

LCB File No. T034-03

**ADOPTED TEMPORARY REGULATION OF THE
STATE BOARD OF PHARMACY**

Filed with the Secretary of State on May 5, 2003

INTERN REGULATIONS

Section 1. NAC 639.540 shall be amended as follows:

The owner, manager, operator or other person in charge of any pharmacy, as that term is defined in NRS 630.012, shall, within 10 days after the employment or termination of employment of a registered pharmacist, intern pharmacist, pharmaceutical technician or pharmaceutical technician in training, give written notice to the secretary of the board of that employment or termination. The notice must include the name, residential address and certificate number of the employee or former employee.

Section 2. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

1. An applicant to become an intern pharmacist shall make an application to the board on a form provided by the board. On the application, the applicant shall indicate the name, telephone number, and mailing address of the person or persons at his college of pharmacy who will be making and maintaining the records of the applicant's internship.

2. The college of pharmacy at which a student is enrolled shall make and maintain records of that student's participation in an internship as an intern pharmacist. Such records shall include but not be limited to the records made by the pharmacy of the intern pharmacist's actual hours of work.

3. After determining that an applicant is qualified to be an intern pharmacist, the board shall issue a certificate of registration acknowledging that the holder is an intern pharmacist.

4. An intern pharmacist who has graduated from a college of pharmacy is responsible to make and maintain records of his participation in an internship after he has graduated from a college of pharmacy, and a college of pharmacy need not make

and maintain records for time spent in an internship by an intern pharmacist after the intern pharmacist has graduated from the college of pharmacy.

Section 3. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Unless otherwise prohibited by law or an order of the board, any pharmacist may serve as a preceptor for an intern pharmacist. An intern pharmacist may be utilized without pay by a pharmacy in an internship that is part of the intern pharmacist's education at a college of pharmacy or may be employed with pay as an intern pharmacist outside of the intern pharmacist's education at a college of pharmacy, including employment that may occur during breaks such as holidays and summer vacation from the intern pharmacist's education.

2. The college of pharmacy at which the intern pharmacist is enrolled shall establish a scope of duties that may be engaged in by the intern pharmacist during his internship based upon the courses that the intern pharmacist has completed. The college of pharmacy shall provide the scope of duties provided to him by his college of pharmacy to the pharmacist who will be serving as his preceptor.

3. The preceptor pharmacist shall not allow an intern pharmacist to perform duties outside the scope of duties provided to him by the intern pharmacist. Within the scope of duties provided by the intern pharmacist and to the fullest extent practicable, the preceptor pharmacist shall allow the intern pharmacist to perform duties primarily related to:

(a) The selling of drugs, poisons and devices;

(b) The compounding of prescriptions;

(c) The filling and dispensing of prescriptions;

(d) The making and keeping of records and reports required by state and federal law;

(e) The counseling of patients regarding their drugs and prescriptions; and

(f) Any other duties or tasks defined to be the practice of pharmacy pursuant to NRS 639.0124.

A preceptor pharmacist shall not allow an intern pharmacist to perform duties that, in the judgment of the preceptor pharmacist, the intern pharmacist is not able to perform

safely and professionally regardless of whether the duties might be within the scope of the duties provided by the intern pharmacist.

4. The preceptor pharmacist shall make and keep a document that records the total number of hours that an intern pharmacist was utilized or employed.

5. A preceptor pharmacist or pharmacy shall notify the college of pharmacy at which the intern pharmacist is enrolled and the board if the preceptor pharmacist or pharmacy terminates the internship of an intern pharmacist because the intern pharmacist:

(a) Was arrested for, charged with, or convicted of a crime committed by the intern pharmacist while utilized or employed at the pharmacy;

(b) Had committed an act that in the judgment of the preceptor pharmacist or pharmacy constituted a violation of one or more provisions of Nevada or federal law regarding the practice of pharmacy; or

(c) Had committed an act that in the judgment of the preceptor pharmacist or pharmacy constituted a violation of one or more provisions of the pharmacy's policies and procedures.

