Nevada State Board of Pharmacy

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March 18, 2014

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption and Amendment of
Regulations of the Nevada State Board of Pharmacy

The Nevada State Board of Pharmacy will hold a public hearing at 9:00 a.m., on Thursday, April 17, 2014, at the Hilton Garden Inn, 7830 S. Las Vegas Blvd., Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of regulations that pertain to chapters 453 and 639 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.060:

Amendment of Nevada Administrative Code 453.530 Schedule III

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amendment will define Ketamine HCL to include its salts, isomers and salts of isomers to the controlled substances listed in Schedule III.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There should be no adverse economic impact from this regulation on businesses or the public (see attached "Small Business Impact Statement").

(b) Both immediate and long-term effects.

There will be no immediate or long-term negative economic impact on

businesses or the public (see attached "Small Business Impact Statement").

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the Board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include 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.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Board of Pharmacy is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

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

SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

LCB File No. R016-14
(Proposed Amendment to NAC 453.530)

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The proposed amendment to NAC 453.530 will revise the definition of ketamine HCL to include its salts, isomers and salts of isomers to the controlled substances listed in Schedule III. The Board of Pharmacy (Board), through its executive staff and legal counsel, have carefully examined the proposed amendments and have determined that they are not likely to (1) "impose a direct and significant economic burden upon small business," or (2) "[d]irectly restrict the formation, operation or expansion of small businesses."

Regardless, the Board solicited public comment regarding the proposed amendment by (1) posting a summary of the proposed amendment on the Board's website (bop.nv.gov), with a link to the full text of the proposed amendment, (2) soliciting comment from Nevada pharmacies that are signed up to receive Board of Pharmacy notifications using a facsimile notice directed to each, and (3) contacting a representative of each relevant industry association Board Staff deemed likely to have an interest in the proposed amendment. The Board received no public comment in response to those solicitations. The proposed amendments do have the support of law enforcement, which requested the proposed amendments.

Parties interested in obtaining a copy of the summary of the proposed amendment, or that wish to view the text of the proposed amendment, may access that information on the Board's website at bop.nv.gov, or by contacting the Board's office at (775) 850-1440.

2. The manner in which the analysis was conducted.

See answer to Question #1.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(a) Both adverse and beneficial effects; and

The Board anticipates no significant adverse economic impact from the proposed amendments to NAC 453.530 on legitimate Nevada businesses.

(b) Both direct and indirect effects.

See answer to Question #3(a).

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The Board anticipates no significant adverse economic impact from the proposed amendments to NAC 453.530 on legitimate Nevada businesses, so no alternative methods of regulation are deemed necessary.

5. The estimated cost to the agency for enforcement of the proposed regulation.

None.

6. If the proposed 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.

Not Applicable.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The Federal Drug Enforcement Administration maintains its own schedules of controlled substances, which schedules closely parallel the schedules found in NRS Chapter 453. Nevada has no control over the substances the DEA schedules, however, so it is beneficial for the Board to add illicit substances to its own schedules from time to time in response to trends in illicit substance abuse that appear in Nevada.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

See answer to Question #3(a).

Signature of director, executive head or other person who is responsible for the agency certifying that, to the best of his or her knowledge or belief, the information contained in the statement was prepared properly and is accurate.

S. Paul Edwards
General Counsel
Nevada State Board of Pharmacy

PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R016-14

February 14, 2014

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

AUTHORITY: §1, NRS 453.146 and 639.070.

A REGULATION relating to controlled substances; revising the controlled substances listed on schedule III; and providing other matters properly relating thereto.

Section 1. NAC 453.530 is hereby amended to read as follows:

453.530 1. Schedule III consists of the drugs and other substances listed in this section, by whatever official, common, usual, chemical or trade name designated.

2. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation, is hereby enumerated on schedule III, including:

(a) Those compounds, mixtures or preparations in dosage unit form containing any substance listed in schedule II which has a stimulant effect on the central nervous system, which compounds, mixtures or preparations were listed on August 25, 1971, as excepted compounds under the regulations of the Drug Enforcement Administration of the ***United States*** Department

of Justice, and any other drug of the same quantitative composition as a drug shown on the list or which is the same except that it contains a lesser quantity of controlled substances;

(b) Benzphetamine;

(c) Chlorphentermine;

(d) Clortermine; or

(e) Phendimetrazine.

