

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

**LCB FILE NO. R035-19I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 07/19/2019**

# Proposed Regulation of the Nevada State Board of Pharmacy

Workshop July 18, 2019

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: NRS 453.162; NRS 453.163; NRS 639.070; NRS 639.1371; NRS 639.23507;  
NRS 639.23916

**A REGULATION relating to access to the database of the program established pursuant to NRS 453.162; and providing other matters properly relating thereto.**

**Section. 1. Chapter 453 of NAC is hereby amended by adding thereto the following provisions:**

*1. A managing pharmacist under NRS 639.220 shall designate any intern pharmacist, pharmaceutical technician, or pharmaceutical technician in training employed by the pharmacy that will be responsible for accessing the database of the computerized program established pursuant to NRS 453.162 on behalf of the pharmacy.*

*2. A intern pharmacist, pharmaceutical technician, or pharmaceutical technician in training designated pursuant to subsection 1 must complete the course of training required pursuant to subsection 6 of NRS 453.164 before he or she is provided with Internet access to the database.*

*3. The managing pharmacist shall be liable for any action of any person designated pursuant to subsection 1 relating to accessing the database.*

*4. The managing pharmacist shall immediately notify the Board whenever any person designated pursuant to subsection 1 ceases to be employed by the pharmacy and shall cooperate with the Board to take any action necessary to terminate access to the database by that person.*

**Sec. 2. NAC 453.070 is hereby amended as follows:**

1. Except as otherwise provided in NAC 453.074, a practitioner other than a veterinarian may designate not more than two members of his or her staff to act as delegates for the purpose of accessing the database of the computerized program established pursuant to NRS 453.162 to obtain a patient utilization report pursuant to NRS 639.23507 on behalf of the practitioner.

2. A delegate designated pursuant to subsection 1 must complete the course of training required pursuant to subsection ~~5~~6 of NRS 453.164 before the delegate is provided with Internet access to the database.

3. The practitioner shall be liable for any action of the delegate relating to accessing the database.

*4. The practitioner shall immediately notify the Board whenever a delegate designated pursuant to subsection 1 ceases to be a member of his or her staff and shall cooperate with the Board to take any action necessary to terminate access to the database by that person.*

**Sec. 3. NAC 453.074 is hereby amended as follows:**

1. A hospital may designate members of the staff of the hospital to act as delegates for the purpose of accessing the database of the computerized program established pursuant to NRS 453.162 to obtain a patient utilization report pursuant to NRS 639.23507 on behalf of a physician providing service in a hospital emergency department.

2. A delegate designated pursuant to subsection 1 must complete the course of training required pursuant to subsection ~~5~~6 of NRS 453.164 before the delegate is provided with Internet access to the database.

3. The hospital shall be liable for any action of the delegate relating to accessing the database.

*4. The hospital shall immediately notify the Board whenever a delegate designated pursuant to subsection 1 ceases to be a member of the staff and shall cooperate with the Board to take any action necessary to terminate access to the database by that person.*

**Section. 4. Chapter 453 of NAC is hereby amended by adding thereto the following provisions:**

*1. A practitioner who is not licensed to practice in this State, but is authorized by the laws of another state or by federal law to prescribe a controlled substance in conformance with 21 CFR § 1306.03 may enroll with the Board pursuant to this section for Internet access to the database of the computerized program established pursuant to NRS 453.162 to obtain a patient utilization report pursuant to NRS 453.162(1)(a)(1).*

*2. To enroll pursuant to this section for Internet access to the database, the practitioner must apply to the Board on an application provided by the Board. The practitioner must complete the course of training required pursuant to subsection 6 of NRS 453.164 before he or she is provided with Internet access to the database.*

*3. A practitioner acting pursuant to subsection 1:*

*(a) May not designate any delegates pursuant to NAC 453.070; and*

*(b) Is subject to the laws and jurisdiction of the State of Nevada, including, without limitation, any regulations adopted by the Board, relating to accessing the database.*

**Section. 5. Chapter 453 of NAC is hereby amended by adding thereto the following provisions:**

*1. A pharmacist who is not registered in this State, but is a registered pharmacist authorized by the laws of another state or by federal law to dispense a controlled substance in conformance with 21 CFR § 1306.06, may enroll with the Board pursuant to this section for Internet access to the database of the computerized program established pursuant to NRS 453.162 to obtain a patient utilization report pursuant to NRS 453.162(1)(a)(1).*

*2. To enroll pursuant to this section for Internet access to the database, the pharmacist must apply to the Board on an application provided by the Board. The pharmacist must complete the course of training required pursuant to subsection 6 of NRS 453.164 before he or she is provided with Internet access to the database.*

*3. A pharmacist acting pursuant to subsection 1 is subject to the laws and jurisdiction of the State of Nevada, including, without limitation, any regulations adopted by the Board, relating to accessing the database.*

