in Ms. Allen's prescription vial. Ms. Allen questioned the practice of handling her medication with his hands to which Ms. Allen testified that Mr. Quinn told her that it was common practice and Ms. Allen did not know anything about pharmacy law. According to Ms. Allen, Mr. Quinn was abusive and rude and she left the pharmacy. Even though these circumstances were a short distance from where Mr. Kambiss was working, Mr. Kambiss testified that he was unaware of a problem until Ms. Allen returned with her husband and a member of the store management staff and requested the Inderal tablets that Mr. Quinn had touched be replaced. While Mr. Kambiss was replacing the Inderal tablets Ms. Allen and Mr. Quinn began to argue again and she demanded to see Mr. Quinn's pharmacy license. Mr. Kambiss went to locate the license, however it was not in the frame where other pharmacy staff licenses were kept. Ms. Allen asked for a person and phone number to report the unacceptable behavior to and was given the district pharmacy manager's name and telephone number. Before she telephoned the district pharmacy manager she telephoned the Board of Pharmacy and was told that Mr. Quinn had been registered as a pharmacy technician-in-training at a Sav-On pharmacy, but he left his employment with Sav-On and his registration was closed and he was not registered at this time. Ms. Allen then spoke with Ms. Ranick, the district pharmacy manager, and advised her that Mr. Quinn was not registered. Ms. Allen testified that Ms. Ranick told her the Board of Pharmacy office staff must have been mistaken. At hearing Mr. Quinn testified that he brought a copy of his certificate to the pharmacy and that he "whited out" the previous employer, Sav-On, prior to giving a copy of the certificate to Walgreens #03844 because he claimed he still occasionally worked at Sav-On and did not want this instance to be detrimental to his employment there. It was discovered that Mr. Quinn had worked without a license to do so and Mr. Riso testified that he took responsibility for not checking Mr. Quinn's certificate more closely. (Technicians-in Training are required to obtain 1500 hours of training before being registered as pharmacy technicians. Technicians-in-training need to be registered at each location they work for their hours to be counted toward the 1500 hour requirement.) Mr. Riso was fined \$100 and ½ of the administrative fees totaling \$125. Mr. Kambiss was fined \$100 and ½ of the administrative fees totaling \$125. Mr. Quinn was fined \$360 (\$20 per day for each day he worked without a license X 18 days) plus administrative fees. Mr. Quinn may not apply for a license or registration with the Board for one year and will not be granted any registration with the Board until he pays the fine and administrative fee due from this instance. Mr. Quinn may not be employed by or work in any capacity in any business licensed or registered by the Board of Pharmacy.

8 Jonathan Box Board Meeting 7/24/02 Case No. 02-038-RPH-S

Patient M is a five year old male with an asthmatic condition. Patient M's physician telephone a prescription for Singulair 5 mg. tablets to Walgreens

#03871. Patient M's father picked up the medication and administered them to his son for four days before the boy told his father that the "medicine tasted funny." Upon closer observation Patient M's father found that the label had been placed on a stock bottle of Proscar 5 mg. tablets. After checking the tablets in the Proscar stock bottle it was determined the medication was not Singulair as prescribed, but Proscar tablets. Mr. Box filled the prescription and stated that he doubted that he counseled when the prescription was picked up because Patient M had taken the medication before. Mr. Box testified that he could not explain how he had mistakenly filled the Singulair prescription with Proscar. Mr. Box was fined \$625 and administrative fees of \$250.

9	Walgreens #03844	Board Meeting 7/24/02	Case No. 02-047-PH-S
	Walgreens #03871		Case No. 02-038-PH-S
	Walgreens #03872		Case No. 02-062-PH-S
	Walgreens #03873		Case No. 02-060-PH-S
	Walgreens #04197		Case No. 02-050-PH-S
	Walgreens #05014		Case No. 02-032-PH-S
	Walgreens #05015		Case No. 02-031-PH-S
	Walgreens #06310		Case No. 02-019-PH-S
	Walgreens Co.		Case No. 02-073-PH-S

