PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB FILE NO. R169-26I

The following document is the initial draft regulation proposed by the agency submitted on 07/21/2026

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop

July 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 REGULATION Amendment to Nevada Administrative Code (NAC) 639. The proposed amendment requires packaging used to ship prescriptions to contain a device which monitors the temperature of the prescription and alerts the patient if the prescription is exposed to temperatures outside the temperature range listed in the manufacturer's package insert.

Section 1. NAC 639.

a. *A pharmacy that ships a prescription to a patient must use packaging that is reasonably designed to protect the prescription from conditions of temperature, light and humidity during transit in accordance with the requirements of the manufacturer, the United States Pharmacopeia - National Formulary as adopted by reference in paragraph (c) of subsection 1 of NAC 639.670, the pharmacy's master compound formulation record, or any stability studies performed by the pharmacy. This may include, without limitation, use of temperature tags, time temperature strips, insulated packaging, gel ice packs, or a combination of these as necessary.*

b. *The pharmacy shall notify the patient or patient's agent when the prescription is shipped.*

c. *At the request of the patient or agent, the pharmacy must include a device in the shipping container which monitors the temperature of the prescription and alerts the patient if the prescription is exposed to temperatures outside the temperature range listed in section 1(a).*

d. *The pharmacy shall provide a method by which a patient or patient's agent can notify the pharmacy as to any irregularity in the shipment of the patient's prescription, to include but not be limited to:*

(1) timeliness of delivery;

(2) condition of the prescription upon receipt; and

(3) failure to receive the proper prescription drug.

e. *If a pharmacist determines a prescription drug was compromised during delivery, the pharmacy shall promptly replace the drug.*

Supporting Documentation:

NAC 639.426 Requirements for approval of application. (NRS 639.070, 639.0725, 639.23288)

1. A licensed pharmacy may practice as an Internet pharmacy only if the pharmacy is certified by the Board pursuant to this section. To be certified by the Board pursuant to this section, a pharmacy must apply to the Board for certification on an application provided by the Board.

2. The Board will grant an application for certification as an Internet pharmacy pursuant to this section if:

(a) The pharmacy is certified by the Verified Internet Pharmacy Practice Sites program of the National Association of Boards of Pharmacy; or

(b) The Board determines that the pharmacy satisfies the requirements of subsection 3.

3. The Board will grant an application for certification pursuant to paragraph (b) of subsection 2 if the Board determines that the pharmacy:

(a) Is licensed to practice pharmacy in each state in which the pharmacy will practice pharmacy;

(b) Maintains and enforces policies and procedures which ensure that:

(1) The pharmacy is able to establish the authenticity of a prescription which the pharmacy receives;

(2) The pharmacy will not fill any prescription which has been previously filled by another pharmacy, and if the pharmacy fills any prescription, that prescription will not also be filled by another pharmacy;

(3) The identity of the patient and the prescribing practitioner is verified to be authentic;

(4) A prescription is filled in compliance with all applicable federal and state laws;

(5) A patient or the caregiver of the patient may make a complaint to the pharmacy regarding the prescription of the patient, and if such a complaint is made, the complaint will be investigated thoroughly, the results of the investigation will be communicated to the patient or caregiver and, if the investigation reveals that the operations of the pharmacy resulted in an error in the processing or filling of the prescription, appropriate remedial action will be taken by the pharmacy;

(6) The pharmacy will communicate to a patient or a prescribing practitioner any delay that might jeopardize or alter the drug therapy of the patient with respect to delivering the prescribed drug or device; and

(7) The pharmacy will communicate to a patient information regarding recalls of drugs and the appropriate means to dispose of expired, damaged or unusable drugs or devices;

(c) Obtains and maintains patient information necessary to facilitate review of drug utilization and counseling of patients pursuant to any applicable statutes;

(d) Provides review of drug utilization and counseling of patients pursuant to the applicable statutes in the state in which the patient resides;

(e) Maintains controls of its computer system, information concerning patients and other such confidential information and documents to prevent unauthorized or unlawful access to all such confidential information and documents;

(f) Complies with applicable federal and state laws regarding:

(1) The dispensing of prescription drugs;

(2) Recordkeeping related to the patients served by the pharmacy, the purchase of prescription drugs, and the sale and dispensing of prescription drugs; and

(3) The sale of over-the-counter products, including, without limitation, any special requirements related to products that have been identified as precursors to the manufacture or compounding of illegal drugs;

(g) Ships prescriptions to a patient using a secure and traceable means; and

(h) Ships prescriptions to a patient using packaging or devices which will ensure that the prescription is maintained within appropriate standards pertaining to temperature, light and humidity as described in the United States Pharmacopeia - National Formulary, as adopted by reference in paragraph (c) of subsection 1 of NAC 639.670.

(Added to NAC by Bd. of Pharmacy by R165-01, eff. 12-17-2001; A by R035-06, 9-18-2008)