

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

**LCB File No. R020-98**

March 5, 1998

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

AUTHORITY: NRS 453.221 and 453.256.

**Section 1.** NAC 453.420 is hereby amended to read as follows:

453.420 *1.* In an emergency situation, a pharmacist may dispense a controlled substance listed in schedule II upon receiving the oral authorization of a prescribing individual practitioner, if:

[1.] *(a)* The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period. Any dispensing beyond the emergency period must be pursuant to a written prescription signed by the prescribing practitioner;

[2.] *(b)* The pharmacist immediately reduces the prescription to writing and:

[*(a)*] *(1)* The prescription contains all information required [*in*] *pursuant to* NAC 453.440, except for the signature of the prescribing practitioner;

[*(b)*] *(2)* He writes on its face “Authorization for Emergency Dispensing” and the date of the oral order; and

[*(c)*] *(3)* He makes a reasonable effort to determine that the oral authorization came from a registered practitioner when the practitioner is not personally known to him, which may include, *without limitation*, a telephone call to the [*practitioner’s*] telephone number *of the practitioner* as

listed in the telephone directory [,] or other attempts in good faith to verify the [practitioner's identity; and

3.] *identity of the practitioner.*

2. The prescribing practitioner, within [72 hours] *7 days* after authorizing an emergency oral prescription, [causes] *shall cause* a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The written prescription may be delivered to the pharmacist in person or by mail . [, but if] *If the written prescription is* delivered by mail , it must be postmarked within the [72-hour] *7-day* period. Upon receipt, the dispensing pharmacist shall attach this prescription to the oral emergency prescription which had earlier been reduced to writing.

3. The pharmacist [must] *shall* notify the board if the prescribing practitioner fails to deliver a written prescription to him [, and the] *pursuant to this section. The* failure of the pharmacist to [do] so *notify the board* voids his authority to dispense *a controlled substance listed in schedule II* without a written prescription of a prescribing practitioner pursuant to this section.