

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

LCB FILE NO. R051-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 04/20/2022**

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – April 14,
2022

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 639.070; NRS 639.180; NRS 639.2107

A REGULATION relating to the regulation of pharmacy; requiring the holder of any certificate, license or permit issued by the State Board of Pharmacy to report certain convictions and administrative actions to the Board; and providing other matters properly relating thereto.

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

1. The holder of any certificate, license or permit issued by the Board shall:

(a) Upon being convicted of any crime by any court of competent jurisdiction, other than a misdemeanor traffic violation not involving the use of alcohol or a controlled substance, report the conviction to the Executive Secretary within 30 days after the conviction and provide any documentation of the conviction requested by the Executive Secretary.

(b) Report any administrative action against the holder by any professional licensing board or agency of this or any other state or any federal agency to the Executive Secretary within 30 days after the final disposition of the administrative action and provide any documentation of the administrative action requested by the Executive Secretary.

(c) Report the surrender of any registration issued by the Drug Enforcement Administration pursuant to 21 U.S.C. § 823 immediately upon the surrender and provide any documentation of the surrender requested by the Executive Secretary.

2. The Executive Secretary, on behalf of the Board, may require the holder of any certificate, license or permit issued by the Board who reports a conviction or an administrative action pursuant to subsection 1 to appear personally before the Board before the renewal of the certificate, license or permit.

3. For the purposes of this section, the term "conviction" includes, without limitation:

(a) A final judgment of conviction;

(b) A plea of guilty or nolo contendere;

- (c) A plea pursuant to North Carolina v. Alford, 400 U.S. 25 (1970); and*
- (d) A guilty verdict following a bench or jury trial, regardless of whether a sentence is suspended or deferred, a final judgment of conviction has been entered or there are any pending appeals.*