

LCB File No. R015-05

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

(This proposed regulation was previously adopted as T025-04)

**OFF-SITE COGNITIVE PHARMACEUTICAL SERVICES FOR
INSTITUTIONAL PHARMACIES**

Section 1. NAC chapter 639 is hereby amended to add the following new language:

1. “Off-site pharmaceutical services” means cognitive pharmaceutical services rendered by a pharmacy licensed by the board in lieu of services provided by a pharmacy located in a hospital in Nevada when the pharmacy located in a hospital is not operating. Off-site pharmaceutical services do not include the physical preparation or dispensing of prescription drugs. The pharmaceutical services that may be provided as off-site pharmaceutical services are:

(a) Receiving, interpreting or clarifying a medication order into the hospital’s or the pharmacy’s computer system;

(b) Entering data regarding a medication order;

(c) Transferring medication order information to or from the pharmacy or other hospital staff located in a hospital in Nevada;

(d) Interpreting clinical data regarding a patient in a hospital in Nevada;

(e) Performing therapeutic interventions regarding the treatment of a patient in a hospital in Nevada; and

(f) Providing drug information concerning medication orders or the treatment of a patient in a hospital in Nevada.

2. “Off-site pharmaceutical services provider” means a pharmacy licensed by the board that provides one or more off-site pharmaceutical services to a pharmacy located in a hospital in Nevada.

Section 2. NAC chapter 639 is hereby amended to add the following new language:

1. Each pharmacy required to have a full-time managing pharmacist pursuant to NAC 639.465 shall provide pharmaceutical services by:

(a) Operating at all times; or

(b) Providing pharmaceutical services through a pharmacist on duty when the pharmacy is operating and:

(i) A pharmacist who is a member of the pharmacy’s staff who is available at all hours when the pharmacy is not operating; or

(ii) An off-site pharmaceutical services provider when the pharmacy is not operating.

2. A pharmacy that chooses to use an off-site pharmaceutical services provider pursuant to subsection 1(b)(ii) may provide pharmaceutical services through an off-site pharmaceutical services provider where:

(a) The provider of off-site pharmaceutical services and the hospital in Nevada are commonly owned; or

(b) The provider of off-site pharmaceutical services and the hospital in Nevada have entered into a written contract.

3. The pharmacist employed by an off-site pharmaceutical services provider, when providing pharmaceutical services, must:

(a) Be licensed in Nevada;

(b) Be provided at the pharmacy from which he is providing pharmaceutical services the same computer system and the same access to the same data that would be available to a pharmacist working in the pharmacy at the hospital in Nevada, which information must include but is not limited to:

(i) The patient's height, weight, and age;

(ii) The patient's complete record regarding all drugs and medications;

(iii) All relevant laboratory test results to the extent that those results are entered into the hospital's or hospital's pharmacy's computer system;

(iv) The patient's health history and physical examination notes to the extent that those notes are entered into the hospital's or hospital's pharmacy's computer system;

(v) Physicians' and nurses' notes to the extent that those notes are entered into the hospital's or hospital's pharmacy's computer system;

(vi) A legible copy of the physician's order, provided either through a scanned image in the hospital's or hospital's pharmacy's computer system or by a facsimile copy provided to the pharmacist by the hospital in Nevada;

(vii) Any other information that may be contained in the hospital's or hospital's pharmacy's computer system that would be relevant or needed for a pharmacist to provide the requested pharmaceutical services;

(c) Have demonstrated to the provider of off-site pharmaceutical services that he is competent and knowledgeable regarding the computer system used by the hospital in Nevada and the providing of cognitive pharmaceutical services in a hospital;

(d) Before rendering pharmaceutical services regarding an order, review the information provided through the computer system and contact with hospital personnel, when needed, to evaluate:

(i) Overutilization or underutilization of a drug;

(ii) Therapeutic duplication;

(iii) Appropriateness of the dose and route of administration;

(iv) Appropriateness of the directions for use;

(v) Drug-disease contraindications;

(vi) Drug-drug interactions;

(vii) Appropriateness of the duration of drug treatment;

(viii) Drug-allergy interaction; or

(ix) Clinical abuse or misuse of a drug;

(e) Not provide pharmaceutical services if the pharmacist deems that he cannot reasonably or safely provide the services requested;

(f) For all pharmaceutical services provided, record in the computer system:

(i) His name or other unique identifying mark;

(ii) The date and time that he provided the pharmaceutical services; and

(iii) An indicator of the pharmaceutical services provided;

(g) Be trained regarding and abide by the hospital's and the hospital's pharmacy's policies and procedures regarding the pharmaceutical services provided and the security and confidentiality of the information being provided and used by the pharmacist; and

(h) Be trained regarding and abide by any special policies and procedures required by the hospital, the hospital's pharmacy, or the off-site pharmaceutical services provider related to the pharmaceutical services provided.

4. The managing pharmacist or the hospital in Nevada, in their discretion, may refuse to allow or may otherwise condition the pharmaceutical services provided by a pharmacist employed by the off-site pharmaceutical services provider.

5. In an emergency, a pharmacist may render off-site pharmaceutical services without all of the information required in subsection 3(b) as long as the pharmacist is satisfied in his professional judgment that he has received from the hospital's staff adequate information upon which to base his judgment.

6. If a hospital does not maintain some or all of the information in subsections 3(b)(iii), (iv), (v), and (vii), the hospital shall make available such information through other means when requested by the pharmacist who is providing off-site pharmaceutical services.

7. If a pharmacist refuses to render off-site pharmaceutical services pursuant to subsection 3(e), the pharmacist shall, as soon as practicable, notify the hospital that he is refusing to render off-site pharmaceutical services so that the hospital can make other arrangements for the provision of pharmaceutical services to the patient.

Section 3. NAC chapter 639 is hereby amended to add the following new language:

1. A provider of off-site pharmaceutical services must make, maintain, and abide by policies and procedures for:

(a) Protecting and assuring the confidentiality and integrity of patient information;

(b) Assuring that the pharmacist providing pharmaceutical services can comply with Section 2, subsection 3 of this regulation;

(c) Complying with all applicable federal and Nevada statutes, regulations, and rules;

(d) Conducting a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;

(e) Reviewing at least annually the policies and procedures and documenting such review;

(f) Making and keeping of records required by federal law, Nevada law, and this regulation, which records must be readily accessible to the board and its employees, agents, and designees;

(g) Assuring that the pharmacist providing the pharmaceutical services can speak with identified employees at the hospital in Nevada as needed to provide the pharmaceutical services, which must include the identification of and ability to speak with a pharmacist employed by the hospital or the hospital's pharmacy at any time; and

(h) Providing pharmaceutical services whenever an off-site pharmaceutical services provider temporarily or permanently cannot provide off-site pharmaceutical services.

SOURCE DOCUMENTS

Texas Regulations, Title 22, Part 15, Chapter 291, Subchapter B, §291.38

Proposed Regulations from Washington

Proposed Regulations from Florida (version December 2003)