➥ For the purposes of this subsection, "isomer" includes the optical, position or geometric isomer.

3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system is hereby enumerated on schedule III:

(a) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof;

(b) Chlorhexadol;

(c) Embutramide;

(d) Lysergic acid;

(e) Lysergic acid amide;

(f) Methyprylon;

(g) Sulfondiethylmethane;

(h) Sulfonethylmethane;

(i) Sulfonmethane;

(j) Any compound, mixture or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients, which are not listed in any schedule;

(k) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs approved by the Food and Drug Administration of the United States Department of Health and Human Services for marketing only as a suppository; or

(l) Tiletamine and zolazepam or any salt thereof. (Some trade or other names for a tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one, flupyrazapon).

4. Nalorphine is hereby enumerated on schedule III.

5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs or their salts, calculated as the free anhydrous base or alkaloid, in quantities is hereby enumerated on schedule III:

(a) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(b) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(c) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(d) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(e) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or

(h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

6. Unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of:

(a) N-methylephedrine, its optical isomers, salts and salts of optical isomers;

(b) Hydriodic acid; or

(c) Hydrogen iodide gas,

➥ are, as immediate precursors, controlled, the control of which is necessary to prevent, curtail or limit the manufacture of the controlled substances methamphetamine and N, N-dimethylamphetamine.

7. Except as otherwise provided in subsections 8 and 9, or specifically excepted or listed in another schedule, any material, compound, mixture or preparation containing any quantity of anabolic steroids, including their salts, isomers, esters and salts of isomers, whenever the existence of such salts of isomers is possible within the specific chemical designation, is hereby enumerated on schedule III:

(a) Androisoxazole;

(b) Androstenediol;

(c) Bolandiol;

(d) Bolasterone;

(e) Boldenone;

(f) Chlormethandienone;

(g) Clostebol;

(h) Chorionic gonadotropin (HCG);

(i) Dehydrochlormethyltestosterone;

(j) Dihydromesterone;

(k) Drostanolone;

(l) Ethylestrenol;

(m) Fluoxymesterone;

(n) Formebolone;

(o) Formyldienolone;

(p) 4-Hydroxy-19-nortestosterone;

(q) Mesterolone;

(r) Methandrenone;

(s) Methandriol;

(t) Methandrostenolone;

(u) Methenolone;

(v) 17-Methyltestosterone;

(w) Methyltrienolone;

(x) Mibolerone;

(y) Nandrolone;

(z) Norbolethone;

(aa) Norethandrolone;

(bb) Normethandrolone;

(cc) Oxandrolone;

(dd) Oxymesterone;

(ee) Oxymetholone;

(ff) Quinbolone;

(gg) Stanolone;

(hh) Stanozolol;

(ii) Stenbolone;

(jj) Testolactone;

(kk) Testosterone; or

(ll) Trenbolone.

8. Any anabolic steroid described in subsection 7 which is used solely for implantation in cattle or any other nonhuman species and is approved by the Food and Drug Administration for that use is not a controlled substance.

9. The following classifications are not controlled substances for the purposes of this section:

(a) Oral combinations containing therapeutic doses of estrogen and androgen;

(b) Parenteral preparations containing therapeutic doses of estrogen and androgen;

(c) Topical preparations containing androgens or combinations of androgen and estrogen; and

(d) Vaginal preparations.

10. Ketamine ~~[HCL]~~ ***, including its salts, isomers and salts of isomers,*** is hereby enumerated on schedule III.

11. Synthetic Dronabinol in sesame oil encapsulated in a soft gelatin capsule in a drug product approved by the Food and Drug Administration (some trade or other names: (6aR-trans)-6a,7,8,10a-tetrahydro-6; 6,9-trimethyl-3-pentyl-6H-dibenzo [b,d]pyran- 1-ol; (-)-delta-9-(trans)-tetrahydrocannabinol; Marinol) is hereby enumerated on schedule III.

12. Gamma-hydroxybutyrate prepared by a registered pharmaceutical manufacturer of the Food and Drug Administration which is properly labeled, including lot numbers, and is available for medicinal purposes through a distribution system approved by the Food and Drug Administration is hereby enumerated on schedule III.

