

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

LCB FILE NO. R071-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/12/2019**

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop

September 5, 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 453.221; NRS 639.070

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

1. *Upon notice that an occupational licensing board that licenses a practitioner has placed that license on inactive status, the Executive Secretary of the Board on behalf of the Board will, without a hearing, place any certificate of registration issued by the Board to that practitioner pursuant to NRS 453.226 on inactive status.*
2. *If the Board places the certificate of registration of a practitioner on inactive status, the practitioner may not dispense any controlled substance within this State during the period that his or her certificate of registration is placed on inactive status.*
3. *A registration placed on inactive status pursuant to subsection 1 will remain inactive until such time as the registrant presents proof to the Executive Secretary of the Board that the occupational licensing board that licenses the practitioner has reinstated that license to active status.*
4. *A registrant whose registration is placed on inactive status pursuant to subsection 1 may petition the Executive Secretary of the Board at any time for reinstatement of the registration to active status.*
5. *If a registration is placed on inactive status pursuant to subsection 1, the Board will provide written notice to the registrant as soon as practicable after the registration is placed on inactive status. The notice shall inform the registrant:*
 - (a) *That the registrant may petition the Executive Secretary of the Board at any time for reinstatement of the registration to active status;*
 - (b) *That the registrant's Internet access to the database of the program established pursuant to NRS 453.162 is suspended while the registration remains on inactive status; and*
 - (c) *That the registrant may request a hearing before the Board to contest or appeal the placement of the registration on inactive status.*
6. *If the Executive Secretary of the Board denies a petition for reinstatement of the registration to active status, the Board will provide written notice to the registrant as soon as practicable after the denial of the petition. The notice shall inform the registrant that he or she may request a hearing before the Board to contest or appeal the denial of the petition.*
7. *To request a hearing before the Board to contest or appeal the placement of a registration on inactive status or the denial of a petition for reinstatement of the registration to active*

status, the registrant must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the notice pursuant to subsection 4 or 5.

- 8. If a registrant requests a hearing before the Board pursuant to subsection 6, the Board will conduct a hearing at the next regularly scheduled meeting of the Board, but in any event, the hearing must be instituted and determined within 45 days after the date of the request for a hearing, unless a continuance is requested by the registrant.*