



# Nevada State Board of Pharmacy

555 DOUBLE EAGLE COURT • SUITE 1100 • RENO, NEVADA 89521-8991  
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444  
E-mail: [pharmacy@govmail.state.nv.us](mailto:pharmacy@govmail.state.nv.us) • Web Page: [www.state.nv.us/pharmacy/](http://www.state.nv.us/pharmacy/)

## QUARTERLY DISCIPLINARY REPORT TO LEGISLATIVE COUNSEL BUREAU

APRIL 20, 2007

- 1 Jasmine Ta Board Meeting 02/22/07 Case No. 06-064-RPH-S  
Rite Aid #6261 Case No. 06-064-PH-S

A stipulated agreement was accepted by both parties and presented to the Board. Ms. Ta filled a prescription for cephalexin with amoxicillin. Ms. Ta caught the error before it was dispensed to the patient however after she corrected the error she picked up the bottle of amoxicillin that was sitting next to the cephalexin and bagged it and dispensed it to the patient. The stipulated agreement was a \$250 fine for each plus administrative fees.

- 2 Ida Marie Moseley Board Meeting 02/22/07 Case No. 07-002-RPH-S

Ms. Moseley produced a urine sample that did not measure temperature. She was asked to give another witnessed sample and refused. Ms. Moseley is in the PRN-PRN program and the PRN-PRN monitor notified Board staff that Ms. Moseley had violated her contract. Ms. Moseley explained that she did not realize that she had to produce a witnessed UA if she was asked and that she found it embarrassing. Larry Espadero, the PRN-PRN monitor testified that there had been no problem with Ms. Moseley's participation in the PRN-PRN program prior to this incident. The Board Ordered a letter of admonishment, extend her PRN-PRN contract for an additional year and increase her UA's per month.

3. Kelley Avist Board Meeting 02/22/07 Case No. 06-061-PT-S

Ms. Avist was not present for hearing even though she received the Notice of Intended Action and Accusation in this matter. Board staff advised the Board that they had received notice that Ms. Avist had been terminated from employment because she had been authorizing and refilling hydrocodone prescriptions for herself without the authorization of a physician. The Board revoked Ms. Avist's pharmaceutical technician registration.

4. Matthew Rodgers Board Meeting 02/22/07 Case No. 06-059-PT-S

Mr. Rodgers was not present for hearing even though he received the Notice of Intended Action and Accusation in this matter. Mr. Rodgers worked at

Valley Hospital and made up a fictitious nurse by the name of "Christine Fuller" in the hospital pharmacy computer system and gave her full access to all the Pyxis machines in the hospital. The hospital noticed that every time "Christine Fuller" was logged onto the computer Mr. Rodgers was also logged onto the computer system. Mr. Rodgers would go into the Pyxis machine and use a pen to pry open the container next to the non-narcotic bin and use a spoon or a paper clip to scoop out the schedule II and III narcotic drugs and take them for his personal use. Mr. Rodgers was arrested, appeared in Justice Court, and convicted of a gross misdemeanor. The Court Ordered Mr. Rodgers to pay restitution of \$7,796.20 and sentenced him to two years probation with conditions. The Board revoked Mr. Rodgers' pharmaceutical technician registration.

5. Gary Sovich                                      Board Meeting 02/22/07      Case No. 06-058-RPH-S

Mr. Sovich tested positive for Phenobarbital during a pre-employment drug screen. At hearing Mr. Sovich testified that he went to the ER and was treated for angina, heartburn and a hiatal hernia. He had taken a product containing Phenobarbital as one of the medications to correct his symptoms. He had forgotten he had taken a Phenobarbital containing product prior to his drug test. The Board dismissed the charges.

6. John Warren                                      Board Meeting 02/22/07      Case No. 06-041C-RPH-N  
Northern Nevada Medical Center Pharmacy      Case No. 06-041-IA-N

This is the remainder of the case that was heard at the January 2007 Board hearing.

Gretta Woodington continued her testimony regarding the conditions she found while doing the transition of ownership of the NNMC pharmacy.

Mr. Warren offered testimony and presented a witness who testified on his behalf. Mr. Warren explained that he had never worked with Pyxis machines and received no training on them when he went to work at NNMC. He was unfamiliar with the reports that could be produced and that probably should have been run on a regular basis. The inventory and discrepancy reports that could not be adjudicated by the agency that transitioned the pharmacy ownership change were unfamiliar to him. Mr. Warren worked under Jean Lyon at NNMC and is presently employed by her at Sierra Surgery. Ms. Lyon testified on Mr. Warren's behalf that he is a good pharmacist and that she would not have employed him again if she did not find him exceptional. Since he has been employed at Sierra Surgery he has gone for Pyxis training and now understands the function of the Pyxis machines and concurs that if he had been knowledgeable he would have spotted the losses created by Mr. Danson and Mr. Hampton.

