

LCB File No. R112-99

**PROPOSED REGULATION OF THE
STATE BOARD OF PHARMACY**

NAC 639.525 Minimum requirements for work area and equipment. (NRS 639.070)

The prescription department in each licensed pharmacy must contain the following minimum work area and equipment for the compounding and dispensing of drugs:

1. A prescription counter on which to work, with a free working surface of not less than 18 inches in width and not less than 12 square feet in area, with a length of working surface of not less than 8 feet. This working surface must be reserved for and restricted solely to the compounding and dispensing of drugs.
2. A free floor space behind the prescription counter that is not less than 8 feet in length and 3 feet in width.
3. A refrigerator that is equipped with a thermometer to ensure proper control of temperature, a sink that is suitable for cleaning the required pharmaceutical equipment and is supplied with hot and cold running water, soap and detergent, and a clean and sanitary disposal container for wastes.
4. If the pharmacy compounds prescriptions that require the measurement of weight, scales and balances for medium and light weighing, at least one of which must be sensitive to 1/2 grain, with weights, including, without limitation, apothecary and avoirdupois, from 1/2 grain to 4 ounces and from 0.02 gm to 100 gm.
5. If the pharmacy prepares sterile products, a laminar airflow hood that is certified at least annually.
6. Capsule and tablet counters and other devices and equipment necessary to compound and dispense drugs.
7. A facsimile machine that:
 - (a) Uses paper of such quality; and
 - (b) Prints in such a manner,

that documents printed by the machine are usable and readable for at least 2 years. *A facsimile machine is not necessary if the pharmacy's computer is capable of sending and receiving documents via facsimile modem.*

(Workshop 4/29/99

Public Hearing 8/5/99)

NAC 639 shall be amended to add the following new language:

1. *A prescription shall not be filled or dispensed where:*
 - (a) *The prescription is written by a practitioner from a state other than Nevada; and*
 - (1) *The prescription is for a patient who resides in a state other than Nevada and the state in which the practitioner's practice is located; or*
 - (2) *The prescription is requested to be furnished in a manner inconsistent with NAC 639.710.*
2. *A prescription that could not be filled or dispensed pursuant to subsection 1 may be filled and dispensed if:*

(a) The patient has sought payment for the prescription from a managed care system or insurance plan in which the patient is enrolled that has contracted with the pharmacy for the provision of pharmaceutical services; or

(b) A pharmacist has spoken with the patient and the practitioner and has ascertained that the prescription is valid and that a bona fide therapeutic relationship exists between the patient and practitioner. In determining whether a bona fide therapeutic relationship exists, the pharmacist shall ascertain the date and place at which the practitioner physically examined the patient and shall record that information on the prescription or in another readily retrievable record.

3. For the purposes of this section, a bona fide therapeutic relationship between a patient and practitioner shall mean a relationship in which the practitioner has physically examined the patient and has diagnosed a condition for which a given drug therapy is prescribed as a result of the examination.

(Workshop 4/29/99

Public Hearing 4/29/99)