

PUBLIC WORKSHOP 2022

Meeting Minutes
February 25, 2022

The Department of Health and Human Services held a public workshop on February 25th, 2022, beginning at 10:00 a.m. to consider amendments to the Nevada Administrative Code (NAC) Chapter 439, LCB File No R121-20. This meeting was held via Zoom and began promptly at 10:00 a.m.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) STAFF

PRESENT:

Linda S. Fox, Pharmacist – Drug Transparency Program Manager

Jessica C. Gerhow -Drug Transparency Program-Management Analyst II

Drug Transparency Program Manager DHHS, Linda S. Fox called the Public Workshop to order at 10:00 a.m. with introductions and process items.

1. Online Meeting Etiquette

Ms. Fox asked that people joining online please mute themselves unless they are going to speak.

2. Process Items

Ms. Fox noted that the proposed changes are specific to the regulations regarding the appeals process, and not the statute itself.

PUBLIC WORKSHOP 2022

Meeting Minutes

February 25, 2022

The proposed changes to regulations were reviewed as follows:

- a. Updated terms and definitions in Section 2 for Department, Director, Manufacturer, Pharmacy, Wholesaler and Pharmacy benefit manager
- b. Added terminology to include the appointing of three (3) permanent employees to act as hearing officers. These hearing officers will perform this function in addition to their regular duties. Once a request for an appeal to be heard has been received, the Director will assign the appeal to the next hearing officer unless there is a conflict of interest, or they are otherwise disqualified from hearing the appeal
- c. Included the requirement to notify the entity of the proposed penalty in writing, at least 15 days prior to the effective date of the imposition of the penalty. This notice will include statutory and regulatory authority for the penalty, the facts on which the penalty is based, circumstances the Department considered in taking the penalty, instructions for responding to the notice and the effective date of the penalty. This notice will be sent to the last known mailing address and email address of the entity
- d. Section 5 now includes wording on the process when appealing a proposed fine

PUBLIC WORKSHOP 2022

Meeting Minutes

February 25, 2022

- e. Section 6 includes wording for the hearing process
- f. Section 7 includes wording for the decision after the hearing process

3. Public Comment

There were no comments specific to the regulations and no general public comments.

4. Adjournment

The meeting adjourned at 10:10 a.m.