

# PROPOSED REGULATION OF THE STATE BOARD OF PHARMACY

LCB File No. R096-13

Workshop September 5, 2013

Explanation – Language in *italics* is new; language in red ~~omitted material~~ is language to be omitted.

AUTHORITY: §1, NRS 639.070

**AMENDMENT of Nevada Administrative Code §639.926 Transmission of information regarding dispensing of controlled substances to certain persons.** Amends the rule that presently establishes the data fields and frequency of the controlled substance information transmitted to the Board. Amendment will improve the timeliness of the date to improve the quality of the data provided to practitioners and pharmacies pursuant to NRS 453.1545.

## Section 1. Propose to amend NAC 639.926 to read:

**NAC 639.926 Transmission of information regarding dispensing of controlled substances to certain persons.** (NRS 639.070)

1. Each pharmacy *and dispensing practitioner* 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 *following* information set forth in the *2011 ASAP [Telecommunications Format for Controlled Substances, 2011 edition,] Version 4.2 Standard for Prescription Monitoring Programs* published by the American Society for Automation in Pharmacy, which is hereby adopted by reference *thereto*, ~~except the information relating to the following field names~~:

- (a) ~~Identifier;~~ *Transaction Header;*
  - (I) *Version/Release Number;*
  - (II) *Transaction Control Number;*
  - (III) *Transaction Type;*
  - (IV) *Response ID;*
  - (V) *Creation Date;*
  - (VI) *Creation Time;*
  - (VII) *File Type;* and
  - (VIII) *Segment Terminator Character.*
- (b) ~~Bin;~~ *Information Source;*
  - (I) *Unique Information Source ID;*
  - (II) *Information Source Entity Name;* and
  - (III) *Message.*
- (c) ~~Version Number;~~ *Pharmacy Header*
  - (I) *NPI Number;*
  - (II) *DEA Number;*
  - (III) *Dispenser Name;*

- (IV) *Phone Number*
- (V) *Contact Name; and*
- (VI) *Chain Site ID.*
- (d) ~~{Transaction Code;}~~ *Patient Information*
  - (I) *Last Name;*
  - (II) *First Name;*
  - (III) *Address;*
  - (IV) *City;*
  - (V) *State;*
  - (VI) *Zip Code;*
  - (VII) *Phone number;*
  - (VIII) *Date of Birth; and*
  - (IX) *Gender.*
- (e) ~~{Compound Code;}~~ *Dispensing Record*
  - (I) *Reporting Status;*
  - (II) *Prescription Number;*
  - (III) *Date Written;*
  - (IV) *Refills Authorized;*
  - (V) *Date Filled;*
  - (VI) *Refill Number;*
  - (VII) *Product ID Qualifier;*
  - (VIII) *Product ID;*
  - (IX) *Quantity Dispensed;*
  - (X) *Days Supply;*
  - (XI) *Transmission form of Rx Origin Code;*
  - (XII) *Code for Payment Type; and*
  - (XIII) *Date Sold.*
- (f) ~~{DEA Suffix;}~~ *Prescriber Information*
  - (I) *NPI Number;*
  - (II) *DEA Number;*
  - (III) *DEA Number Suffix;*
  - (IV) *Last Name;*
  - (V) *First Name; and*
  - (VI) *Phone number.*
- (g) ~~{Date RX Written;}~~ *Compound Drug Ingredient Detail*
  - (I) *Ingredient Sequence Number;*
  - (II) *Product ID Qualifier;*
  - (III) *Product ID;*
  - (IV) *Component Ingredient Quantity; and*
  - (V) *Drug Dosage Units Code.*
- (h) ~~{Number Refills Authorized;}~~ *Pharmacy Trailer*
  - (I) *Detail Segment Count*
- (i) ~~{RX Origin Code;}~~ *Transaction Trailer*
  - (I) *Transaction Control Number; and*
  - (II) *Segment Count.*
- ~~{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 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.]~~ 4. The information must be transmitted by means of a~~]:~~

- ~~—(a) F]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].~~