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**17A**

## Proposed Regulation of the Nevada State Board of Pharmacy

### Workshop

June 5, 2019

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: §1, NRS 639.070

**A REGULATION relating to increasing the number of pharmaceutical technicians that a pharmacist may supervise; requiring personnel handling prescription drugs to be licensed by the Board; and providing other matters properly relating thereto.**

**Section 1. NAC 639.250 is hereby amended as follows:** Except as otherwise provided in NAC 639.258:

1. Except as otherwise provided in this section, in a hospital,

(a) A pharmacist who is dispensing prescriptions may not supervise more than a total of *eight* ~~three~~ pharmaceutical technicians *or pharmaceutical technicians in training* at one time *and no more than one of those persons may be a pharmaceutical technician in training.* [~~A pharmacist who is supervising distributive functions may not supervise more than a total of four [two] pharmaceutical technicians and one pharmaceutical technician in training while the trainee is performing technician functions in on the job training.~~]

(b) *When there are two or more pharmacists on duty, a pharmacist who is performing non-chart order dispensing may not supervise more than one pharmaceutical technician or pharmaceutical technician in training. That pharmacist's presence in the facility cannot be included in calculating the ratio described in subsection 1(a) above.*

2. Except as otherwise provided in this section, in any pharmacy, other than a hospital pharmacy, a pharmacist may not supervise more than a total of *eight* ~~[three]~~ pharmaceutical technicians or *five* ~~[one]~~ pharmaceutical *technicians* ~~[technician]~~ and *three* ~~[two]~~ pharmaceutical technicians in training at one time.

3. In any telepharmacy, remote site or satellite consultation site, a pharmacist may not supervise more than a total of three pharmaceutical technicians at one time.

~~[4. A pharmacist may supervise more pharmaceutical technicians and pharmaceutical technicians in training at one time than are otherwise allowed pursuant to subsections 1 and 2 if:~~

~~—(a) Not more than three of the pharmaceutical technicians or pharmaceutical technicians in training are performing the duties of a pharmaceutical technician as set forth in NAC 639.245; and~~

~~—(b) The record kept by the pharmacy pursuant to NAC 639.245 identifies the pharmaceutical technicians and pharmaceutical technicians in training who are performing the duties of a pharmaceutical technician as set forth in NAC 639.245.]~~

*4. Except as otherwise provided in NAC 639.520(4), no person may perform any task in a pharmacy where they come into contact with any prescription drug that is not packaged for final sale and verified by a pharmacist unless that person is registered with the Board as a pharmacist, intern pharmacist, pharmaceutical technician or pharmaceutical technician in training.*

*5. Subject to the limitations above, the determination of the appropriate pharmacist to pharmaceutical technician ratio in the pharmacy at any time shall be made by the pharmacy's managing pharmacist or pharmacist in charge. No other person, registrant or licensee shall interfere with the exercise of the managing pharmacist or pharmacist in charge's independent professional judgment as to staffing and pharmacist to pharmaceutical technician ratios for that pharmacy.*

**Sec. 2. NAC 639.701 is hereby repealed. ~~The following acts are not required to be performed by a pharmacist, intern pharmacist, pharmaceutical technician or pharmaceutical technician in training:~~**

~~—1. Entering information into the pharmacy's computer other than information contained in a new prescription concerning the prescription drug and the directions for its use.~~

~~—2. Processing sales, including the operation of a cash register.~~

~~—3. Stocking shelves.]~~

~~—4. Delivering medication to a patient or to areas of a hospital where patients are cared for.]~~

**17B**

# Proposed Regulation of the Nevada State Board of Pharmacy

Workshop

June 6, 2019

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 639.070

## **A REGULATION relating to forwarding of information between pharmacies for new prescriptions.**

### **NAC 639.\_\_\_\_ Forwarding of information between pharmacies: New prescriptions. ([NRS 639.070](#), [639.0745](#))**

*1. Upon the request of the patient or the prescribing practitioner, information relating to a new prescription for a dangerous drug or controlled substance that has not been filled by any pharmacy may be forwarded between pharmacies and is subject to the following conditions:*

- (a) Information relating to a prescription may be forwarded orally, by a facsimile machine or by a computer directly between two registered pharmacists.*
- (b) The pharmacist who forwards the information relating to the prescription shall invalidate the prescription by indicating in the records of the prescription that the prescription has been “forwarded”. The record of the prescription shall also include:
  - (1) The name of the pharmacist who forwarded the information relating to the prescription;*
  - (2) The date in which the information was forwarded;*
  - (3) The name and address of the pharmacy to which the prescription was forwarded;*
  - (4) The name of the pharmacist who received the information relating to the prescription;*and
  - (5) If the prescription is for a controlled substance, the registration number issued by the Drug Enforcement Administration for the pharmacy that received the information.**
- (c) The pharmacist who receives the information relating to the prescription shall indicate in the records of the forwarded prescription that the information relating to the prescription was forwarded from another pharmacy. The record shall also include:
  - (1) The date in which the information was forwarded;*
  - (2) The name and address of the pharmacy from which the prescription was forwarded;*and
  - (3) The name of the pharmacist who forwarded the information relating to the prescription.*
  - (4) If the prescription is for a controlled substance, the registration number issued by the Drug Enforcement Administration for the pharmacy that forwarded the information.**
- (d) The original prescription and all records pertaining to the prescription must be maintained for 2 years.*