

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY
NRS 233B.0608**

LCB File No. R010-26

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

This change will lower the minimum age and modify the education requirements for an individual to register as a pharmaceutical technicians in training, expanding opportunities for a broader range of applicants.

The Board, through its executive staff and legal counsel, have carefully examined the proposed amendment and have determined that it is not likely to (1) “impose a direct and significant economic burden upon small business,” or (2) “[d]irectly restrict the formation, operation or expansion of small businesses.”

The Board solicited comment on the proposed amendment by (1) posting notice, with links to the full text of the proposed amendment, to the LCB Administrative Regulation Notices webpage, (2) posting a copy of the full text of the proposed changes to the Board’s website as part of the Board Hearing materials, (3) posting notice to the Nevada Public Notice website, operated by the Department of Administration, with a link back to a full text of the proposed amendment on the Board’s website, and (4) posting notices and agendas in numerous public locations per NRS Chapter 233B.

- The total number of small businesses likely to be affected by the proposed regulation: 174
- A list of the chambers of commerce and trade associations notified of the proposed regulation pursuant to paragraph (b) of subsection 2 of NRS 233B.0608

Notification List:

C.M. “Mac” Haddow
Doug Cammann - AnazaoHealth
Erven T. Nelson, Esq.
Frank DiMaggio – Board of Nursing
Jarod Moss, Esq.
Lea Case
John Adams
Joseph Montemorano
Julie Hamilton
Kim Tran - Integrity Compounding Pharmacy
Lain Buxton - UNR School of Medicine
Liz MacMenamin – Retail Association of Nevada
Art Olson

Martha Russell - Cardinal Health
Mary Staples – National Association of Chain Drugs Stores (NACDS)
Melissa Martin - Stateside Associates
Gail Trujillo – Nevada State Board of Nursing
Pat Evans
Rebecca Hardung, RPH
Rich Pozesky - NAMPS
Romae Kelly – Stateside Associates
Richard Bishop, RPH
Sandy Coyle
Stefanie Frank - Statewide Associates
Weldon Havins
Cory Kilgallen, RPH
Sara Rhoades
Lauren Paul
Connor Cain
Pima Medical Institute
NABP
National Association of Chain Drug Stores (NACDS) - State Pharmacy
Affairs
Walgreens District Office
NV Alliance for Retired Americans
Brant Skanson
National Association of Chain Drug Stores (NACDS)
Raley's
Daniel Burkhead, MD
UMC Risk Management
Kaempfer Crowell
Pharmacy Manager - RMC/Pharmacy Mailstop 014
Nevada State Board of Medical Examiners
Dyer Lawrence Penrose - Flaherty & Donaldson
Editor, Las Vegas - Review-Journal

The Board also solicited comment from representatives of relevant industry associations that Board Staff deemed likely to have an interest in the proposed amendment. The Board also provided time for public comment at the workshop(s) concerning the proposed amendment. The Board received the below public comment.

- Liz McMenammin from the Retail Association of Nevada expressed appreciation for the Board's collaboration with the industry on the proposed regulation, noting it will help expand employment opportunities in this area of healthcare.

Parties interested in obtaining a copy of the summary of the comments solicited should contact Board Coordination at teamBC@pharmacy.nv.gov or call Darlene Nases at (775) 850-1440 ext. 120.

2. The manner in which the analysis was conducted.

Board Staff analyzed the regulation to determine whether it could perceive a direct and significant economic burden on pharmacies, which are the businesses most likely to be affected by the regulation. It also analyzed whether the proposed regulation would restrict the formation, operation or expansion of such small businesses. Board Staff solicited public and industry comment as described in Question #1 above to inform its analysis, but the comments received could not be perceived or analyzed to have direct and/or significant economic burden on pharmacies.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(a) Both adverse and beneficial effects; and

There should be no adverse economic impact from this regulation amendment on the regulated entities or on the public. The regulation amendment will have a beneficial effect on the regulated entities and on the public by expanding the workforce and improving service availability.

(b) Both direct and indirect effects.

Both the direct and indirect economic effects on regulated entities and on the public will be beneficial by expanding the workforce and improving service availability.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The Board anticipates no significant adverse economic impact from R010-26 on legitimate Nevada businesses, so no alternative methods of regulation are deemed necessary.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The cost to the Board for enforcement of the proposed regulation cannot be determined at this time since it will be dependent upon the number of applicants for registration/licensure.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide a new or increase of fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The regulation does not include provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

In its analysis of the regulation, the Board did not perceive, and found no evidence of, a direct and significant economic burden on small businesses. It also found no evidence that the proposed regulation would restrict the formation, operation or expansion of such small businesses. Board Staff solicited public and industry comment as described in Question #1 above to inform its analysis, and the comments received could not be perceived or analyzed to have direct and/or significant economic burden on pharmacies.

9. The methods used by the agency in determining the impact of the regulation on small business and the reasons for the agency's conclusions.

The Board, through its executive staff and legal counsel, carefully examined the regulation and determined that it is not likely to (1) "impose a direct and significant economic burden upon small business," or (2) "[d]irectly restrict the formation, operation or expansion of small businesses."

In reaching that conclusion, the Board solicited comment on the regulation by (1) posting notice, with a link to the full text of the proposed amendment, to the LCB Administrative Regulation Notices webpage, (2) posting a copy of the full text of the proposed changes to the Board's website as part of the Board Hearing materials, (3) posting notice to the Nevada Public Notice website, operated by the Department of Administration, with a link back to a full text of the proposed amendment on the Board's website, and (4) posting notices and agendas in numerous public locations per NRS Chapter 233B.

In its analysis of the regulation, the Board did not perceive, and found no evidence of, a direct and significant economic burden on small business. It also found no evidence that the proposed regulation would restrict the formation, operation or expansion of such small businesses. Absent any evidence, the Board concluded that no such impacts are likely to exist.

I hereby certify that to the best of my knowledge or belief a concerted effort was made to determine the impact of this proposed regulation on small businesses and that the information contained in the statement was prepared properly and is accurate.



J. David Wuest, R.Ph.
Executive Secretary
Nevada State Board of Pharmacy