The licenses of Walgreens pharmacies #03872, 03871, 05014, 03873, 04197, 05015 and 03844 will be on probation for one year with the following conditions. 1) Representatives from Walgreens will appear at Board of Pharmacy meetings held in Las Vegas during their probationary period and address the concerns raised in this matter that include Walgreen's counseling as mandated by Nevada law, their counseling logs, prescription filling procedure, policy for addressing patient calls when a patient indicates that they have taken the incorrect drug; 2) Develop a counseling log that complies with Nevada law and present it to Board staff within 30 days; 3) Review Walgreens policies and procedures to assure that they fully comply with Nevada law and notify all Nevada pharmacies regarding its policies and procedures regarding counseling and the proper use of the new counseling log developed to be used by all Nevada pharmacies; 4) Review Walgreens operational policies and procedures and develop specific suggestions or improvements to address failings in present operational policies and procedures and report these findings to the Board at their mandatory meeting appearances at Las Vegas Board of Pharmacy meetings; 5) Pay a fine of \$5,600, administrative fees in nine causes of action and the Boards costs of investigation and prosecution of \$14,128.35.

10. Melinda L. Cantu Board Meeting 7/24/02 Case No. 02-007-PT-S

Ms. Cantu had appeared at a previous Board meeting and she stated she had a legitimate prescription for a drug that she had taken when she was involved

in a DUI. Ms. Cantu provided Board staff with a copy of the prescription and the Board dismissed the charges against Ms. Cantu.

11. Michael L. Lamoureux Board Meeting 7/24/02 Case No. 02-044-RPH-S

Mr. Lamoureux was randomly chosen to be audited for his continuing education (CE) for the renewal period 11/1/99 – 10/31/01. He was notified by letter and again by certified mail and Mr. Lamoureux did not respond to the audit request to provide copies of his certificates. At hearing Mr. Lamoureux admitted that he did not answer the letters sent from the Board, but stated he could not find his CE's. He claimed it took him four months to recreate and get copies of the certificates from the providers. Mr. Lamoureux stated that he lost his proof, but he knows he did 30 CE's for the renewal period. Mr. Lamoureux will be required to do 60 CE's for the next renewal period, be audited for that renewal period and pay a fine of \$100 plus administrative fees.

12. Thomas Rogaski Board Meeting 7/24/02 Case No. 02-043-RPH-S

Mr. Rogaski was randomly chosen to be audited for his CE's for the renewal period 11/1/99 – 10/31/01. Mr. Rogaski claimed to be guilty of sloppy record keeping and asked the Board to allow him additional time to provide copies of the continuing education certificates that were requested of him during the CE audit. Mr. Rogaski will be required to do 60 CE's for the next renewal period, be audited for that renewal period and pay a fine of \$100 plus administrative fees.

13. Scott J. James Board Meeting 7/24/02 Case No. 02-042-RPH-S

Mr. James was randomly chosen to be audited for his CE's for the renewal period 11/1/99 – 10/31/01. Mr. James could only provide Board staff with 5 continuing education units and had no excuses as to why. Mr. James will be required to do 60 CE's for the next renewal period, be audited for that renewal period and pay a fine of \$100 plus administrative fees.

14. Mary R. Gear Board Meeting 7/24/02 Case No. 02-026-RPH-S

Ms. Gear appeared with her attorney, Patricia Bowling, to request that the fine imposed in the case against Ms. Gear be dismissed as she was in bankruptcy. Initially, Ms. Gear was asked to provide PRN-PRN financial records. She failed to do so and failed to appear for appointments made with an auditor to check the records for monies that could not be accounted for. For failure to provide the records or appear before the auditor with the records for scrutiny, the Board fined Ms. Gear \$1,000 plus administrative fees. Ms. Bowling advised the Board that she would be happy to add the Board's name to the list of creditors named in the bankruptcy or if the Board saw fit to

dismiss the imposed fines and fees The Board chose to dismiss the fine and fees.

15. Ida Marie Moseley Board Meeting 7/24/02 Case No. 00-025-RPH-S
Request for Reinstatement

Marie Moseley petitioned the Board for reinstatement of her license. She presented testimony of Edith Underwood as a character witness and that of Larry Espadero, monitor of the PRN-PRN program. Ms. Moseley provided Board staff with proof of the outcome of the district court case in Arizona and has signed a contract with PRN-PRN. Ms. Underwood testified that she had known Ms. Moseley for a considerable length of time and watched her struggle to make ends meet while her license had been revoked. She witnessed that Ms. Moseley is seriously involved in the PRN-PRN program and is maintaining her sobriety. She has lost her home and her vehicle and has not returned to old habits. Mr. Espadero advised the Board that Ms. Moseley is a changed person from the one he knew from the past. She has taken responsibility for her actions and has been vigilant in her efforts to maintain her sobriety. Mr. Espadero recommends that the Board give Ms. Moseley a chance to practice pharmacy again by reinstating her license. Ms. Moseley testified that she has been humbled and is appreciative of the PRN-PRN program and Mr. Espadero and that by participating in the peer group she has learned to cope with adversity without the use of alcohol and drugs. The Board accepted Mr. Espadero's recommendation and reinstated Ms. Moseley's pharmacist license. The terms, conditions and length of her probation will parallel her contract with PRN-PRN.