13. Human growth hormone (HGH) is hereby enumerated on schedule III.

14. Any material, compound, mixture or preparation containing buprenorphine, including its salts, is hereby enumerated on schedule III.

Amendment of Nevada Administrative Code 453.510

1. The need for and the purpose of the proposed regulation or amendment.

Because of abuse of unregulated products containing synthetic cannabnoids, law enforcement has requested that the Board of Pharmacy add additional compounds to Schedule I.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There should be no adverse or beneficial economic effect of this regulation on the business or the public.

(b) Both immediate and long-term effects.

There will be no immediate or long-term economic effect on businesses or the public.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include 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.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Board of Pharmacy is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

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

SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

LCB File No. R015-14
(Proposed Amendment to NAC 453.510)

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The proposed amendment to NAC 453.510 (R015-14) will add certain substances to the controlled substances listed on Schedule I, and provides for other matters properly related thereto. The Board of Pharmacy (Board), through its executive staff and legal counsel, have carefully examined the proposed amendments and have determined that they are not likely to (1) "impose a direct and significant economic burden upon small business," or (2) "[d]irectly restrict the formation, operation or expansion of small businesses."

To confirm that conclusion, the Board solicited public comment regarding the regulation by (1) posting a summary of the proposed amendment on the Board's website (bop.nv.gov), with a link to the full text of the proposed amendment, (2) soliciting comment from Nevada pharmacies that are signed up to receive Board of Pharmacy "Hotline" notifications using a facsimile notice directed to each, and (3) contacting a representative of each relevant industry association Board Staff deemed likely to have an interest in the proposed amendment. The Board received no public comment in response to those solicitations. The regulation does have the support of law enforcement, which requested the proposed amendments. The Board received no public comment on the regulation.

Parties interested in obtaining a copy of the summary of the proposed amendment, or that wish to view the text of the proposed amendment, may access that information on the Board's website at bop.nv.gov, or by contacting the Board's office at (775) 850-1440.

2. The manner in which the analysis was conducted.

Board Staff analyzed the regulation to determine whether it could perceive a direct and significant economic burden on pharmacies, which are the businesses most likely to be affected by the regulation. It also analyzed whether the proposed regulation would restrict the formation, operation or expansion of such small businesses. Board Staff solicited public and industry comment as described in Question #1 above to inform its analysis, but received none.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(a) Both adverse and beneficial effects; and

The Board anticipates no significant adverse or beneficial economic impact from R015-14 on legitimate Nevada small businesses. The proposed amendment may, however, adversely impact Nevada businesses that deal in illicit drugs.

(b) Both direct and indirect effects.

The Board anticipates no direct or indirect effect on legitimate small businesses from R015-14.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The Board anticipates no significant adverse economic impact from R015-14 on legitimate Nevada businesses, so no alternative methods of regulation are deemed necessary.

5. The estimated cost to the agency for enforcement of the proposed regulation.

None.

6. If the proposed 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.

Not Applicable.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The Federal Drug Enforcement Administration maintains its own schedules of controlled substances, which schedules closely parallel the schedules found in NRS Chapter 453. Nevada has no control over the substances the DEA schedules, however, so it is beneficial for the Board to add illicit substances to its own schedules from time to time in response to trends in illicit substance abuse that appear in Nevada.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

In its analysis of the regulation, the Board did not perceive, and found no evidence of, a direct and significant economic burden on small businesses. It also found no evidence that the proposed regulation would restrict the formation, operation or expansion of such small businesses. Board Staff solicited public and industry comment as described in Question #1 above to inform its analysis, and received none.

9. The methods used by the agency in determining the impact of the regulation on small business and the reasons for the agency's conclusions.

The Board, through its executive staff and legal counsel, carefully examined the regulation and determined that it is not likely to (1) "impose a direct and significant economic burden upon small business," or (2) "[d]irectly restrict the formation, operation or expansion of

small businesses." It is designed to restrict the sale and possession of substances that Nevada crime labs and law enforcement have identified as candidates for schedule 1.

