

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

**LCB File No. R176-12**

**WORKSHOP LANGUAGE FOR E-SCRIBING OF C-II PRESCRIPTIONS**

**July 19, 2012**

**NAC 639.7105 Electronic transmission of prescription.** (NRS 639.070, 639.0745) Except as otherwise provided in NAC 639.711:

1. A prescription for~~f~~:

~~—(a) A controlled substance listed in schedule II must not be transmitted electronically.~~

~~—(b)}~~ A dangerous drug or a controlled substance listed in schedule **II**, III, IV or V may be transmitted electronically by a practitioner to a pharmacy.

2. A practitioner shall not transmit a prescription electronically to a pharmacy unless:

(a) The practitioner is the only person who will have access to the prescription until it is received by the pharmacy;

(b) The patient:

(1) Consents to the transmission of the prescription electronically; and

(2) Approves the pharmacy where the prescription will be transmitted; and

(c) All requirements 21 C.F.R. Part 1311 are satisfied.

3. In addition to the requirements set forth in NRS 639.2353 and 639.2589, a prescription that is transmitted electronically to a pharmacy must include:

(a) The registration number from the Drug Enforcement Administration of the prescribing practitioner if the prescription is for a controlled substance;

(b) The telephone number of the practitioner;

- (c) The time and date of the transmission; and
- (d) The name of the pharmacy to which the prescription is sent.

***4. If a prescription for a controlled substance is sent electronically, in addition to subsection 3, it may include and must include when technologically available:***

- (a) The controlled substance registration number of the Nevada practitioner;***
- (b) The date of the last physical examination of the patient; and***
- (c) The indication for use or the diagnosis code.***

**5. ~~4.~~** A pharmacist who receives a prescription that is transmitted electronically shall:

(a) Print a copy of the prescription on paper that is of sufficient quality to last for at least 2 years; and

(b) Keep a copy of the prescription for at least 2 years after the pharmacy receives the prescription.

**6. ~~5.~~** A pharmacist shall not dispense a prescription that is transmitted electronically until the pharmacist determines that the prescription complies with the requirements of state and federal law.

**7. ~~6.~~** A prescription that is transmitted electronically and complies with the provisions of this section shall be deemed an original prescription.

***8. The Nevada Board of Pharmacy has reserved the right to suspend the electronic prescribing privileges of any practitioner that is suspected to be prescribing unlawfully, fraudulently or not for a legitimate medical purpose.***