PROPOSED REGULATION OF THE STATE BOARD OF PHARMACY

LCB FILE NO. R106-26I

The following document is the initial draft regulation proposed by the agency submitted on 4/29/2026

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop

April 16th,

2026

Explanation – Language in ***blue italics*** is new; language in ***red text*** [~~*omitted material*~~] is language to be omitted, and language in ***green text*** indicates prior Board-approved amendments that are in the process of being codified.

AUTHORITY: §1, NRS 639.070

A. A REGULATION relating to authorizing the delivery of a commercially manufactured prescription drug product to a practitioner.

Section 1. NAC 639.

a. A prescription for a commercially manufactured prescription drug product or a controlled substance as allowed by federal law to be dispensed to an ultimate user may be furnished to a practitioner other than a hospital, pharmacy, or other institution.

b. The pharmacy must process the prescription in a manner that is consistent with dispensing to the ultimate user.

c. The pharmacy must obtain written permission from the patient to send the medication directly to the practitioner.

d. Before furnishing the commercially manufactured prescription drug product to be administered to an ultimate user to a practitioner, the pharmacy must:

- ***1. Ensure the practitioner is licensed as required by both State and Federal Law to possess the medication.***
- ***2. Obtain written acknowledgement from the practitioner that the practitioner agrees to comply with subparagraphs i through iv of subsection d.***

d. The practitioner who receives the furnished commercially manufactured prescription drug product to be administered to the ultimate user shall:

- ***i. Comply with all State and Federal Laws regarding the handling of the medication.***
- ***ii. Store the medication separately from the practitioner's stock of medication.***
- ***iii. Administered the medication to only the patient named on the prescription not later than 90 days after the receipt of the medication. If the medication is not administered within 90 days, it must be destroyed or donated in compliance with NRS 453B.***
- ***iv. Maintain records of the administration or the destruction of the prescription drug.***

e. The pharmacy must maintain records of the prescriptions drug furnished to a practitioner.

f. A practitioner may assist in the delivery of a prescription from a pharmacy who is contracted with a patient assistance program sponsored by a manufacturer or government agency to provide pharmaceuticals to uninsured or underinsured patients at no cost. The pharmacy and the practitioner who receives the commercially manufactured prescription drug product from the pharmacy, must comply with the provisions of this section. If the medication is not provided to the ultimate user within 90 days, it must be destroyed or donated in compliance with NRS 453B.

Reference.

NAC 639.6631 "Drug product" defined. (NRS 639.070) "Drug product" means a commercially manufactured drug or nutrient that has been evaluated for safety and efficacy by the Food and Drug Administration.

NRS 639.0125 "Practitioner" defined. "Practitioner" means:

1. A physician, dentist, veterinarian or podiatric physician who holds a license to practice his or her profession in this State;

2. A hospital, pharmacy or other institution licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or administer drugs in the course of professional practice or research in this State;

3. An advanced practice registered nurse who has been authorized to prescribe controlled substances, poisons, dangerous drugs and devices;

4. A physician assistant who:

(a) Holds a license issued by the Board of Medical Examiners; and

(b) Is authorized by the Board to possess, administer, prescribe or dispense controlled substances, poisons, dangerous drugs or devices under the supervision of a physician as required by chapter 630 of NRS;

5. A physician assistant who:

(a) Holds a license issued by the State Board of Osteopathic Medicine; and

(b) Is authorized by the Board to possess, administer, prescribe or dispense controlled substances, poisons, dangerous drugs or devices under the supervision of an osteopathic physician as required by chapter 633 of NRS;

6. An optometrist who is certified by the Nevada State Board of Optometry to prescribe and administer pharmaceutical agents pursuant to NRS 636.288, when the optometrist prescribes or administers pharmaceutical agents within the scope of his or her certification;

7. A dental hygienist who:

(a) Holds a valid license to practice dental hygiene in this State;

(b) Is authorized to prescribe and dispense the dangerous drugs and devices listed in NRS 631.3105 in accordance with the provisions of that section and the regulations adopted pursuant thereto; and

(c) Holds a certificate issued pursuant to NRS 639.1374 by the State Board of Pharmacy authorizing him or her to so prescribe;

8. A pharmacist who is registered pursuant to NRS 639.28079 to prescribe and dispense

drugs for medication-assisted treatment; or

9. A certified registered nurse anesthetist who orders, prescribes, possesses or administers controlled substances, poisons, dangerous drugs or devices in accordance with NRS 632.2397.