NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Parkway, Suite 206 - Reno, NV 89521 - (775) 850-1440

Marketing Code of Conduct Annual Filing Form

(Formerly referred to as AB128. Revised for year 2022.)

Dates for submission of this form are May 1st – June 1st annually
(Submissions received outside the dates shown above will be deemed non-compliant.)

Background and Instructions

NRS 639.233 requires any person, including a wholesaler or manufacturer, engaging in the business of wholesale distribution, or furnishing controlled substances, poisons, drugs, devices or appliances that are restricted by federal law to sale by or on the order of a physician to any person located within this State to obtain a license from the Nevada State Board of Pharmacy (Board). A person is "engaged in the business of furnishing" if the person solicits or accepts orders for drugs or devices whose sale in this State is restricted by NRS 639, 453 and 454 or receives, stores or ships such drugs or devices."

NRS 639.570 requires a wholesaler or manufacturer who employs a person to sell or market a drug, medicine, chemical, device or appliance in Nevada to submit **annually** to the Board certain information regarding their marketing code of conduct. NAC 639.6053-6057, NAC 639.616-619, and NAC 639.69573-69577 (see appendix A).

This form is to be used for a wholesaler or manufacturer's initial and annual filing of its marketing code of conduct. **You do not need to complete this form** if the only product or products your company markets or sells in Nevada are food, aspirin, or effervescent saline analgesics. See NRS 639.007(3).

Completed forms and documents may be submitted by email to LBasch@pharmacy.nv.gov or Pharmacy@pharmacy.nv.gov. Alternatively, forms and documents may be sent by mail to 1140 North Town Center, Suite 300, Las Vegas, NV 89114. **Electronic delivery is preferred**. Please provide email documents in **PDF or Word format**. Documents provided in other formats may not be compatible with Board software and therefore may not be accepted.

Completed forms must be received by the Board from May 1st through June 1st annually. Forms submitted outside this time frame are deemed non-compliant.

The Board provides a report to the Governor, and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, a compilation of the information submitted to the Board pursuant to NRS 639.570, other than any information identified as a trade secret in the information submitted. Therefore, please clearly indicate on any document submitted with the form any confidential or proprietary business information subject to the disclosure protections of NRS 639.570(4)(d).

If you have any questions on the process, please contact the Board by email at pharmacy@pharmacy.nv.gov or at LBasch@pharmacy.nv.gov.

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Dates for submission of this form are May 1st – June 1st annually
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Section 1: General Information

Business Name: _____

License # issued by the Nevada State Board of Pharmacy (NRS 639.233):
☐ Wholesaler WH _____
☐ Manufacturer _____
☐ Not Applicable. The Business is not licensed by the Nevada State Board of Pharmacy.

Physical Address: _____
City: _____ State: _____ Zip: _____
Mailing Address (if different from physical address): _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

Section 2: Compliance Officer Information

Name: _____
Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Email: _____

Section 3: Business Type (Check the company's business type.)

☐ Wholesaler or Manufacturer who employs person to sell or market drug, medicine or chemical to Nevada businesses or practitioners.

☐ Wholesaler or Manufacturer who employs person to sell or market device or appliance to Nevada businesses or practitioners.

Section 4: Marketing Code of Conduct Annual Filing (Check which is applicable to the company.)

☐ This is the company's first annual filing submittal, or the company did not submit an annual filing in the prior year.

☐ The company submitted a compliant annual filing last year and has made no changes to its marketing code of conduct since it was last submitted. The company's marketing code of conduct was last changed, _____/_____ (mm/yy).

Section 5: Marketing Code of Conduct Model (Check which is applicable to the company.)

☐ The company has adopted the most recent version of the *Code on Interactions with Healthcare Professionals* developed by the Pharmaceutical Research and Manufacturers of America (PhRMA).
- **You may SKIP Sections 7 & 8.**

☐ The company has adopted the most recent version of the *Code of Ethics on Interactions with Health Care Professionals* developed by the Advanced Medical Technology Association (ADvaMed).
- **You may SKIP Sections 7 & 8.**

☐ The company has developed its own Marketing Code of Conduct Manual or has either a modified version or an older version of the PhRMA Code of Conduct. The company is a wholesaler or manufacturer who employs person to sell or market drug, medicine or chemical to Nevada businesses or practitioners.
- **You may SKIP Section 8.**

☐ The company has developed its own Marketing Code of Conduct Manual or has either a modified version or an older version of the ADvaMed Code of Conduct. The company is a wholesaler or manufacturer who employs person to sell or market device or appliance to Nevada businesses or practitioners.
- **You may SKIP Section 7.**

Section 6: Answer the following questions by indicating "Yes" or "No". NRS 639.570(1).	**Yes**	**No**
1. Has your company adopted a written marketing code of conduct which establishes the practices and standards that govern the marketing and sale of its products? The marketing code of conduct must be based on applicable legal standards and incorporate principles of health care, including, without limitation, requirements that the activities of the wholesaler or manufacturer be intended to benefit patients, enhance the practice of medicine and not interfere with the independent judgment of health care professionals.		
2. Has your company adopted a training program to provide regular training to appropriate employees, including, without limitation, all sales and marketing staff, on the marketing code of conduct?		
3. Does your company conduct annual audits to monitor compliance with the marketing code of conduct?		
4. Has your company adopted policies and procedures for investigating instances of noncompliance with the marketing code of conduct, including, without limitation, the maintenance of effective lines of communication for employees to report noncompliance, the investigation of reports of noncompliance, the taking of corrective action in response to noncompliance and the reporting of instances of noncompliance to law enforcement authorities in appropriate circumstances?		
5. Has your company identified a compliance officer responsible for developing, operating, and monitoring the marketing code of conduct?		

