

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

LCB File No. R197-22

May 11, 2023

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

AUTHORITY: § 1, NRS 453.221, 453.226 and 639.070.

A REGULATION relating to controlled substances; revising the conditions under which a person is authorized to dispense controlled substances; revising the requirements to renew registration to dispense controlled substances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Pharmacy to adopt regulations relating to the registration and control of the dispensing of controlled substances. (NRS 453.221) Existing law further authorizes the Board to adopt regulations that: (1) are necessary for the protection of the public relating to the practice of pharmacy; (2) authorize the Executive Secretary of the Board to issue certificates, licenses and permits required for the practice of pharmacy or for the dispensing of controlled substances; and (3) govern the dispensing of poisons, drugs, chemicals and medicines. (NRS 639.070) Existing law requires a practitioner or other person who dispenses any controlled substance to biennially register with the Board. (NRS 453.226) Existing regulations prescribe certain activities relating to controlled substances for which such registration is required. (NAC 453.110, 453.120, 453.130) Existing regulations: (1) prohibit a person from engaging in any activity that requires registration with the Board unless the person is registered; and (2) authorizes a person to renew his or her registration every 2 years by submitting to the Board an application for renewal and paying the renewal fee. (NAC 453.210)

This regulation requires a person to be registered with the Drug Enforcement Administration of the United States Department of Justice to dispense controlled substances in this State and in order to engage in any activity for which registration by the Board is required. This regulation additionally requires an applicant for the renewal of a registration to submit to the Board proof that he or she is registered with the Drug Enforcement Administration to dispense controlled substances in this State.

Section 1. NAC 453.210 is hereby amended to read as follows:

453.210 1. A person who is required to be registered:

(a) May apply for registration at any time.

(b) Shall not engage in any activity for which registration is required ~~{until}~~ :

(1) Until his or her application for registration is granted and a certificate of registration is issued to the person by the Board ~~{}~~ ; *and*

(2) Unless he or she is registered with the Drug Enforcement Administration to dispense controlled substances in this State and has provided a copy of that registration to the Board.

2. A person who is registered may renew his or her registration biennially by ~~{submitting}~~ :

(a) Submitting an application for renewal ;

(b) Presenting proof that he or she is registered with Drug Enforcement Administration to dispense controlled substances in this State; and ~~{paying}~~

(c) Paying the renewal fee.

3. All registrations expire on October 31 of each even-numbered year.