

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

LCB File No. R106-26

May 22, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 639.070.

A REGULATION relating to pharmacy; authorizing the furnishing of prescribed drug products or controlled substances to certain practitioners for delivery to an ultimate user under certain conditions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Pharmacy to adopt regulations regulating the practice of pharmacy. (NRS 639.070) This regulation authorizes a pharmacy, with the written permission of an ultimate user, to furnish prescribed drug products or controlled substances to certain practitioners for delivery to the ultimate user, including as part of a patient assistance program. This regulation also prescribes requirements governing the furnishing of such a drug product or controlled substance by a pharmacy to a practitioner and the related recordkeeping. Additionally, this regulation prescribes requirements governing the handling, storage and maintenance of records by a practitioner who receives such a drug product or controlled substance. This regulation requires such a practitioner to administer or provide the drug product or controlled substance to the ultimate user or destroy or donate the drug product or controlled substance within 90 days after receiving the drug product or controlled substance.

Section 1. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

1. With the written permission of the ultimate user, a pharmacy may, to the extent authorized by federal law, furnish to a practitioner a drug product or controlled substance prescribed to the ultimate user so that the practitioner may deliver the drug product or controlled substance, as applicable, to the ultimate user.

2. Before furnishing a drug product or controlled substance to a practitioner pursuant to subsection 1, the pharmacy must:

(a) Obtain written permission from the ultimate user authorizing the pharmacy to furnish the drug product or controlled substance, as applicable, to the practitioner;

(b) Ensure that the practitioner is:

(1) Licensed to practice his or her profession in this State; and

(2) Authorized to possess the drug product or controlled substance, as applicable, under all applicable state and federal laws; and

(c) Obtain a written acknowledgment from the practitioner agreeing to comply with subsections 4 and 5.

3. A pharmacy shall process a prescription for a drug product or controlled substance that is furnished to a practitioner pursuant to subsection 1 in the same manner as if the drug product or controlled substance were being dispensed directly to the ultimate user.

4. A practitioner who receives a drug product or controlled substance from a pharmacy pursuant to subsection 1 shall:

(a) Comply with all applicable federal and state laws and regulations relating to the handling of the drug product or controlled substance, as applicable;

(b) Store the drug product or controlled substance, as applicable, separately from any other drugs maintained by the practitioner; and

(c) Maintain a record of the action taken with regard to the drug product or controlled substance pursuant to subsection 5 for at least 2 years after the date on which the action is taken.

5. Not later than 90 days after receiving a drug product or controlled substance from a pharmacy pursuant to subsection 1, a practitioner shall:

(a) Administer or provide the drug product or controlled substance to the ultimate user;

(b) Destroy the drug product or controlled substance in a manner authorized by state and federal law; or

(c) Donate the drug product or controlled substance to the Prescription Drug Donation Program established pursuant to NRS 453B.080.

6. The requirements of this section apply to the furnishing of a drug product or controlled substance by a pharmacy that has contracted with a patient assistance program to a practitioner so that the practitioner may assist in delivering the drug product or controlled substance, as applicable, to the ultimate user.

7. As used in this section:

(a) “Drug product” has the meaning ascribed to it in NAC 639.6631.

(b) “Patient assistance program” means a program that is sponsored by a manufacturer or government agency to provide pharmaceuticals to uninsured or underinsured ultimate users at no cost.

(c) “Practitioner” means only the persons described in subsections 1 and 3 to 9, inclusive, of NRS 639.0125.