In reaching that conclusion, the Board solicited comment on the regulation by (1) posting a summary of the proposed amendment on the Board's website (bop.nv.gov), with a link to the full text of the proposed amendment, (2) soliciting comment from Nevada dispensers who receive Board of Pharmacy notifications using a facsimile notice directed to each, and (3) contacting a representative of each relevant industry association Board Staff deemed likely to have an interest in the proposed amendment. The Board also allowed the opportunity for public comment at the workshop(s) concerning the regulation, and opened the floor for public comment at the public hearing on the regulation. It took into thoughtful consideration the comments it received, if any. No public comment was submitted related to this regulation.

In its analysis of the regulation, the Board did not perceive, and found no evidence of, a direct and significant economic burden on small businesses. It also found no evidence that the proposed regulation would restrict the formation, operation or expansion of such small businesses. Absent any evidence, the Board concluded that no such impacts are likely to exist.

I hereby certify that to the best of my knowledge or belief a concerted effort was made to determine the impact of this proposed regulation on small businesses and that the information contained in the statement was prepared properly and is accurate.

S. Paul Edwards
General Counsel
Nevada State Board of Pharmacy

PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R015-14

March 13, 2014

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

AUTHORITY: §1, NRS 453.146 and 639.070.

A REGULATION relating to controlled substances; revising the list of substances contained in schedule I; and providing other matters properly relating thereto.

Section 1. NAC 453.510 is hereby amended to read as follows:

453.510 1. Schedule I consists of the drugs and other substances listed in this section by whatever official, common, usual, chemical or trade name designated.

2. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including, without limitation, their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

Acetylmethadol;

Allylprodine;

Alphacetylmethadol (except levo-alphacetylmethadol, commonly referred to as levo-alpha-acetylmethadol, levomethadyl acetate or "LAAM");

Alphameprodine;

Alphamethadol;

Alphamethylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Benzethidine;

Betacetylmethadol;

Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

Betameprodine;

Betamethadol;

Betaprodine;

Clonitazene;

Dextromoramide;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimepheptanol;

Dimethylthiambutene;

Dioxaphetyl butyrate;

Dipipanone;

Ethylmethylthiambutene;

Etonitazene;

Etoxeridine;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacylmorphan;

3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Morpheridine;

MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);

PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

Phenadoxone;

Phenampromide;

Phenomorphan;

Phenoperidine;

Piritramide;

Proheptazine;

Properidine;

Propiram;

Racemoramide;

Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);

Tilidine; or

Trimeperidine.

3. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, including, without limitation, their salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

Acetorphine;

Acetyldihydrocodeine;

Benzylmorphine;

Codeine methylbromide;

Codeine-N-Oxide;

Cyprenorphine;

Desomorphine;

Dihydromorphine;

Drotebanol;

Etorphine (except hydrochloride salt);

Heroin;

Hydromorphinol;

Methyldesorphine;

Methyldihydromorphine;

Morphine methylbromide;

Morphine methylsulfonate;

Morphine-N-Oxide;

Myrophine;

Nicocodeine;

Nicomorphine;

Normorphine;

Pholcodine; or

Thebacon.

4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, including, without limitation, their salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

Alpha-ethyltryptamine (some trade or other names: ET, Trip);

Alpha-methyltryptamine (some trade or other names: AMT);

1,4-Butanediol (some trade or other names: 1,4-butyleneglycol, dihydroxybutane, tetramethylene glycol, butane 1,4-diol, SomatoPro, Soma Solutions, Zen);

4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);

4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: Nexus, 2C-B);

1-Butyl-3-(1-naphthoyl)indole-7173 (some trade or other names: JWH-073);

2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (some trade or other names: 2C-C);

1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (some trade or other names: SR-18; BTM-8; RCS-8);

2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

2,5-dimethoxy-4-ethylamphet-amine (some trade or other names: DOET);

2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (some trade or other names: 2C-E);

2,5-dimethoxy-4-iodo-N-(methoxybenzyl)phenethylamine (some trade or other names: 25I-NBOMe, 25I-NB2OMe, 25I-NB3OMe, 25I-NB4OMe);

2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (some trade or other names: 2C-D);

2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (some trade or other names: 2C-N);

2,5-Dimethoxy-N-(2-methoxybenzyl) phenethylamine (NBOMe) and any derivative thereof (some trade or other names: 2C-X-NBOMe; N-benzylated phenethylamines; N-o-methoxybenzyl analogs; NBOMe; 25H-NBOMe; 25B-NBOMe; 25C-NBOMe; 25D-NBOMe; 25E-NBOMe; 25I-NBOMe; 25N-NBOMe; 25P-NBOMe; 25T2-NBOMe; 25T4-NBOMe; 25T7-NBOMe);

