



# Nevada State Board of Pharmacy

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## QUARTERLY DISCIPLINARY REPORT TO LEGISLATIVE COUNSEL BUREAU

JANUARY 20, 2006

1. Julie J. Leavitt Board Meeting 10/26/05 Case No. 04-043-RPH-S  
CVS Pharmacy #5792 Case No. 04-043-PH-S

Ms. Leavitt filled a prescription for Bactrum DS for a patient that had an allergy to sulfa drugs. Ms. Leavitt overrode the allergy warning that appeared on the computer screen as she was processing the prescription. The patient had seen a new doctor, and after tests it was determined he had a bacterial infection and was prescribed Bactrum DS, the doctor not knowing the patient was allergic to sulfa.

A stipulated agreement of a \$300 fine and \$250 administrative fee was offered to Ms. Leavitt and CVS #5792 that they both signed. The Board accepted the stipulated agreements.

2. Malinda Cantu Board Meeting 10/26/05 Case No. 05-035-PT-S

Ms. Cantu did not appear for hearing. Ms. Cantu had been working at K-Mart when it came to the attention of the pharmacy manager that controlled substances were missing. Cameras were installed in the pharmacy and Ms. Cantu was caught on tape stealing. After Ms. Cantu was confronted, she admitted to K-Mart loss prevention personnel and the Las Vegas police, that she had taken approximately \$4,300 worth of drugs from K-Mart.

The Board found Ms. Cantu guilty and revoked her pharmaceutical technician registration with the provision that if she ever requested reinstatement that she appear before the Board and prove that she had paid restitution to K-Mart.

3. John H. Kephardt Board Meeting 10/26/05 Case No. 05-043-PT-S

Mr. Kephardt lied on his original and renewal applications by not disclosing that he had surrendered his license to the Nursing Board. Mr. Kephardt explained that he thought the question related to his pharmacy license and since he had not had an action with the Board of Pharmacy he thought he was answering the question appropriately. On November 21, 2002 Mr. Kephardt signed a document relinquishing his license with the Nursing Board. On January 3, 2003 the relinquishment was accepted by the Board of

Nursing. Mr. Kephardt was registered by the Board of Pharmacy in April 2003. He explained that he was accused of diverting drugs and denies that allegation. He advised the Board that he has been working as a pharmaceutical technician at Biotech, a nuclear pharmacy, where there are no controlled substances.

Mr. Kephardt was placed on probation for two years, is responsible for having a PRN-PRN evaluation, notify the Board if he changes employment and pay the Board's administrative fee of \$250.

**4. Jason J. Walker          Board Meeting 10/26/05    Case No. 05-041-PTT-S**

Mr. Walker contacted Board staff and advised that he would not be present at hearing as he had decided to pursue another career path.

Mr. Walker was a student at Heritage College in the pharmaceutical technician training program. He tested positive for marijuana during a random screening. Mr. Walker came before the Board and agreed to join the PRN-PRN program in order to have a second chance. Mr. Walker joined the program, however came to a peer group meeting and appeared to be impaired. He was asked to submit a urine sample and the PRN-PRN group monitor found a bottle of urine in his pocket that he intended to substitute for the sample he was asked to produce. This incident was reported to Board staff.

The Board revoked Mr. Walker's pharmaceutical technician in training registration.

**5. Debra K. Dorigatti          Board Meeting 10/26/05    Case No. 05-022-RPH-S  
UMC Inpatient Pharmacy    Case No. 05-022-PH-S**

The complaint came from Dr. Dua on behalf of one of his patients. On April 21, 2005 Ms. Dorigatti received an order from Dr. Dua for a non-formulary drug. Ms. Dorigatti claimed that she could not identify from the signature who the physician was that wrote the order. Ms. Dorigatti brought the order to the attention of the nurse on duty who told her she would be seeing the physician when he made rounds and would see if the drug could be changed to a formulary drug. Ms. Dorigatti failed to make contact with the physician or the nurse on duty or to follow-up with the physician before the end of her shift. Thus, Dr. Dua's patient did not receive her anti-coagulation therapy for approximately 48 hours, thus exposing the patient to considerable risk that Dr. Dua's order was intended to alleviate.

Ms. Dorigatti was fined \$250 and UMC was placed on probation for six months, was fined \$250 plus the costs and fees in this matter and Board staff would audit them to ensure the new policies and procedures they claim to





regularly takes, but regular Novalog that is a fast acting insulin. Ms. Schweizer and Walgreens #03842 were each fined \$250 and they would split the costs and fees in this matter.

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| 11. Ellery A. Greeley<br>RPH-S<br>Walgreens #05862 | Board Meeting 1/11/06 | Case No. 05-046-<br>PH-S<br>Case No. 05-046-PH-S |
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Patient G received a prescription for a penicillin product from a physician that was unaware of her allergy to penicillin. Patient G took the prescription to Walgreens #05862 to have it filled. Ms. Greeley filled the prescription for Patient G and did not notice the allergy warning in their computer system as she was processing the prescription. Ms. Greeley and Walgreens #05862 were each fined \$250 and they would split the costs and fees in this matter.

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| 12. Peoria M. Parikh<br>Walgreens #06545 | Board Meeting 1/11/06 | Case No. 05-037-RPH-S<br>Case No. 05-037-PH-S |
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Ms. Parikh filled a prescription for an injectable. When she created the label she inadvertently directed to take 2 – 6 'vials' rather than 2 – 6 'mls'. The patient was a nurse and had taken the medication before and knew not to take as directed. Ms. Parikh will receive a letter of admonition and Walgreens will pay the costs and fees in this matter.

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| 13. Dale E. Hawkins<br>Walgreens #03845<br>Walgreens Co. | Board Meeting 1/11/06 | Case No. 05-042-RPH-S<br>Case No. 05-042-PH-S<br>Case No. 05-042-PH-S |
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Patient T is a two-year old child being treated for a hypo thyroid condition. Patient T was prescribed Levoxyl 125 mcg. tablets with directions to take ½ tablet by mouth every day. Mr. Hawkins misread the prescription as being 25 mcg. tablets as the prescription looked like the physician had put parentheses around the dosage. Patient T was only receiving 12.5 mcg. of Levoxyl per day rather than the 62.5 mcg. prescribed by the physician. Mr. Hawkins is required to enroll in and pay half of the Your Success Rx program to help him with his pharmacy practice, Walgreens is to pay the other half of the Your Success Rx program for Mr. Hawkins, and half of the fees and costs to be split with Mr. Hawkins and since Walgreens #03845 is already on probation with the Board another year of probation will be added.