



# Nevada State Board of Pharmacy

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## QUARTERLY DISCIPLINARY REPORT TO LEGISLATIVE COUNSEL BUREAU

APRIL 20, 2005

### 1 FMC Distributors, Inc. Board Meeting 3/2/05 Case No. 03-072A-RPH-S

Still pending in the FMC matter is a stipulation for Judicial Review and the purpose of this hearing is to establish a final Order for FMC Distributors, Inc. FMC was represented by Steve Gibson, and Mr. Gibson maintained that his clients only wanted three things in the Order from the Board: 1) That there be no contempt charges for not providing records; 2) That there be a provision that the Board was overbroad in their request for those records; and 3) Recognition that they tried to work with Board staff in an amicable manner. They wanted the suspension lifted immediately and they would be willing to work with Mr. Ling and Mr. Marcher to accomplish that. After a break it was determined that no agreement could be reached. Mr. Ling recommended that FMC pay all costs in this matter since they took matters to court which were costly (approximately \$23,000 plus the \$9,000 already amassed) plus the \$20,000 fine and that FMC remain on suspension until these costs and fines are paid. After three motions the Board Ordered that the \$20,000 fine remain, pay all costs in the original Order and all additional costs since that time be paid within 45 days. Lift the suspension for 45 days and if all fines, fees and costs are not paid within the 45 days the suspension would be reinstated.

### 2. DeElla Brunson Board Meeting 4/13/05 Case No. 04-034-RPH-S

Ms. Brunson was included in a random audit for the renewal period November 1, 2001 through October 31, 2003 to ensure she had completed the required 30 continuing education units. Ms. Brunson had indicated on her renewal form that she had completed 30 CE's, however she could not produce them when audited. At hearing she testified that she had personal problems that prevented her from completing them. The Board ordered Ms. Brunson to make up the 30 CE's she did not do for the audit period, do 60 additional CE for the renewal period ending October 31, 2005 and pay a \$250 administrative fee.