2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (some trade or other names: 2C-P);

2,5-dimethoxy-4-(n)-propylthiophenethylamine (some trade or other names: 2C-T-7);

2-(2,5-Dimethoxyphenyl)ethanamine (some trade or other names: 2C-H);

3-[(2-Dimethylamino)ethyl]-1H-indol-4-yl acetate (some trade or other names: 4-acetoxy-N, N-dimethyltryptamine;4-AcO-DMT; psilacetin; O-acetylpsilocin; 4-acetoxy-DMT);

5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol-7297 (some trade or other names: CP-47,497);

5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol-7298 (some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue);

4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone (some trade or other names: (4-ethyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone; JWH-210);

2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (some trade or other names: 2C-T-2);

[1-(5-fluoropentyl)-1H-indol-3-yl]-1-naphthalenyl-methanone (some trade or other names: 1-(5-fluoropentyl)-3-(1-naphthoyl)indole; AM-2201);

[1-(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophyenyl)-methanone (some trade or other names: 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole; AM-694);

(1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (some trade or other names: XLR-11);

1-(5-fluoropentyl)-N-(tricyclo[3.3.1.13,7]dec-1-yl)-1H-indazole-3-carboxamide (some trade or other names: N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide; APINACA 5-fluoropentyl analog; 5F-AKB48; 5-Fluoro-AKB48; 5F-APINACA; 5-Fluoro-APINACA;

1-(5-fluoropentyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid (some trade or other names: 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester; 5-Fluoro-PB-22; 5F-PB-22);

2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (some trade or other names: 2C-I);

2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (some trade or other names: 2C-T-4);

1-hexyl-3-(1-naphthoyl)indole (some trade or other names: JWH-019);

4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; para-methoxyamphetamine; PMA);

(4-methoxy-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone (some trade or other names: JWH-081);

5-methoxy-3,4-methylenedioxyamphetamine;

5-methoxy-N, N-diisopropyltryptamine (some trade or other names: 5-meO-DIPT);

4-methyl-2,5-dimethoxyamphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; "STP");

(4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone (some trade or other names: JWH-122);

3,4-methylenedioxyamphetamine;

3,4-methylenedioxymethamphetamine (MDMA);

3,4-methylenedioxy-N-ethylamphetamine (commonly referred to as N-ethyl-alpha-methyl-3,4(methylenedioxy) phenethylamine, N-ethyl MDA, MDE, MDEA);

1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole-7200 (some trade or other names: JWH-200);

N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide (some trade or other names: 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3-carboxamide; APINACA; AKB48);

N-hydroxy-3,4-methylenedioxyamphetamine (commonly referred to as N-hydroxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, N-hydroxy MDA);

2-(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone (some trade or other names: 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-ethanone; 1-pentyl-3-(2-methoxyphenylacetyl)indole; JWH-250);

1-Pentyl-3-(2-chlorophenylacetyl)indole (some trade or other names: JWH-203);

1-Pentyl-3-(4-cholor-1-naphthoyl)indole (some trade or other names: JWH-398);

1-Pentyl-3-[(4-methoxy)-benzoyl]indole (some trade or other names: SR-19; BTM-4; RCS-4);

1-Pentyl-3-(1-naphthoyl)indole-7118 (some trade or other names: JWH-018; AM678);

(1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (some trade or other names: UR-144);

1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (some trade or other names: 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester; PB-22; QUPIC);

3,4,5-trimethoxyamphetamine;

Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethyl-aminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);

Diethyltryptamine (some trade or other names: DET; N,N-Diethyltryptamine);

Dimethyltryptamine (some trade or other names: DMT);

Fluorophenylpiperazine (some trade or other names: FPP, pFPP, 2-fluorophenylpiperazine, 3-fluorophenylpiperazine, 4-fluorophenylpiperazine);

Gamma butyrolactone (some trade or other names: GBL, Gamma Buty Lactone, 4-butyrolactone, dihydro-2(3H)-furanone, tetrahydro-2-furanone, Gamma G, GH Gold);

