

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

LCB File No. R016-13

July 11, 2013

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

AUTHORITY: §1, NRS 639.070, as amended by section 80 of Senate Bill No. 220, Statutes of Nevada 2013, at page 2237.

A REGULATION relating to controlled substances; revising provisions concerning the storage and destruction of certain controlled substances; and providing other matters properly relating thereto.

Section 1. NAC 639.050 is hereby amended to read as follows:

639.050 1. Upon the discontinuance of a controlled substance, a controlled substance becoming outdated or the demise of a patient at a facility for skilled nursing or facility for intermediate care which is licensed by the Health Division, any remaining controlled substance dispensed to the patient must be placed in a secured locked compartment. The controlled substance must be secured in the locked container until destroyed in the manner prescribed in NAC 639.498.

2. Each practitioner or pharmacy shall physically separate each controlled substance which is outdated, damaged, deteriorated, misbranded or adulterated from the balance of its stock medications. The ~~controlled substances must be held for destruction by an agent of the Board. The agent shall provide the~~ practitioner or pharmacy ~~with a copy of the Controlled Substance Enforcement Administration form 41 (“Registrants Inventory of Controlled Substances Surrendered”)~~ acknowledging destruction of the controlled substances. ~~The controlled substances~~

~~must be destroyed~~ shall destroy such controlled substances at least once each year. *The practitioner or pharmacy shall complete Form DEA-41 of the Drug Enforcement Administration, “Registrants Inventory of Drugs Surrendered,” to acknowledge the destruction of the controlled substances.*

3. This section does not apply to controlled substances packaged in manufacturer’s unit-dose packages which are governed by the provisions of NRS 639.267 ~~H~~, *as amended by section 137.4 of Assembly Bill No. 488, Statutes of Nevada 2013, at page 3068.*