

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

LCB FILE NO. R086-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/09/2022**

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – June 2, 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 639.016; NRS 639.070; NRS 639.500

A REGULATION relating to appearance before the Board for certain registrants and licensees.

LEGISLATIVE COUNSEL'S DIGEST

Section. 1. NAC Chapter 639 of NAC is hereby amended by changing the following provisions:

NAC 639.870 Certificate of registration: Application; fee; period of validity; appearance before Board; collaborating physician; late renewal. (NRS 639.070, 639.1375)

1. The application of an advanced practice registered nurse for a certificate of registration to dispense controlled substances, poisons, dangerous drugs and devices must include:

(a) The name, address, social security number and telephone number of the applicant;

(b) A copy of the certificate issued by the State Board of Nursing which authorizes the applicant to dispense controlled substances, poisons, dangerous drugs and devices;

(c) The name, address and telephone number of the applicant's collaborating physician, if any;

(d) Written verification from the State Board of Nursing that the applicant has passed an examination on Nevada law relating to pharmacy; and

(e) Any other information requested by the Board.

2. Each application for the issuance or the biennial renewal of a certificate of registration must be accompanied by a nonrefundable fee of \$300. The biennial certificate of registration covers the period beginning on November 1 of each even-numbered year.

3. Each advanced practice registered nurse who applies for a certificate of registration and his or her collaborating physician, if any, ~~must~~ *may be required to* appear personally before the Board for a determination and an assignment of the

specific authority to be granted to the advanced practice registered nurse if the advanced practice registered nurse:

- (a) Will be operating in a practice not previously licensed by the Board;
- (b) Responded affirmatively to any of the questions on the application regarding his or her character or competency; or
- (c) Is requested to do so by the Board.

~~4. Each advanced practice registered nurse to whom a certificate of registration is issued must be registered to a collaborating physician unless:~~

- ~~— (a) The advanced practice registered nurse is not required to have a collaborating physician pursuant to subsection 3 of NRS 632.237; or~~
- ~~— (b) The advanced practice registered nurse will not prescribe any controlled substance listed in schedule II.~~

5. An advanced practice registered nurse who fails to renew his or her certificate of registration within the time prescribed by statute or regulation must pay, in addition to the fee for renewal required by subsection 2, a fee equal to 50 percent of the fee for the renewal of the certificate.

(Added to NAC by Bd. of Pharmacy, eff. 12-3-84; A 6-14-90; 10-17-91; 10-1-93; 1-10-94; R015-03, 10-21-2003; R122-09, 1-28-2010; R118-13, 3-28-2014)

NAC 639.272 Requirements for registration certificate. (NRS 639.070, 639.1373)

- 1. The application of a physician assistant for:
 - (a) A registration certificate to prescribe controlled substances, poisons, dangerous drugs and devices or to prescribe poisons, dangerous drugs and devices; or
 - (b) A registration certificate to prescribe and dispense controlled substances, poisons, dangerous drugs and devices or to prescribe and dispense poisons, dangerous drugs and devices,
 - ↳ must be in writing and filed with the Executive Secretary.
- 2. Each application for a registration certificate to prescribe controlled substances, poisons, dangerous drugs and devices or to prescribe poisons, dangerous drugs and devices must include:
 - (a) The name, address, social security number and telephone number of the applicant;
 - (b) A copy of the license issued by the Board of Medical Examiners or certificate issued by the State Board of Osteopathic Medicine that authorizes the applicant to prescribe controlled substances, poisons, dangerous drugs and devices or to prescribe poisons, dangerous drugs and devices;
 - (c) The name, address and telephone number of the applicant's supervising physician; and

(d) Any other information requested by the Board.

3. Each application for a registration certificate to prescribe and dispense controlled substances, poisons, dangerous drugs and devices or to prescribe and dispense poisons, dangerous drugs and devices must include:

(a) The name, address, social security number and telephone number of the applicant;

(b) A copy of the license issued by the Board of Medical Examiners or certificate issued by the State Board of Osteopathic Medicine that authorizes the applicant to prescribe and dispense controlled substances, poisons, dangerous drugs and devices or to prescribe and dispense poisons, dangerous drugs and devices;

(c) The name, address and telephone number of the applicant's supervising physician; and

(d) Any other information requested by the Board.

4. Each physician assistant who applies for a registration certificate pursuant to subsection 3 ~~must~~ may be required to:

(a) Personally appear before the Board for determination and assignment of the specific authority to be granted to the physician assistant if the physician assistant:

(1) Responded affirmatively to any of the questions on the application regarding his or her character or competency; or

(2) Is requested to do so by the Board; ~~and~~

5. Each physician assistant who applies for a registration certificate pursuant to subsection 3 ~~must~~ ~~(b)~~ ~~P~~ pass an examination administered by the Board on the law relating to pharmacy.

5. Each physician assistant to whom a registration certificate is issued must be registered to a supervising physician.

(Added to NAC by Bd. of Pharmacy, eff. 10-26-83; A 2-6-90; 9-10-90; 10-17-91; 10-1-93; 10-24-97; R006-01, 11-1-2001; R120-09, 1-28-2010)

NAC 639.215 Application for license to operate pharmacy: Appearance of applicant before Board; execution on behalf of partnership or corporation; payment of expenses for special meeting of Board. (NRS 639.070, 639.231)

1. An applicant for a license to operate a pharmacy in the State of Nevada ~~must~~ may be required to appear before the Board in support of the application ~~and must~~ receive instructions relative to the pharmacy laws if the applicant:

(a) Is applying for a license to operate a pharmacy in this State for the first time;

(b) Responded affirmatively to any of the questions on the application regarding his or her character or competency;

(c) Is applying for the licensure of a pharmacy located outside the State that will be shipping compounded parenteral products into this State; or

(d) Is requested to do so by the Board.

2. If an applicant who is required to appear before the Board is:
 - (a) A partnership, all partners must appear.
 - (b) A corporation, a designated representative of the corporation must appear. If the designated representative is not an officer of the corporation, a letter authorizing him or her to appear on behalf of the corporation that is signed by an officer of the corporation must be submitted with the application. Documentation of the status of the person signing the letter of authorization must be submitted with the application.
3. If the applicant is a partnership or corporation, the application must be signed by a partner or by an officer of the corporation. Documentation of the status of the person signing the application must be submitted with the application.
4. A special meeting of the Board will not be called for the purpose of considering an application for a license to operate a pharmacy until the applicant has paid the Executive Secretary sufficient money to defray all expenses of the meeting.
[Bd. of Pharmacy, § 639.045, eff. 6-26-80] — (NAC A 3-17-92; 10-1-93)