

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

LCB File No. R146-03

November 17, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 453.221 and 639.070.

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

1. Except as otherwise provided in this section, an employee of a pharmacy who is authorized to dispense controlled substances shall, before dispensing a controlled substance pursuant to a lawful prescription, request the person to whom the controlled substance will be dispensed to present a current form of identification issued by a federal, state or local governmental agency that contains a photograph of himself. The employee shall not dispense the controlled substance if:

(a) That person does not present such identification; or

(b) The employee reasonably believes that the identification presented has been altered or is false or otherwise invalid.

2. The provisions of subsection 1 do not apply if:

(a) The prescription is paid for, in whole or in part, by an insurer;

(b) The prescription is for a patient who has had a prescription for the same controlled substance previously filled by the pharmacy; or

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

3. The employee shall:

(a) Make a photocopy of the identification presented to him; or

(b) Record the full name of the person to whom the controlled substance is dispensed and the identification number indicated on his identification, if any, on the prescription, the refill log, the counseling log, a computer record related to the patient or any other document that is readily retrievable.

4. If a photocopy of the identification is made pursuant to paragraph (a) of subsection 3, it must be filed with the copy of the prescription that is maintained by the pharmacy.