

LCB File No. R146-03

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

POSITIVE IDENTIFICATION REGULATIONS

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

1. Before dispensing a controlled substance prescription, an employee of a pharmacy must obtain and review the picture identification of the patient or his agent receiving the prescription, except where:

(a) The prescription will be paid for in whole or in part by a third-party insurer; or

(b) The prescription is for a patient who has had prescriptions for the controlled substance previously filled at the pharmacy.

(c) The pharmacy is part of a health care facility or clinic where the patient is being treated.

2. An employee of a pharmacy shall not dispense the prescription if:

(a) The person presenting or receiving the prescription does not produce a current picture identification issued by a federal, state, or local governmental agency; or

(b) The person reviewing the identification reasonably believes that the identification produced by the person presenting or receiving the prescription is false, invalid, or altered.

3. The person reviewing the identification shall record his review of the identification by:

*(a) Making a photocopy of the identification that is kept with the copy of the prescription;
or*

(b) Recording the full name and identification number of the person receiving the prescription on the prescription, the refill log, the counseling log, or any other readily retrievable document or within a computer record related to the patient.