Gamma hydroxy butyric acid (some trade or other names: GHB);

Ibogaine (some trade or other names: 7-ethyl-6, 6 beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; *Tabernanthe iboga*);

Lysergic acid diethylamide;

Marijuana;

Mescaline;

Methoxyphenylpiperazine (some trade or other names: MeOPP, pMPP, 4-MPP, 2-MeOPP, 3-MeOPP, 4-MeOPP);

Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl);

Peyote (meaning all parts of the plant presently classified botanically as *Lophophora williamsii Lemaire*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds or extracts);

N-benzylpiperazine (some trade or other names: BZP, 1-benzylpiperazine);

N-ethyl-3-piperidyl benzilate;

N-methyl-3-piperidyl benzilate;

Psilocybin;

Psilocin;

Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of *Cannabis*, sp. or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity such as the following:

Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers,

Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers,

Delta 3, 4 cis or trans tetrahydrocannabinol, and its optical isomers;

since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered);

Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE);

Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP);

1-(1-(2-thienyl)-cyclohexyl)-pyrrolidine (some trade or other names: TCPy); ~~[or]~~

Thiophene analog of phencyclidine (some trade or other names: 1-(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP) ~~[.]~~ ***; or***

Trifluoromethylphenylpiperazine (some trade or other names: 1-(3-trifluoromethylphenyl)piperazine; 3-trifluoromethylphenylpiperazine; TFMPP).

For the purposes of this subsection, "isomer" includes, without limitation, the optical, position or geometric isomer.

5. All parts of the plant presently classified botanically as *Datura*, whether growing or not, the seeds thereof, any extract from any part of such plant or plants, and every compound, manufacture, salt derivative, mixture or preparation of such plant or plants, its seeds or extracts, unless substances consistent with those found in such plants are present in formulations that the Food and Drug Administration of the United States Department of Health and Human Services has approved for distribution.

6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of phencyclidine, mecloqualone or methaqualone having a depressant effect on the central nervous system, including, without limitation, their salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation.

7. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including, without limitation, their salts, isomers and salts of isomers:

Alpha-PVP (some trade or other names: 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone, alpha-pyrrolidinopentiophenone, alpha-pyrrolidinovalerophenone);

Aminorex;

Butylone (some trade or other names: β-keto-N-methylbenzodioxolylpropylamine, bk-MBDB);

Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; norephedrone);

Fenethylline;

Fluoroamphetamine (some trade or other names: 2-fluoroamphetamine, 3-fluoroamphetamine, 4-fluoroamphetamine, 2-FA, 3-FA, 4-FA, PFA);

Fluoromethcathinone (some trade or other names: 4-Fluoromethcathinone (Flephedrone) and 3-Fluoromethcathinone (3-FMC));

Mephedrone (some trade or other names: Methylmethcathinone, 4-Methylmethcathinone, 4-MMC, 4-Methylephedrone);

Methamphetamine;

Methcathinone (some trade or other names: N-Methylcathinone, cat);

Methedrone (some trade or other names: Methoxymethcathinone, 4-Methoxymethcathinone, bk-PMMA, methoxyphedrine);

(±)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

Methylenedioxypyrovalerone (some trade or other names: 3,4-Methylenedioxypyrovalerone, MDPV);

Methylethcathinone (some trade or other names: 2-(ethylamino)-1-(4-methylphenyl)propan-1-one, 4-MEC, 4-methyl-N-ethylcathinone);

Methylone (some trade or other names: Methylenedioxy-N-methylcathinone, Methylenedioxymethcathinone, 3,4-Methylenedioxy-N-methylcathinone, bk-MDMA);

N,N-dimethylamphetamine (commonly referred to as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine); or

N-ethylamphetamine.

8. Unless specifically listed in another schedule, coca leaves, cocaine base or free base, or a salt, compound, derivative, isomer or preparation thereof which is chemically equivalent or identical to such substances, and any quantity of material, compound, mixture or preparation which contains coca leaves, cocaine base or cocaine free base or its isomers or any of the salts of cocaine, except decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

Amendment of Nevada Administrative Code NAC 639.748 Identification of person to whom controlled substance is dispensed.

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amendment will define the identification requirements to obtain controlled substance medications.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

There should be no adverse economic impact from this regulation on businesses or the public (see attached "Small Business Impact Statement").