The notification from the preceptor pharmacist or pharmacy shall state with specificity the reasons for the termination of the internship.

6. A preceptor pharmacist or pharmacy shall notify the college of pharmacy at which the intern pharmacist is enrolled if the preceptor pharmacist or pharmacy terminates the internship of an intern pharmacist for reasons other than those reasons set forth in section 5. The notification from the preceptor pharmacist or pharmacy shall state with specificity the reasons for the termination of the internship.

7. The college of pharmacy at which the intern pharmacist is enrolled shall provide the intern pharmacist with a form by which the intern pharmacist may evaluate the quality of his internship at a given pharmacy except that a college of pharmacy need not provide the intern pharmacist with an evaluation form for internships in which the intern pharmacist participates after the intern pharmacist has graduated from the college of pharmacy. The statements made by the intern pharmacist shall not be specifically attributed to the intern pharmacist if the college of pharmacy discusses the comments of the intern pharmacist with the pharmacy or preceptor pharmacist.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION
LCB File No. T034-03**

INFORMATIONAL STATEMENT

The informational statement required by NRS 233B.066 numerically conforms to the subsections of the statute as follows:

1. A DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED, A SUMMARY OF PUBLIC RESPONSE, AND AN EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY.

Public comment was solicited through public notices posted in county courthouses and through mailings to interested parties.

There was no public response expressed relative to this proposed regulation.

2. THE NUMBER OF PERSONS WHO: (A) ATTENDED EACH HEARING; (B) TESTIFIED AT EACH HEARING; AND (C) SUBMITTED TO THE AGENCY WRITTEN STATEMENTS.

The number of persons who attended the hearing was 1.

The number of persons who testified at the hearing was 1.

The number of agency submitted statements was 0.

3. A DESCRIPTION OF HOW COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES, A SUMMARY OF THEIR RESPONSE, AND AN EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY.

Comments were solicited from affected businesses through posting of public notices in the county courthouses, by direct mailings to all interested persons who have requested notices of board of pharmacy meeting agendas and by direct mailings to professional and trade associations.

There was no response from affected businesses relative to this proposed regulation.

4. IF THE REGULATION WAS ADOPTED WITHOUT CHANGING ANY PART OF THE PROPOSED REGULATION, A SUMMARY OF THE REASONS FOR ADOPTING THE REGULATION WITHOUT CHANGE.

The proposed regulation was amended slightly as a result of testimony offered at the hearing.

5. THE ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE BUSINESS WHICH IT IS TO REGULATE AND ON THE PUBLIC. THESE MUST BE STATED SEPARATELY, AND IN EACH CASE MUST INCLUDE:

A) BOTH ADVERSE AND BENEFICIAL EFFECTS.

This regulation should have no economic impact on affected businesses or on the public.

B) BOTH IMMEDIATE AND LONG-TERM EFFECTS.

This regulation will have no immediate or long-term economic effects on business or the public.

6. THE ESTIMATED COST TO THE AGENCY FOR ENFORCEMENT OF THE PROPOSED REGULATION.

There will be no cost incurred by the board for enforcement of this regulation.

7. A DESCRIPTION OF ANY REGULATIONS OF OTHER STATE OR GOVERNMENT AGENCIES WHICH THE PROPOSED REGULATION OVERLAPS OR DUPLICATES AND A STATEMENT EXPLAINING WHY THE DUPLICATION OR OVERLAPPING IS NECESSARY. IF THE REGULATION OVERLAPS OR DUPLICATES A FEDERAL REGULATION, THE NAME OF THE REGULATING FEDERAL AGENCY.

The Board of Pharmacy is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

8. IF THE REGULATION INCLUDES PROVISIONS WHICH ARE MORE STRINGENT THAN A FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY, A SUMMARY OF SUCH PROVISIONS.

The Board of Pharmacy is not aware of any similar regulations of the same activity in which the federal regulation is more stringent.

9. IF THE 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.