Mr. Morris, representing McKesson, presented a four inch binder as an exhibit and intended to go through each page to justify McKesson's innocence by employing two drug diverting pharmacists who were allowed to resolve their own discrepancies and a managing pharmacist that was not up to speed on the functions of the hospital pharmacy. During a break Mr. Morris, Mr. Ling and Mr. Pinson discussed a stipulation. Mr. Ling recommended that the Board dismiss the McKesson Causes of Action as they have no other pharmacies in Nevada and if they ever plan to return to Nevada they would need to go to Board staff with their policies and procedures to ensure there is a diversion protection plan in place. The Board accepted the recommendation for McKesson.

Keith Macdonald stated for the record that he did not feel Mr. Warren violated any of the laws outlined in the Third Cause of Action and moved to dismiss the charges against him. The charges were dismissed for Mr. Warren and McKesson.

**7. Rebecca Craghill            Board Meeting 04/18/07    Case No. 06-057-PT-N**

Ms. Craghill answered "No" to the question on her renewal application, "Since your last renewal have you been charged, arrested, or convicted of a felony or misdemeanor in any state?" Ms. Craghill testified on her own behalf as to why she failed to disclose arrests and judgments on her renewal. Ms. Craghill had a felony arrest for writing bad checks and two DUI arrests. She explained the circumstances in each incident and each incident had been handled through the judicial system. Her ex-husband had drained her bank account, unbeknownst to her, just prior to when she had written checks to pay her bills. Ms. Craghill had a medical condition and was taking medication that impaired her ability to drive.

The Board moved to have Ms. Craghill pay the fees and costs in this matter and approve her renewal registration. Ms. Craghill was also remanded to attend the first day of the September Board meeting.

**8. Rebekah Keechler        Board Meeting 04/18/07    Case No. 07-013-RPH-N**

Ms. Keechler removed hydrocodone from her employing pharmacy for her husband and her own personal use. Ms. Keechler has joined the PRN-PRN program and she and her husband are both in a program to treat their narcotic addiction. Ms. Keechler joined the PRN-PRN program goes to PRN-PRN meetings in Fernley and she and her husband go to NA meetings daily. Ms. Keechler admitted to the Board that she is not ready to go back into a pharmacy to practice yet.

The Board moved to have Ms. Keechler's pharmacist license remain on suspension until February, 2008, continue her with PRN-PRN program, and

to make restitution to Scolari's before she appears to request reinstatement of her license

9. Noreen Fish                      Board Meeting 04/18/07    Case No. 07-007-PT-N

Ms. Fish did not appear at hearing even though she was noticed appropriately. Board staff was notified that Ms. Fish was terminated from employment from Walgreens for embezzlement and theft of 450 hydrocodone tablets. The Board revoked Ms. Fish's pharmaceutical technician registration.

10. Dana Dillon                      Board Meeting 04/18/07    Case No. 07-014-PTT-N

Ms. Dillon did not appear at hearing even though she was noticed appropriately. Board staff was notified that Ms. Dillon was terminated from employment from Walgreens on her first day of employment as she tested positive for alcohol with a level of 0.08. The Board revoked Ms. Dillon's pharmaceutical technician in training registration.

11. AME Health Care                      Board Meeting 04/18/07    Case No. 07-004-MP-N

Marcia Giller, owner of AME, appeared and testified on her own behalf.

Board inspector/investigator, Joe Depczynski, did an unannounced inspection of the AME premises and found filthy conditions, no proof of liability insurance, no evidence of a fire inspection certificate, no records of calibration of concentrators – the calibration equipment was not operable, and no patient records, amongst other violations of Nevada law. While Mr. Depczynski was doing this inspection, someone came into AME and purchased something. When the customer left the premises, Mr. Depczynski asked to see the record of the transaction. He was given a copy of a handwritten receipt with no patient name or any other information except the amount of \$1,200.00 for the purchase of something. Board staff presented previous correspondence with AME indicating numerous violations of Nevada law. All of the correspondence and inspection indicators were ignored by AME.

Ms. Giller represented that when Mr. Depczynski appeared for inspection they were just in the process of cleaning AME up. Ms. Giller explained that there were records on the premises but her assistant did not know where they were to provide them to Mr. Depczynski. Ms. Giller stated that she realized that AME was not in the best of condition but she has cleaned up their store since Mr. Depczynski's inspection and invited any of the Board members to come and look at her facility.

There were seven Causes of Action, AME was found guilty of six of them. The Board placed AME on probation for two years, have unannounced inspections monthly for six months then inspections every six months for the

remaining eighteen months of probation. They must have a policy to ensure all employees have knowledge of where all records are kept. AME will pay all fees and costs in this matter and their license will be suspended effective the day the Order in this matter is signed. AME will remain on suspension until they become compliant with Nevada's MDEG laws.