

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

LCB File No. R119-21

February 24, 2022

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

AUTHORITY: § 1, NRS 639.070 and section 1 of Assembly Bill No. 177, chapter 184, Statutes of Nevada 2021, at page 861 (NRS 639.28013).

A REGULATION relating to pharmacy; establishing the languages in which certain pharmacies are required to provide the directions for use of a prescription drug to certain patients or authorized representatives of certain patients; establishing a method by which the Board will update the list of such languages; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Pharmacy to regulate the practice of pharmacy, including the sale and dispensing of drugs. (NRS 639.070) Existing law sets forth requirements for labeling containers for prescription drugs, including a requirement that each pharmacy, except for an institutional pharmacy, provide the directions for use on the label or other device affixed to the container for the prescription drug in English and, upon the request of a prescribing practitioner, patient or authorized representative of a patient, any language prescribed by regulations adopted by the Board. (Section 1 of Assembly Bill No. 177, chapter 184, Statutes of Nevada 2021, at page 861 (NRS 639.28013)) This regulation requires the directions for use on the label or other device affixed to the container for the prescription drug to be provided, upon the request of the prescribing practitioner, a patient or an authorized representative of a patient, at the time the prescription drug is dispensed, in both English and Spanish, Tagalog, Chinese, Amharic, Somali, Vietnamese or Korean. If information in the additional requested language does not fit on the label or other device affixed to the container for the prescription drug, this regulation requires it to be provided in a document provided to the patient or his or her authorized representative at the time the prescription drug is dispensed. Finally, this regulation provides that after the tabulations of population are reported by the Secretary of Commerce for each decennial census conducted by the Bureau of the Census of the United States Department of Commerce, the Board will: (1) review the demographic trends and projections of this State; and (2) if the Board determines that the list of languages set forth in this regulation must be updated, adopt a regulation to update that list within 120 days after its determination.

Section 1. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Pursuant to section 1 of Assembly Bill No. 177, chapter 184, Statutes of Nevada 2021, at page 861 (NRS 639.28013), each pharmacy, except for an institutional pharmacy, shall, upon the request of the prescribing practitioner, a patient or an authorized representative of a patient, provide the information required by subsection 6 of NRS 639.2801 in both English and any one of the following languages:

- (a) Spanish;*
- (b) Tagalog;*
- (c) Chinese, in both traditional and simplified;*
- (d) Amharic;*
- (e) Somali;*
- (f) Vietnamese; or*
- (g) Korean.*

2. If the information required by subsection 6 of NRS 639.2801 is required to be provided in a language listed in subsection 1, other than English, and the information does not fit on the label or other device which is affixed to the container in which the prescription is dispensed:

(a) The information must be provided in a document that is provided to the patient or an authorized representative of the patient at the time the prescription is dispensed alongside the prescribed drug; and

(b) In addition to complying with the requirements of NAC 639.707 and 639.708, the pharmacist must inform the patient or authorized representative of the patient of the information provided pursuant to paragraph (a).

3. As soon as practicable after the tabulations of population are reported by the Secretary of Commerce for a decennial census conducted by the Bureau of the Census of the United States Department of Commerce, the Board will review demographic trends and projections of this State. If the Board determines that the languages listed in subsection 1 must be updated, the Board will adopt a regulation to update the languages listed in subsection 1 within 120 days after its determination.