

LCB File No. R096-07

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

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

**CONTROLLED SUBSTANCES REGULATIONS FOR
VETERINARIANS AND VETERINARY PRACTICES**

Section 1. NAC chapter 639 shall be amended to add the following new language:

1. A veterinarian may not prescribe controlled substances unless he is registered with the Federal Drug Enforcement Agency and the Nevada State Board of Pharmacy. The DEA certificate and the Pharmacy Board certificate must be prominently displayed in the facility.

2. A veterinarian may administer and dispense controlled substances without registering with the Federal Drug Enforcement Agency and the Nevada State Board of Pharmacy if:

(a) The veterinarian is employed by or an agent of a veterinarian who is registered with the Federal Drug Enforcement Agency and the Nevada State Board of Pharmacy;

(b) Both veterinarians work in the same facility;

(c) The facility makes and maintains a log in which all veterinarians are required to account for their use of the controlled substances, whether by administration or dispensing, so that the controlled substances purchased by the veterinarian who is registered are accounted.

Section 2. NAC chapter 639 shall be amended to add the following new language:

A veterinarian must have and use effective controls and procedures to prevent and guard against theft, misuse, and diversion of controlled substances including at least:

1. Storing all controlled substances in a securely locked, substantially constructed cabinet. Controlled substances in schedule II must be doubly locked, such as in a locked cabinet in a locked room or in a lock-box inside a safe.

2. Restricting access to the controlled substances to the veterinarian or his licensed veterinary technician at the direction of the veterinarian. Veterinary technicians in training may possess and administer a controlled substance at the direction of a supervising veterinarian.

3. Prohibiting access to any employee who has been convicted of a felony involving controlled substances or who has had a DEA registration denied, revoked, or surrendered unless the board has allowed the employee to have such access.

Section 3. NAC chapter 639 shall be amended to add the following new language:

1. A veterinarian must make and keep complete, accurate, and readily retrievable records of each prescription drug, including each controlled substance purchased and dispensed.

2. Records of controlled substance orders and purchases must be maintained separately from similar records for other drugs.

3. All records regarding controlled substances in Schedule II must be kept separate from records regarding controlled substances in Schedules III, IV, and V.

4. All order forms for Controlled substances in Schedule II must be accounted for, fully filled out and signed and kept for at least two years.

5. Within ten days of discovery, a veterinarian must report any theft or loss of a controlled substance to the Nevada State Board of Pharmacy and the Department of Drug Enforcement on a DEA form 106 and may also report the theft or loss to the Nevada Department of Public Safety or a local law enforcement agency.

6. Out-of-date or unusable controlled substances must be listed on a DEA form 41 and should be destroyed with the assistance of either the DEA or the Nevada State Board of Pharmacy.

7. A veterinarian who dispenses controlled substances to owners of animals must make and keep a current inventory of each drug.

8. All records regarding prescription drugs, including controlled substances, must be maintained for at least two years and must be available during regular business hours to agents of the board or to agents for the board of pharmacy for review, copying, and potential removal.

Section 4. NAC chapter 453 shall be amended to add the following new language:

1. All prescriptions filled by a veterinarian must be dispensed in a container to which is affixed a label or other device which clearly shows:

- (a) The dispensing date;*
- (b) The name and address of the veterinarian who filled the prescription;*
- (c) The name of the prescribing veterinarian, the name of the owner of the animal for whom the drug is prescribed, and the name of the animal for whom the drug is prescribed;*
- (d) The number of dosage units;*
- (e) Specific directions for use given by the veterinarian;*
- (f) The expiration date of the drug;*
- (g) The name of the drug; and*
- (h) The strength of the drug or medicine.*

2. All prescriptions dispensed by a veterinarian shall be dispensed in a container which is designed to prevent a child from opening it, if commercially available, unless the person to whom the medication is dispensed:

- (a) Is at least 18 years of age;*
- (b) Specifically requests a container which is not so designed; and*
- (c) Signs a document verifying that he made such a request.*