(b) Both immediate and long-term effects.

There will be no immediate or long-term negative economic impact on businesses or the public (see attached "Small Business Impact Statement").

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost incurred by the Board for enforcement of this regulation.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include 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.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The Board of Pharmacy is not aware of this regulation being required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulations of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

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

SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

LCB File No. RO14-14

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The proposed amendments to NAC 639.748 clarify the already existing requirement to view and obtain a copy of an identification of each person who purchases a controlled substance at a pharmacy. The Board of Pharmacy (Board), through its executive staff and legal counsel (Board Staff), carefully examined the proposed amendments and determined that they are not likely to (1) "impose a direct and significant economic burden upon small business," or (2) "[d]irectly restrict the formation, operation or expansion of small businesses." To the contrary, Board Staff expects that the proposed amendments will have no impact on retail pharmacies, as the requirement to obtain an identification at the time of sale already exists. In many cases, retail pharmacies have internal policies dictating a higher standard, *i.e.*, that the pharmacy staff view an identification both at the time a prescription is tendered, and at the time of purchase. Since the proposed amendments do not trigger NRS 233B.0608(1)(a) or (b), Board Staff determined that the additional steps mandated by NRS 233B.0608(2) are not required here.

Nonetheless, the Board has heard feedback about this proposed change informally from a number of retail pharmacies, and from the Retail Association of Nevada, a trade organization that represents retail pharmacies. The Board also received public comment at each of the three workshops regarding the proposed amendments. The Board heard no negative comments to amendments as presently proposed, and it heard some public support for the changes.

2. The manner in which the analysis was conducted.

See answer to Question #1.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(a) Both adverse and beneficial effects; and

The Board anticipates no significant adverse or beneficial economic effect on small businesses from the proposed amendments. They merely clarify an existing requirement.

(b) Both direct and indirect effects.

See answer to Question #3(a).

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

Board Staff initially proposed requiring identification both at the time a prescription is tendered (dropped off), and when a customer purchases (picks up) the medication. In response to public comment opposing the additional identification requirement at the time a prescription is tendered, the Board rejected that requirement and opted to merely clarify the existing requirement for identification at the time of sale.

5. The estimated cost to the agency for enforcement of the proposed regulation.

None.

6. If the proposed 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.

Not Applicable.

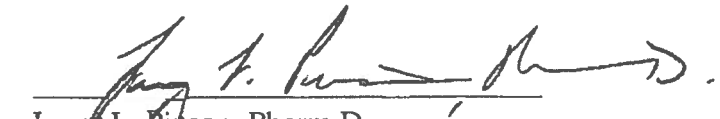
7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The Board is not aware of any other state or federal standard requiring identification at the point of sale of a controlled substance.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

The proposed amendment clarifies an already existing requirement. It does not add any additional burden on small businesses that does not presently exist. To the extent identifying a person to whom a controlled substance is dispensed is a burden, that burden is mitigated by the substantial benefit that requirement provides in fighting controlled substance abuse.

Signature of director, executive head or other person who is responsible for the agency certifying that, to the best of his or her knowledge or belief, the information contained in the statement was prepared properly and is accurate.



Larry L. Pinson, Pharm.D.
Executive Secretary
Nevada State Board of Pharmacy

REVISED PROPOSED REGULATION OF

THE STATE BOARD OF PHARMACY

LCB File No. R014-14

March 13, 2014

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

AUTHORITY: §§1 and 2, NRS 639.070.

A REGULATION relating to pharmacy; revising provisions governing the presentation of identification by a person who picks up a controlled substance; and providing other matters properly relating thereto.

Section 1. NAC 639.748 is hereby amended to read as follows:

639.748 1. Except as otherwise provided in this section, an employee of a pharmacy who is authorized to dispense controlled substances shall, before dispensing a controlled substance pursuant to a lawful prescription, request the person [~~to whom~~] ***who picks up*** the controlled substance [~~will be dispensed~~] to present a current ***and valid*** form of identification issued by a federal, state or local governmental agency that contains a photograph of the person. The employee shall not dispense the controlled substance if:

(a) That person does not present such identification; or

(b) The employee reasonably believes that the identification presented has been altered or is false or otherwise invalid.

