

LCB File No. R049-07

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

(This proposed regulation was previously adopted as T019-07)

**PARTIAL FILLING OF CONTROLLED SUBSTANCES IN
SCHEDULES III, IV, AND V**

Section 1. NAC 453.460 shall be amended as follows:

1. A pharmacist may partially fill a prescription for a controlled substance listed in schedule II:

(a) If the pharmacist is unable to supply the full quantity called for in a written or emergency oral prescription and he makes a notation of the quantity supplied on the face of the written prescription or written record of the emergency oral prescription. The remaining portion of the prescription may be filled within 72 hours after the first partial filling. If the remaining portion is not or cannot be filled within the 72-hour period, the pharmacist shall notify the prescribing practitioner. No further quantity may be supplied beyond the 72-hour period without a new prescription.

(b) For a patient in a facility for long-term care or for a patient who has been diagnosed as having a terminal illness. The pharmacist shall record on the prescription that the patient is a "LTC patient" or "terminally ill." The date of the partial filling, the quantity of the medication that is dispensed, the remaining quantity which is authorized to be dispensed, and the signature or initials of the pharmacist must be recorded on the back of the prescription. The total quantity of the controlled substance that is dispensed in all partial fillings must not exceed the total quantity of the controlled substance that is prescribed. A prescription is valid for 60 days after the date of the prescription unless the prescription is terminated earlier by the discontinuance of medication.

2. A pharmacist may partially fill a prescription for a controlled substance listed in schedule III, IV or V ~~if:~~

~~—(a) Each partial filling is recorded in the same manner as a refilling~~

~~—(b) The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed; and~~

~~—(c) No such filling occurs more than 6 months after the date on which the prescription was issued.] .~~

A partial filling of a refill of a prescription under this subsection shall not be counted as a complete refill for the purposes of NRS 453.256(3). Regardless of how many partial fillings are needed to complete a refill of a prescription under this subsection, a complete refill of a prescription shall not be counted for the purposes of NRS 453.256(3) until all of the drug ordered by the physician for such a refill has been completed. If a patient requests a partial filling of any initial filling or refill of a prescription under this subsection, the pharmacist shall:

(a) Make a record by which an accurate running total of the controlled substances dispensed on the prescription can be known;

(b) Assure that regardless of the number of partial fills requested, the patient does not receive more of the controlled substance over the period of time than is authorized by the prescription;

(c) Assure that the total quantity dispensed for all fillings or partial fillings does not exceed the total quantity prescribed; and

(d) Not provide any fill or partial fill of a prescription more than 6 months after the date on which the prescription was issued.

3. As used in this section, “facility for long-term care” means a medical facility that provides 24-hour nursing services.