PROPOSED REGULATION OF THE STATE BOARD OF PHARMACY

LCB FILE NO. R045-17

Workshop July 20, 2017

Explanation – Language in ***blue italics*** is new; language in ***red text*** ~~[omitted material]~~ is language to be omitted, and language in ***green text*** indicates prior Board-approved amendments that are in the process of being codified.

AUTHORITY: §1, NRS 639.070

1. **A REGULATION relating to the transmission of information to the Prescription Monitoring Program. Modification of Day Supply Reporting and Addition of ICD-10 Code (International Classification of Diseases Tenth Revision). Adding Schedule V drugs to the list of controlled substances that must be reported to the Prescription Monitoring Program.**

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

1. Each pharmacy ***and 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, ***or V*** 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, as applicable, set forth in the *2011 ASAP Version 4.2 Standard for Prescription Monitoring Programs* published by the American Society for Automation in Pharmacy. The following Segments and the accompanying Data Elements of the Implementation Guide for the *2011 ASAP Version 4.2 Standard for Prescription Monitoring Programs* are hereby adopted by reference:

(a) The Segment entitled "TH Transaction Header" and the following Data Elements:
  (1) Version/Release Number;
  (2) Transaction Control Number;
  (3) Transaction Type;
  (4) Response ID;
  (5) Creation Date;
  (6) Creation Time;
  (7) File Type; and
  (8) Segment Terminator Character;

(b) The Segment entitled "IS Information Source" and the following Data Elements:
  (1) Unique Information Source ID;
  (2) Information Source Entity Name; and
  (3) Message;

(c) The Segment entitled "PHA Pharmacy Header" and the following Data Elements:
  (1) National Provider Identifier (NPI);
  (2) DEA Number;
  (3) Pharmacy or Dispensing Prescriber Name;

(4) Phone Number;
(5) Contact Name; and
(6) Chain Site ID;

(d) The Segment entitled "PAT Patient Information" and the following Data Elements:
(1) Last Name;
(2) First Name;
(3) Address Information - 1;
(4) City Address;
(5) State Address;
(6) ZIP Code Address;
(7) Phone Number;
(8) Date of Birth; and
(9) Gender Code;

(e) The Segment entitled "DSP Dispensing Record" and the following Data Elements:
(1) Reporting Status;
(2) Prescription Number;
(3) Date Written;
(4) Refills Authorized;
(5) Date Filled;
(6) Refill Number;
(7) Product ID Qualifier;
(8) Product ID;
(9) Quantity Dispensed;
(10) Days Supply, ***the fewest number of days necessary to consume the quantity as determined by the practitioner;***
(11) Transmission Form of Rx Origin Code;
(12) Classification Code for Payment Type; and
(13) Date Sold;
(14) ICD-10 Code (International Classification of Diseases Tenth Revision) for which the prescription was prescribed;

(f) The Segment entitled "PRE Prescriber Information" and the following Data Elements:
(1) National Provider Identifier (NPI);
(2) DEA Number;
(3) DEA Number Suffix;
(4) Last Name;
(5) First Name; and
(6) Phone Number;

(g) The Segment entitled "CDI Compound Drug Ingredient Detail" and the following Data Elements:
(1) Compound Drug Ingredient Sequence Number;
(2) Product ID Qualifier;
(3) Product ID;
(4) Component Ingredient Quantity; and
(5) Compound Drug Dosage Units Code;

(h) The Segment entitled "TP Pharmacy Trailer" and the Data Element Detail Segment Count; and

(i) The Segment entitled "TT Transaction Trailer" and the following Data Elements:
(1) Transaction Control Number; and
(2) Segment Count.

2. A copy of the publication may be obtained from the American Society for Automation in Pharmacy at the Internet address **http://www.asapnet.org**, or by telephone at (610) 825-7783, for the price of $175 for members and $875 for nonmembers.

3. A pharmacy that dispenses a controlled substance and is required to transmit information to the Board or its agent pursuant to subsection 1 shall transmit the information not later than the end of the next business day after dispensing the controlled substance. A pharmacy that does not dispense a controlled substance as specified in subsection 1 shall transmit to the Board or its agent a zero report stating that the pharmacy did not dispense such a controlled substance on the immediately preceding business day.

4. The information required pursuant to this section or a zero report must be transmitted by means of:

(a) A secure file transfer protocol;

(b) An upload from an Internet web portal; or

(c) A manual entry.