16. Bill R. Curtis Board Meeting 9/11/02 Case No. 02-041-RPH-N

Mr. Curtis was randomly chosen to be audited for his CE's for the renewal period 11/1/99 – 10/31/01. He provided only 2 CE credits dated prior to October 31, 2001. Mr. Curtis explained that he had done his continuing education well in advance of the October due date however he failed to mail them as he did them and saved them all to mail at the same time. Mr. Curtis mailed his CE's 2 day express mail on October 24, 2002 and he was sure that would be an adequate amount of time for them to be processed with a date prior to October 31st. Mr. Curtis will be required to do 60 CE's for the next renewal period, be audited for that renewal period and pay a fine of \$100 plus administrative fees.

17. Glenn Tsuda Board Meeting 9/11/02 Case No. 02-071A-RPH-N
David Squires Case No. 02-071B-RPH-N
Raley's Drug Center #186 Case No. 02-071-PH-N

Ms. Smith had a surgical procedure in Sacramento, California and requested her prescriptions for methergine and an antibiotic be telephoned to her

pharmacy, Raley's #186, in Reno. Mr. Squires received the telephone call from Iris, Ms. Smith's doctor's designated agent. Mr. Squires testified that he echoed back the directions for the prescriptions and Iris did not indicate there was an issue with the directions as Mr. Squires transcribed them. When Ms. Smith arrived at the pharmacy to pick up her medication, Mr. Tsuda came to the counter to counsel her on the new prescriptions. At that time Ms. Smith indicated that she did not want the antibiotic as she could not afford both medications and only wanted the methergine. The label on the prescription container gave directions to take three tablets daily and Ms. Smith asked if she was to take them all at once. She testified that Mr. Tsuda seemed more concerned that she was not going to take the antibiotic than giving her direction on taking the methergine. Ms. Smith claimed that Mr. Tsuda told her to take all three tablets at once. Ms. Smith began cramping after taking the methergine for two days. She stated her husband had to stay home from work to take care of their children because she was in severe pain. The normal directions for taking methergine is to take one tablet three times a day and Mr. Tsuda and Mr. Squires both indicated that they knew this was generally the case, however in some instances this medication is given in larger quantities at one time and did not question Iris regarding the directions Mr. Squires testified that he received. Mr. Tsuda was Ordered to receive a letter of admonition and pay ½ of the administrative fees. Mr. Squires was fined \$500 and pay the other ½ of the administrative fees. The charges against Raley's were dismissed.

- 18. Philip W. Bush Board Meeting 9/11/02 Case No. 02-082-RPH-N
Golden Health Pharmacy Case No. 02-082-PH-N

Ms. Vance appeared and testified that she had a prescriptions for a three month supply of prometrium 100 mg. tablets and estrogen patches. She took them to Golden Health Pharmacy to be filled. Ms. Vance said she noticed the prometrium was a different color than it usually was but assumed it was a generic required by her insurance company. Ms. Vance took the medication as directed for 40 days and during this time experienced weight gain, numerous menstrual cycles, cramping, spotting and a serious change in disposition. She finally telephoned the pharmacy and questioned the difference in the prometrium tablets she received and was advised that she had received 200 mg. tablets rather than the 100 mg. tablets that were prescribed. Mr. Bush was the pharmacist that filled this prescription. Mr. Bush and Golden Health Pharmacy were each fined \$500 and each would pay ½ of the administrative fees.

- 19. Keyvan Bayati Board Meeting 9/11/02 Case No. 02-063-RPH-N

Mr. Bayati's attorney, Steven Hess, appeared and requested a continuance to the December 2002 Board meeting as his client was ill and unable to attend the meeting. Legal counsel for the Board was ready to present evidence by

testimony from six witnesses that were present, a video tape of the surveillance of Don's Pharmacy, a power point presentation, and other evidence in the possession of Board staff. Mr. Hess was granted a continuance to the December, 2002 board meeting by President Pinson.