2. The provisions of subsection 1 do not apply if:

(a) [~~The prescription is paid for, in whole or in part, by an insurer;~~

~~(b)]~~ The prescription is for a patient who has had a prescription ~~[for the same controlled substance]~~ previously filled by the pharmacy ~~[; or~~

~~(c) The pharmacy is a part of the health care facility where the patient is being treated.]~~ ***; and***

(b) The person who picks up the controlled substance is personally known to an employee of the pharmacy.

3. ~~[The]~~ ***If the provisions of subsection 1 apply, the*** employee ***dispensing the controlled substance*** shall:

(a) Make a ~~[photocopy]~~ ***copy*** of the identification presented to the employee; or

(b) Record the full name of the person ~~[to whom]~~ ***who picks up*** the controlled substance ***,*** ~~[is dispensed and]~~ the identification number ***, if any,*** indicated on his or her identification ~~[, if any,]~~ ***presented to the employee and the federal, state or local governmental agency that issued the identification. The employee shall record that information*** on ~~[the]~~ ***:***

(1) The prescription ~~[, the]~~ ***;***

(2) The refill log ~~[, the]~~ ***;***

(3) The counseling log ~~[, a]~~ ***;***

(4) A computer record related to the patient ***;*** or ~~[any other]~~

(5) A document that is readily retrievable ~~[.]~~ ***and accessible for inspection by law enforcement or any member, employee, agent or designee of the Board.***

4. If a ~~[photocopy]~~ ***copy*** of the identification is made pursuant to paragraph (a) of subsection 3, it must be filed with the copy of the prescription that is maintained by the pharmacy.

5. As used in this section, "valid form of identification" does not include:

(a) A driver authorization card obtained in accordance with NRS 483.291; or

(b) A driver authorization card, driving privilege card or other similar card issued by another jurisdiction.

Sec. 2. NAC 639.753 is hereby amended to read as follows:

639.753 1. A pharmacist may decline to fill a prescription that satisfies the requirements of this chapter and chapter 639 of NRS only if the pharmacist reasonably believes, in his or her professional judgment, that:

(a) The filling of the prescription would be unlawful;

(b) The filling of the prescription would be imminently harmful to the medical health of the patient;

(c) The prescription is fraudulent; or

(d) The prescription is not for a legitimate medical purpose.

2. If a pharmacist declines to fill a prescription pursuant to this section, the pharmacist shall speak with the prescribing practitioner in a timely manner to discuss and resolve the concerns of the pharmacist regarding the prescription. Before the pharmacist speaks with the prescribing practitioner, the pharmacist may, based on his or her professional judgment:

(a) Retain the prescription and not return the prescription to the patient;

(b) Return the prescription to the patient;

(c) Make a ~~[photocopy]~~ ***copy*** of the prescription and return the prescription to the patient; and

(d) Unless the prescription is for a controlled substance that is listed in schedule II, dispense a quantity of the drug prescribed, not to exceed a 3 days' supply, to allow a reasonable period for the pharmacist to speak with the prescribing practitioner about the concerns of the pharmacist regarding the prescription.

3. After speaking with the prescribing practitioner, the pharmacist may fill the prescription if the pharmacist reasonably believes, in his or her professional judgment, that the prescription is:

(a) Lawful;

(b) Not imminently harmful to the medical health of the patient;

(c) Not fraudulent; and

(d) For a legitimate medical purpose.

4. If, after speaking with the prescribing practitioner, the pharmacist reasonably believes, in his or her professional judgment, that the prescription does not meet one or more of the standards set forth in subsection 3, the pharmacist shall retain the prescription and may not return the prescription to the patient.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to the Nevada State Board of Pharmacy, 431 West Plumb Lane, Reno, Nevada 89509, or at e-mail address: shunting@pharmacy.nv.gov. Written submissions must be received by the Board at least fourteen days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted and amended will be available in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. The text of each regulation will include the entire text of any section of the Nevada Administrative Code which is proposed for amendment or repeal. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at http://www.leg.state.nv.us. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Nevada State Board of Pharmacy
Reno, Nevada

Nevada State Board of Pharmacy
Las Vegas, Nevada

Mineral County Courthouse
Hawthorne, Nevada

Elko County Courthouse
Elko, Nevada

Washoe County Courthouse
Reno, Nevada