

LCB File No. R154-04

PROPOSED REGULATION OF THE STATE BOARD OF PHARMACY

DRIVE-UP WINDOW REGULATIONS

Section 1. Chapter NAC 639.525 is hereby amended as follows:

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 3 feet in width and 2 feet in depth for each person who is compounding or dispensing drugs within the prescription department, including, without limitation, each registered pharmacist and pharmaceutical technician who is compounding or dispensing drugs within the prescription department. 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 4 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. As used in this subsection, "facsimile machine" includes, without limitation, a computer that has a facsimile modem through which documents can be sent and received.

8. If pharmacy services are provided to patients in motor vehicles through a window or other opening in the pharmacy's exterior wall or through another means approved before use by the board, the window or opening or the other means approved by the board shall:

(a) Provide the ability to view the motor vehicle and its occupants who are receiving the pharmacy services, which may be provided either through glass in the window or opening or through two-way video and voice communication devices;

(b) Be readily accessible to the pharmacy's personnel;

(c) Have a patient counseling record as required in NAC 639.707(6) located at the window or opening so that patient counseling as required in NAC 639.707 and 639.708 can be conducted at the window or opening;

(d) Secure the pharmacy's premises from unlawful or unauthorized entry;

(e) Have a computer linked to the pharmacy's computer system located such that pharmacy personnel may use the computer terminal and remain in visual contact with the patient who is at the window or opening.

Section 2. NRS chapter 639 shall be amended as follows:

A pharmacy that has a window or opening in the exterior window of its pharmacy at the time of the effective date of this regulation does not need to comply with NAC 639.525(8)(a) unless and until the window or opening or the pharmacy is altered, remodeled, or otherwise subject to modification, at which time the provisions of this regulation must be met.