PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R096-13

November 4, 2013

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; revising provisions relating to the transmission of information regarding dispensing of controlled substances to certain persons; and providing other matters properly relating thereto.

Section 1. NAC 639.926 is hereby amended to read as follows:

639.926 1. Each pharmacy that uses a computerized system to record information concerning prescriptions and that dispenses a controlled substance that is listed in schedule II, III or IV to a person who is not an inpatient of a hospital, correctional institution or nursing facility shall transmit to the Board or its agent the *following* information *, as applicable,* set forth in the *2011* ASAP [*Telecommunications Format for Controlled Substances,* 2005 edition,] *Version 4.2 Standard for Prescription Monitoring Programs* published by the American Society for Automation in Pharmacy *.* **[, which is]** *The following Segments and the accompanying Data Elements of the Implementation Guide for the 2011 ASAP Version 4.2 Standard for Prescription Monitoring Programs are* hereby adopted by reference **[, except the information relating to the following field names:**

(a) Identifier;

(b) Bin;

(c) Version Number;

[(d) Transaction Code;

(e) Compound Code;

(f) DEA Suffix;

(g) Date RX Written;

(h) Number Refills Authorized;

(i) RX Origin Code;

(j) Customer Location;

(k) Diagnosis Code;

(l) Alternate Prescriber Number;

(m) State;

(n) Zip Code (Extended);

(o) Triplicate Serial Number; and

(p) Filler.] *:*

(a) The Segment entitled "TH Transaction Header" and the following Data Elements:

    (1) Version/Release Number;

    (2) Transaction Control Number;

    (3) Transaction Type;

    (4) Response ID;

    (5) Creation Date;

    (6) Creation Time;

    (7) File Type; and

    (8) Segment Terminator Character;

(b) The Segment entitled "IS Information Source" and the following Data Elements:

(1) Unique Information Source ID;

(2) Information Source Entity Name; and

(3) Message;

(c) The Segment entitled "PHA Pharmacy Header" and the following Data Elements:

(1) National Provider Identifier (NPI);

(2) DEA Number;

(3) Pharmacy or Dispensing Prescriber Name;

(4) Phone Number;

(5) Contact Name; and

(6) Chain Site ID;

(d) The Segment entitled "PAT Patient Information" and the following Data Elements:

(1) Last Name;

(2) First Name;

(3) Address Information - 1;

(4) City Address;

(5) State Address;

(6) ZIP Code Address;

(7) Phone Number;

(8) Date of Birth; and

(9) Gender Code;

(e) The Segment entitled "DSP Dispensing Record" and the following Data Elements:

(1) Reporting Status;

(2) Prescription Number;

(3) Date Written;

(4) Refills Authorized;

(5) Date Filled;

(6) Refill Number;

(7) Product ID Qualifier;

(8) Product ID;

(9) Quantity Dispensed;

(10) Days Supply;

(11) Transmission Form of Rx Origin Code;

(12) Classification Code for Payment Type; and

(13) Date Sold;

(f) The Segment entitled "PRE Prescriber Information" and the following Data Elements:

(1) National Provider Identifier (NPI);

(2) DEA Number;

(3) DEA Number Suffix;

(4) Last Name;

(5) First Name; and

(6) Phone Number;

(g) The Segment entitled "CDI Compound Drug Ingredient Detail" and the following Data Elements:

(1) Compound Drug Ingredient Sequence Number;

(2) Product ID Qualifier;

(3) Product ID;

(4) Component Ingredient Quantity; and

(5) Compound Drug Dosage Units Code;

(h) The Segment entitled "TP Pharmacy Trailer" and the Data Element Detail Segment Count; and

(i) The Segment entitled "TT Transaction Trailer" and the following Data Elements:

(1) Transaction Control Number; and

(2) Segment Count.

2. A copy of the publication may be obtained from the American Society for Automation in Pharmacy **[, 492 Norristown Road, Suite 160, Blue Bell, Pennsylvania 19422, at no charge.]** *at the Internet address http://www.asapnet.org, or by telephone at (610) 825-7783, for the price of $175 for members and $770 for nonmembers.*

3. **[If the pharmacy records in its computerized system, in addition to the information required pursuant to subsection 1, the:**

(a) Prescription type;

(b) Payment type; or

(c) Identity of the person picking up the prescription,

➔ and its computerized system is capable of transmitting this information, the pharmacy shall include this information in its transmittal.

4.] The pharmacy shall transmit the information required pursuant to this section not later than each Wednesday for the prescriptions filled from the immediately preceding Sunday through Saturday. If a Wednesday falls on a legal holiday, then the information must be reported on the next business day that is not a legal holiday.

[5.] *4.* The information must be transmitted by means of a **[:**

(a) Form] *form* of electronic data transmission approved by the Board, including, without limitation, a computer modem that can transmit information at the rate of 2400 baud or more **.** [;

   (b) Computer disc; or

   (c) Magnetic tape of the kind that is used to transmit information between computerized systems.]