20. David A. Kendrick Board Meeting 9/11/02 Case No. 01-057-RPH-S
Request for Reinstatement

Mr. Kendrick petitioned the Board for reinstatement of his pharmacist license by presenting testimony of Larry Espadero, PRN-PRN monitor, and his own testimony. Mr. Kendrick testified that his treatment progress since his revocation and that he feels positive regarding his recovery and is looking forward to returning to pharmacy practice. Mr. Espadero gave an overview of Mr. Kendrick's recovery progress and recommended that Mr. Kendrick be allowed to practice pharmacy again with close PRN-PRN monitoring for the next couple of years. The Board approved reinstatement of Mr. Kendrick's pharmacist license. The terms, conditions and length of his probation will parallel his contract with PRN-PRN.

21. Carl M. Heuer Board Meeting 10/16/02 Case No. 02-065-RPH-S
Walgreens #03843 Case No. 02-065-PH-S

Ms. Lauer suffers from bi-polar disorder. It took many months to regulate her antipsychotic medication to effectively control her disturbance. Dr. Clark prescribed Depacot and Seroquel 200 mg. along with other medications. Ms. Lauer became pregnant and Dr. Clark discontinued her use of Depacot because it could harm the baby, but continued Ms. Lauer's therapy of Seroquel. Ms. Lauer testified that after the birth of her baby she was a little depressed, but nothing compared to what she had gone through in the past. She had her prescription for Seroquel 200 mg. filled and noticed it was a different color, however she thought it was a generic and took the medication. Ms. Lauer's mental health deteriorated steadily over a two week period and she began hallucinating visually and aurally, became paranoid, began carving religious symbols into walls and out of various objects in the house, called the police to report various activities that she considered criminal and attacked her husband. She abandoned her newborn child and later attempted to do her child harm, believing that the child had demons. Ms. Lauer's behavior became self-destructive and her husband finally had to summon police intervention. Ms. Lauer was taken to Southern Nevada Mental Health Center for medical treatment. After several days of in-patient care, her behavior was improved and she was released from the hospital. Upon returning home she found the prescription container with what she thought was Seroquel and discovered that she was not taking Seroquel as she thought, but Serzone 200 mg. Mr. Heuer was the responsible pharmacist that was part of the filling process for Ms. Lauer's prescription. Mr. Heuer was fined \$500 and ½ of the administrative fees and Walgreen's #03843 was to pay the other ½ of the

administrative fees.

22. Brenda McFadden Board Meeting 10/16/02 Case No. 02-088-PT-S

23. Kathleen Reid Board Meeting 10/16/02 Case No. 02-087-PT-S

Both Ms. McFadden and Ms. Reid's cases were heard together as they were both terminated from employment by Smith's for testing positive during random drug tests. There was testimony from the laboratory where the tests were sent, the reviewing physicians, and Bonnie Brandt, district pharmacy manager for Smith's. The extensive testing process was described to the Board and Ms. Brandt described how people are chosen for random drug testing. Ms. McFadden tested positive for amphetamines and Ms. Reid tested positive for cocaine, both controlled substances. The Board revoked both of their registrations.

24. Marilyn Wyatt Board Meeting 10/16/02 Case No. 02-069-PT-S
Sunrise Hospital Pharmacy Case No. 02-069-IA-S

Board staff was notified by NDI asking what discipline was imposed upon Marilyn Wyatt by the Board after she was arrested at Sunrise Hospital for drug diversion. Board staff did not know that Ms. Wyatt was employed at Sunrise, let alone terminated from employment. When requests were made for information from Sunrise regarding Ms. Wyatt, Board staff was advised they would need a subpoena. A subpoena was provided and Board staff only received a copy of Marilyn Wyatt's application from employment and the reason for termination noted on the application of "Critical Offense 0032". There was no information provided regarding an arrest, drug diversion. NDI was contacted again and Board staff was provided with a copy of her arrest file and many of the documents were provided by Sunrise Hospital personnel on Sunrise Hospital forms. Nevada law provides that the Board is to be notified within 10 days of new hires and terminations of employment. Sunrise was not providing that information to the Board. Ms. Wyatt testified that she had taken it upon herself to provide Percocet to her ailing father and that she did not use the drugs for her personal use. The Board found Sunrise guilty of the alleged violations and fined them \$500 plus administrative fees and costs of the hearing. Marilyn Wyatt was suspended until she is evaluated by PRN-PRN to see if she has a drug problem. If she does she will sign a contract and be on probation for 5 years according to the terms and conditions set forth in her contract. If it is determined Ms. Wyatt does not have a drug problem she will be on probation for 5 years according to Board terms and conditions.

