

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

**LCB File No. R049-08**

April 3, 2008

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

AUTHORITY: §1, NRS 453.146, 453.221 and 639.070.

A REGULATION relating to prescriptions; removing the requirement that prescriptions for schedule II controlled substances must be cancelled after being filled; and providing other matters properly relating thereto.

**Section 1.** NAC 453.450 is hereby amended to read as follows:

453.450 1. A pharmacist may dispense a controlled substance listed in schedule II only pursuant to:

(a) A written prescription, including a written prescription described in subsection 1 of NAC 639.711 that is transmitted by a practitioner or his agent by a facsimile machine to a pharmacy; or

(b) An emergency oral prescription authorized by a prescribing practitioner pursuant to NAC 453.420.

2. ~~[A]~~ *Except as otherwise provided in subsection 4, a* prescription blank may contain more than one controlled substance listed in schedule II. ~~[A]~~ *Except as otherwise provided in subsection 4, a* prescription blank that contains a controlled substance listed in schedule II may include other controlled substances not listed in schedule II and other prescription drugs. If a prescription for a controlled substance listed in schedule II is written on the same prescription blank with a prescription for another drug, including another controlled substance listed in

schedule II, the pharmacy or dispensing practitioner shall maintain the original prescription blank in the file maintained pursuant to NAC 453.480 for controlled substances listed in schedule II. After the prescription for the controlled substance listed in schedule II is filled, the pharmacy or dispensing practitioner shall make a copy of the prescription blank for each of the other prescriptions written on that prescription blank and file the copy of the prescription blank in the appropriate file maintained pursuant to NAC 453.480. Each copy of the prescription blank filed must include:

- (a) A reference to the serial number of the prescription for a controlled substance listed in schedule II; or
- (b) If the prescription blank contains more than one controlled substance listed in schedule II, a reference to the serial number of the first prescription for a controlled substance listed in schedule II.

3. ~~Each prescription for a controlled substance listed in schedule II must, immediately after filling, be conspicuously cancelled on its face. The cancellation must include the date on which it was filled and the signature and certificate number of the pharmacist who filled it.~~

~~4. Except as otherwise provided in this subsection, a~~ A pharmacist shall return, upon request by a patient or a patient's agent or representative, any written prescription for a controlled substance listed in schedule II. ~~[, even if the pharmacist has already cancelled the prescription pursuant to subsection 3. A pharmacist who receives a written prescription for a controlled substance listed in schedule II that has been cancelled on its face shall verify with a pharmacist employed by the pharmacy that cancelled the prescription whether or not the prescription has previously been filled. If the pharmacist verifies that the prescription has~~

~~previously been filled and dispensed to the patient, the pharmacist shall not return the cancelled prescription to the patient or the patient's agent or representative.~~

~~—5.]~~ **4.** A practitioner who wishes to issue a prescription for a controlled substance listed in schedule II on which it is indicated that the prescription may not be filled until a future date must use the phrase “Do not fill before (date)” or “Do not dispense until (date)” or other similar words on the prescription to indicate that the prescription may not be filled before the date indicated. The date indicated by the practitioner must not be later than 3 months after the date on which the prescription is written. The date indicated by the practitioner is the date of issue for the purposes of subsection 4 of NRS 453.431. No combination of prescriptions issued pursuant to this subsection may exceed a 90-day supply based on the date indicated for the earlier of the prescriptions. Any prescription issued pursuant to this subsection must not be included on a prescription blank or other document prescribing any other dangerous drug or controlled substance.