

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

LCB File No. R044-07

July 11, 2007

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

AUTHORITY: §1, NRS 639.070.

A REGULATION relating to controlled substances; revising certain requirements relating to the transmission of information regarding the dispensing of controlled substances; and providing other matters properly relating thereto.

Section 1. NAC 639.926 is hereby amended to read as follows:

639.926 1. Each pharmacy that uses a computerized system to record information concerning prescriptions and that dispenses a controlled substance that is listed in schedule II, III or IV to a person who is not an inpatient of a hospital, correctional institution or nursing facility shall transmit to the Board or its agent the information set forth in the *ASAP Telecommunications Format for Controlled Substances*, ~~[May 1995]~~ *2005* edition, published by the American Society for Automation in Pharmacy, which is hereby adopted by reference, except the information relating to the following field names:

- (a) Identifier;
- (b) Bin;
- (c) Version Number;
- (d) Transaction Code;
- (e) Compound Code;
- (f) DEA Suffix;

- (g) Date RX Written;
- (h) Number Refills Authorized;
- (i) RX Origin Code;
- (j) Customer Location;
- (k) Diagnosis Code;
- (l) Alternate Prescriber Number;
- (m) State;
- (n) Zip Code (Extended);
- (o) Triplicate Serial Number; and
- (p) Filler.

2. A copy of the publication may be obtained from the American Society for Automation in Pharmacy, 492 Norristown Road, Suite 160, Blue Bell, Pennsylvania 19422, at no charge.

3. If the pharmacy records in its computerized system, in addition to the information required pursuant to subsection 1, the:

- (a) Prescription type;
- (b) Payment type; or
- (c) Identity of the person picking up the prescription,

↪ and its computerized system is capable of transmitting this information, the pharmacy shall include this information in its transmittal.

4. The pharmacy shall transmit the information required pursuant to this section not later than ~~f~~

~~—(a) The 20th day of a month for all prescriptions dispensed on and between the 1st and 15th days of that month; and~~

~~—(b) For all prescriptions dispensed on and between the 16th day and the last day of a month, the 5th day of the following month.]~~ *each Wednesday for the prescriptions filled from the immediately preceding Sunday through Saturday. If a Wednesday falls on a legal holiday, then the information must be reported on the next business day that is not a legal holiday.*

5. The information must be transmitted by means of a:

- (a) Form of electronic data transmission approved by the Board, including, without limitation, a computer modem that can transmit information at the rate of 2400 baud or more;
- (b) Computer disc; or
- (c) Magnetic tape of the kind that is used to transmit information between computerized systems.