25. Tamera Tesarski Board Meeting 10/16/02 Case No. 02-046-PT-S

Ms. Tesarski was terminated from employment at Walgreens #5369 and

admitted in a voluntary statement that she had taken an unspecified amount of hydrocodone from Walgreens. Ms. Tesarski testified that there were three instances while she was employed at Walgreens. First she used poor judgment by flushing a patient's prescription down the toilet because she did not like her. Second she took one zithromax tablet for her nephew because he lost his last dose. Third she gave a friend who had a prescription for hydrocodone 30 tablets because she could not afford them. The Board revoked her registration, stayed the revocation, fined her \$500 plus administrative fees and required an evaluation by PRN-PRN. If PRN-PRN deems she has a drug problem she will be on probation for 5 years according to the terms and conditions of her contract with PRN-PRN. If it is deemed she does not have a drug problem, she will be on probation for 5 years according to Board terms and conditions. Until she is evaluated, she may not work in a pharmacy in any capacity.

26. Steven Hardy Board Meeting 10/16/02 Case No. 02-090-PT-S

Mr. Hardy was terminated from employment from CVS pharmacy. He signed a voluntary statement that he removed drugs from the pharmacy for his personal use. Mr. Hardy testified that he did take drugs from CVS for his personal use and had been doing so for approximately 5 months. He would take them from the pharmacy and use them at a later time, not while he was working. The Board revoked his registration, stayed the revocation, suspended his license for six months, fined him \$500 plus administrative fees and required him to sign a contract with PRN-PRN. He will be on probation for 5 years according to the terms and conditions of his contract with PRN-PRN.

27. Sharon Carey Board Meeting 10/16/02 Case No. 02-083-RPH-S

Sharon Carey was terminated from employment from Rite Aid #6221. Copies of signed voluntary statements were provided to Board staff in which Ms. Carey admitted to filling prescriptions for others when she did not have a prescription or other lawful authorization from a physician. Ms. Carey had an evaluation by Larry Espadero to see if she may have a drug problem. Mr. Espadero determined Ms. Carey did not have a drug problem, however he suggested she would be best served by having a psychiatric evaluation. Ms. Carey was evaluated by Dr. Kevin Bernstein and he discovered that Ms. Carey had been previously diagnosed with a bi-polar disorder. Ms. Carey's medical insurance would not provide for her to continue with her therapy and she had not taken her medication for over two years. Dr. Bernstein testified regarding the bi-polar effects on some people and found that in Ms. Carey's instance she was compelled to help people and felt that she could treat patients on her own. The Board moved to suspend Ms. Carey's license until January, require Dr. Bernstein to return with Ms. Carey at the January Board meeting and give a report on her progress on her medication, place Ms.

Carey on probation for 2 years, require her future employer not to let her work alone for the first year of probation, appear at the Board meetings conducted in Las Vegas, and not be allowed to work as a managing pharmacist for or act as a preceptor during her probation.

28. Michael G. Barbera Board Meeting 10/16/02 Case No. 02-040-RPH-S

Mr. Barbera was audited for continuing education for the renewal period between November 1, 1999 and October 31, 2001. Mr. Barbera was required to have 30 CEUs for that period. The audit revealed that Mr. Barbera had only completed 16.0 CE units before October 31, 2001 and 14.0 CE units after October 31, 2001. The Board ordered Mr. Barbera to provide 60 CEUs for this renewal period, be audited for the next renewal period and pay administrative fees.

29. Elizabeth Grill Board Meeting 10/16/02 Case No. 02-068-PT-S

Bonnie Brandt notified Board staff that Ms. Grill was terminated from employment from Smith's. She had been a longtime employee and was caught on a security tape stealing a bottle of 100 Lortab 7.5 mg. Ms. Grill gave incredible testimony that she did not take anything from Smith's, however she did provide a copy of a certificate and a letter that she was a good employee. The Board revoked Ms. Grill's pharmacy technician registration.