



Nevada State Health Division
Vaccination Strategies
Medical Assistants

Issue

Currently, medical assistants are not allowed to possess or administer “dangerous drugs”. At this time, Nevada law does not provide clear authority for medical assistants to provide flu shots and other vaccines.”

NAC 630.230 Prohibited professional conduct

<http://www.leg.state.nv.us/NAC/NAC-630.html#NAC630Sec230>

“Medical assistant” means any person who:

- (1) Is employed by a physician or physician assistant;
- (2) Is under the direction and supervision of the physician or physician assistant;
- (3) Assists in the care of a patient; and
- (4) Is not required to be certified or licensed by an administrative agency to provide that assistance.

NRS 454.201 Dangerous drug defined

<http://www.leg.state.nv.us/NRS/NRS-454.html#NRS454Sec201>

“Dangerous drug” means any drug, other than a controlled substance, unsafe for self-medication or unsupervised use, and includes the following:

1. Any drug which has been approved by the Food and Drug Administration for general distribution and bears the legend: “Caution: Federal law prohibits dispensing without prescription”;
2. Procaine hydrochloride with preservatives and stabilizers (Gerovital H3) in injectable doses and amygdalin (laetrile) which have been licensed by the State Board of Health for manufacture in this State but have not been approved as drugs by the Food and Drug Administration; or
3. Any drug which, pursuant to the Board’s regulations, may be sold only by prescription because the Board has found those drugs to be dangerous to public health or safety.

NRS 454.213 Authority to Possess and Administer Dangerous Drug

<http://www.leg.state.nv.us/NRS/NRS-454.html#NRS454Sec213>

A drug or medicine referred to in [NRS 454.181](#) to [454.371](#), inclusive, may be possessed and administered by:

1. A practitioner.
2. A physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, at the direction of his supervising physician or a licensed dental hygienist acting in the office of and under the supervision of a dentist.
3. Except as otherwise provided in subsection 4, a registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a prescribing physician, physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, dentist, podiatric physician or advanced practitioner of nursing, or pursuant to a chart order, for administration to a patient at another location.
4. In accordance with applicable regulations of the Board, a registered nurse licensed to practice professional nursing or licensed practical nurse who is:

(a) Employed by a health care agency or health care facility that is authorized to provide emergency care, or to respond to the immediate needs of a patient, in the residence of the patient; and

(b) Acting under the direction of the medical director of that agency or facility who works in this State.

5. An intermediate emergency medical technician or an advanced emergency medical technician, as authorized by regulation of the State Board of Pharmacy and in accordance with any applicable regulations of:

(a) The State Board of Health in a county whose population is less than 100,000;

(b) A county board of health in a county whose population is 100,000 or more; or

(c) A district board of health created pursuant to [NRS 439.362](#) or [439.370](#) in any county.

6. A respiratory therapist employed in a health care facility. The therapist may possess and administer respiratory products only at the direction of a physician.

7. A dialysis technician, under the direction or supervision of a physician or registered nurse only if the drug or medicine is used for the process of renal dialysis.

8. A medical student or student nurse in the course of his studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician and:

(a) In the presence of a physician or a registered nurse; or

(b) Under the supervision of a physician or a registered nurse if the student is authorized by the college or school to administer the drug or medicine outside the presence of a physician or nurse.

Ê A medical student or student nurse may administer a dangerous drug in the presence or under the supervision of a registered nurse alone only if the circumstances are such that the registered nurse would be authorized to administer it personally.

9. Any person designated by the head of a correctional institution.

10. An ultimate user or any person designated by the ultimate user pursuant to a written agreement.

11. A nuclear medicine technologist, at the direction of a physician and in accordance with any conditions established by regulation of the Board.

12. A radiologic technologist, at the direction of a physician and in accordance with any conditions established by regulation of the Board.

13. A chiropractic physician, but only if the drug or medicine is a topical drug used for cooling and stretching external tissue during therapeutic treatments.

14. A physical therapist, but only if the drug or medicine is a topical drug which is:

(a) Used for cooling and stretching external tissue during therapeutic treatments; and

(b) Prescribed by a licensed physician for:

(1) Iontophoresis; or

(2) The transmission of drugs through the skin using ultrasound.

15. In accordance with applicable regulations of the State Board of Health, an employee of a residential facility for groups, as defined in [NRS 449.017](#), pursuant to a written agreement entered into by the ultimate user.

16. A veterinary technician at the direction of his supervising veterinarian.

17. In accordance with applicable regulations of the Board, a registered pharmacist who:

(a) Is trained in and certified to carry out standards and practices for immunization programs;

(b) Is authorized to administer immunizations pursuant to written protocols from a physician; and

(c) Administers immunizations in compliance with the “Standards of Immunization Practices” recommended and approved by the United States Public Health Service Advisory Committee on Immunization Practices.

18. A person who is enrolled in a training program to become a physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, dental hygienist, intermediate emergency medical technician, advanced emergency medical technician, respiratory therapist, dialysis technician, nuclear medicine technologist, radiologic technologist, physical therapist or veterinary technician if the person possesses and administers the drug or medicine in the same manner and under the same conditions that apply, respectively, to a physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, dental hygienist, intermediate emergency medical technician, advanced emergency medical technician, respiratory therapist, dialysis technician, nuclear medicine technologist, radiologic technologist, physical therapist or veterinary technician who may possess and administer the drug or medicine, and under the direct supervision of a person licensed or registered to perform the respective medical art or a supervisor of such a person.

(Added to NRS by 1979, 1682; A 1981, 60, 746; 1983, 1221, 1515, 1937; 1987, 952, 1657, 2215; 1989, 749; 1991, 1956; 1993, 1216, 2839; 1995, 725, 1691; [1999, 2720](#); [2001, 2, 789, 792](#); [2003, 2296](#); [2005, 2476](#); [2007, 1866](#))

Vaccinator Resources



Note: Liability insurance coverage needs and medical protocols are being determined.

Strategies to Increase Vaccinator Resources

Additional strategies have been utilized to increase vaccinator resources in the state.

Such as tapping into non-traditional vaccinators such as:

- Pharmacists
- Emergency Medical Technicians
 - AB 349 http://leg.state.nv.us/75th2009/Bills/AB/AB349_EN.pdf
Provides for the endorsement of intermediate emergency medical technicians and advanced emergency medical technicians to administer immunizations, dispense medication and provide certain services for an emergency or otherwise satisfy public health needs. Emergency regulations became effective on September 28, 2009 (See **Attachment A**)

Other alternatives being explored:

- Medical and nursing students
- School nurses
 - onsite school-based vaccination clinics
- Volunteer registries
- Special Volunteer Licenses
 - the nursing and medical board have enacted a “special volunteer license” to provide free licenses to nurses and physicians who only wish to volunteer their services without compensation.

Additional Resources

Medical Assistants: Key State Scope of Practice Laws
(See **Attachment B**)

American Association of Medical Assistants (AAMA)
Public Affairs Index
http://www.aama-ntl.org/CMAToday/public_affairs_links.aspx