

## INFORMATIONAL STATEMENT

The informational statement required by NRS 233B.066 numerically conforms to the subsections of the statute as follows:

### 1. EXPLANATION OF THE NEED FOR THE ADOPTED REGULATION

This regulation removes requirements for certain applicants to appear before the State Board of Pharmacy; revises provisions governing the administration of immunizations by pharmacists; revises provisions governing the transfer of prescriptions by facsimile machine; removes provisions authorizing a pharmacy to sell or otherwise provide a compounded drug to a retail pharmacy or practitioner; and providing other matters properly relating thereto.

### 2. A DESCRIPTION OF HOW PUBLIC COMMENT WAS SOLICITED, A SUMMARY OF PUBLIC RESPONSE, AND AN EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY.

The Board solicited comment on the proposed amendment by (1) posting notice, with links to the full text of the proposed amendment, to the LCB Administrative Regulation Notices webpage, (2) posting a copy of the full text of the proposed changes to the Board's website as part of the Board Hearing materials, (3) posting notice to the Nevada Public Notice website, operated by the Department of Administration, with a link back to a full text of the proposed amendment on the Board's website, and (4) posting notices and agendas in numerous public locations per NRS Chapter 233B.

The Board also solicited comments from Nevada dispensing practitioners, and from representatives of relevant industry associations that Board Staff deemed likely to have an interest in the proposed amendment. The Board further provided time for public comment at the workshop(s) concerning the proposed amendment.

- Liz McMenamin  
Retail Association of Nevada  
Contact Number: 775-882-1700

She appreciates the Board staff's work on the proposed regulation and believes this is a good start. She hopes the Board can review and continue to remove regulations that inhibit the practice of pharmacy and add to the administrative burdens of pharmacies and pharmacists.

- Scott Young  
Contact Number: N/A

Section 7 of the proposed regulation would remove a pharmacy's authority to provide compounded drugs to a practitioner, which include veterinarians. He is concerned eliminating this authority and mentions language in NAC 638.732 which allows a veterinarian to get compounded drugs from pharmacies which may be a conflict. He wants to raise awareness to the Board on this proposed regulation.

Parties interested in obtaining a copy of the summary of the comments solicited should contact Board Coordination at [teamBC@pharmacy.nv.gov](mailto:teamBC@pharmacy.nv.gov) or call Darlene Nases at (775) 850-1440 ext. 120.

3. THE NUMBER OF PERSONS WHO: (A) ATTENDED EACH HEARING; (B) TESTIFIED AT EACH HEARING; AND (C) SUBMITTED TO THE AGENCY WRITTEN STATEMENTS.

The number of persons who attended the hearing was: 79  
The number of persons who testified at the hearing was: 2  
The number of agencies submitted statements was: -0-  
The name of persons who testified at the hearing: 2

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4. A DESCRIPTION OF HOW COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES, A SUMMARY OF THEIR RESPONSE, AND AN EXPLANATION HOW OTHER INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY.

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5. IF THE REGULATION WAS ADOPTED WITHOUT CHANGING ANY PART OF THE PROPOSED REGULATION, A SUMMARY OF THE REASONS FOR ADOPTING THE REGULATION WITHOUT CHANGE.

This regulation meets the requirements and was adopted with no changes.

6. THE ESTIMATED ECONOMIC EFFECT OF THE REGULATION ON THE BUSINESS WHICH IT IS TO REGULATE AND ON THE PUBLIC. THESE MUST BE STATED SEPARATELY, AND IN EACH CASE MUST INCLUDE:

A) BOTH ADVERSE AND BENEFICIAL EFFECTS.

There should be no adverse economic impact from this regulation amendment on the regulated entities or on the public. The regulation amendment will have a

beneficial effect on the regulated entities and on the public by removing barriers for licensure, by increasing access to immunizations to the public, by removing barriers in transferring of prescriptions between pharmacies, and by conforming the regulations concerning compound medications in Nevada with Federal Law while continuing to uphold basic standards to protect public health, safety, and welfare.

**B) BOTH IMMEDIATE AND LONG-TERM EFFECTS.**

Both the immediate and long-term economic effects on regulated entities and on the public will be beneficial by removing barriers for licensure, by increasing access to immunizations to the public, by removing barriers in the transferring of prescriptions between pharmacies, and by conforming the regulations concerning compound medications in Nevada with Federal Law while continuing to uphold basic standards to protect public health, safety, and welfare.

**7. THE ESTIMATED COST TO THE AGENCY FOR ENFORCEMENT OF THE PROPOSED REGULATION.**

There will be no additional or special costs incurred by the Board of Pharmacy for enforcement of this regulation amendment.

**8. A DESCRIPTION OF ANY REGULATIONS OF OTHER STATE OR GOVERNMENT AGENCIES WHICH THE PROPOSED REGULATION OVERLAPS OR DUPLICATES AND A STATEMENT EXPLAINING WHY THE DUPLICATION OR OVERLAPPING IS NECESSARY. IF THE REGULATION OVERLAPS OR DUPLICATES A FEDERAL REGULATION, THE NAME OF THE REGULATING FEDERAL AGENCY.**

The Board of Pharmacy is not aware of any similar regulations of other state or government agencies that the proposed regulation overlaps or duplicates.

**9. IF THE REGULATION INCLUDES PROVISIONS WHICH ARE MORE STRINGENT THAN A FEDERAL REGULATION WHICH REGULATES THE SAME ACTIVITY, A SUMMARY OF SUCH PROVISIONS.**

The regulation does not contain provisions which are more stringent than a federal regulation which regulates the same activity.

**10. IF THE REGULATION PROVIDES A NEW FEE OR INCREASES AN EXISTING FEE, THE TOTAL ANNUAL AMOUNT THE AGENCY EXPECTS TO COLLECT AND THE MANNER IN WHICH THE MONEY WILL BE USED.**

This regulation does not provide a new or increase of fees.