Section 7: For wholesalers and manufacturers who employs person to sell or market drugs, medicines, or chemicals, the following subjects must be addressed in the company's marketing code of conduct in order for the marketing code of conduct to be compliant. NAC 639.6053 and NAC 639.616. Please indicate the page number(s) within the marketing code of conduct submitted where the subject is addressed.	
Subject	**Page Number(s)**
1. The basis of interactions.	
2. Informational presentations by or on behalf of your company.	
3. Third-party educational or professional meetings.	
4. The use of consultants.	
5. Speaker training meetings.	
6. Scholarship and educational funds.	
7. Educational and practice-related items.	
8. Independence of decision making	
9. Adherence to the marketing code of conduct	

Section 8: For wholesalers and manufacturers who employs person to sell or market devices or appliances, the following subjects must be addressed in the company's marketing code of conduct in order for the marketing code of conduct to be compliant. NAC 639.617 and NAC 639.69573. Please indicate the page number(s) within the marketing code of conduct submitted where the subject is addressed.	
Subject	**Page Number(s)**
1. Providing or sponsoring product training and education	
2. Supporting third-party educational conferences	
3. Sales and promotional meetings	
4. Arrangements with consultants	
5. Gifts	
6. Providing reimbursement and other economic information	
7. Grants and other charitable donations	

Section 9: Documents to be provided with this form when submitting your annual filing to the Board. Checklist:

- ☐ Copy of your company's most current marketing code of conduct if the company has not adopted the most recent version of PhRMA or ADvaMed. NRS 639.570(1)(a)..
- ☐ Description of the company's marketing code of conduct training program for employees, sales, and marketing staff. NRS 639.570(1)(b), (2)(b).
- ☐ Description of your company's investigation policies addressing non-compliance with its marketing code of conduct. NRS 639.570(1)(d), (2)(c).

Section 10: Certification of annual audit and compliance with marketing code of conduct. NRS 639.570(2)(e).

By signing below, I certify that the annual audit to monitor compliance with the company's marketing code of conduct for the above-named company has been completed and the company is in compliance with the marketing code of conduct. NRS 639.570(2)(e).

_____

Compliance Officer Printed Name

_____ _____

Compliance officer Signature (Electronic signature accepted) Date

_____

Title

Appendix A
Marketing Code of Conduct
NRS and NAC References
(As of 10/01/2021)

NRS 639.570 Duty of wholesalers or manufacturers who employ person to sell or market drug, medicine, chemical, device or appliance; submission of information annually to Board; Board to report certain information to Governor and Legislature; duties of Board.

1. A wholesaler or manufacturer who employs a person to sell or market a drug, medicine, chemical, device or appliance in this State shall:

(a) Adopt a written marketing code of conduct which establishes the practices and standards that govern the marketing and sale of its products. The marketing code of conduct must be based on applicable legal standards and incorporate principles of health care, including, without limitation, requirements that the activities of the wholesaler or manufacturer be intended to benefit patients, enhance the practice of medicine and not interfere with the independent judgment of health care professionals. Adoption of the most recent version of the Code on Interactions with Healthcare Professionals developed by the Pharmaceutical Research and Manufacturers of America satisfies the requirements of this paragraph.

(b) Adopt a training program to provide regular training to appropriate employees, including, without limitation, all sales and marketing staff, on the marketing code of conduct.

(c) Conduct annual audits to monitor compliance with the marketing code of conduct.

(d) Adopt policies and procedures for investigating instances of noncompliance with the marketing code of conduct, including, without limitation, the maintenance of effective lines of communication for employees to report noncompliance, the investigation of reports of noncompliance, the taking of corrective action in response to noncompliance and the reporting of instances of noncompliance to law enforcement authorities in appropriate circumstances.

(e) Identify a compliance officer responsible for developing, operating and monitoring the marketing code of conduct.

2. A wholesaler or manufacturer who employs a person to sell or market a drug, medicine, chemical, device or appliance in this State shall submit to the Board annually:

(a) A copy of its marketing code of conduct;

(b) A description of its training program;

(c) A description of its investigation policies;

(d) The name, title, address, telephone number and electronic mail address of its compliance officer; and

(e) Certification that it has conducted its annual audit and is in compliance with its marketing code of conduct.

3. On or before January 15 of each odd-numbered year, the Board shall prepare and submit to the Governor, and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, a compilation of the information submitted to the Board pursuant to this section, other than any information identified as a trade secret in the information submitted to the Board.

4. The Board:

(a) Shall adopt regulations providing for the time of the submission and the form of the information required pursuant to this section and defining "compliance" for the purposes of this section.

(b) May not require the disclosure of the results of an audit conducted pursuant to this section.

(c) Shall post on its Internet website information concerning the compliance of all wholesalers and manufacturers with the requirements of this section.

(d) Shall not disclose any proprietary or confidential business information that it receives pursuant to this section.

(Added to NRS by 2007, 1791)

NRS 639.233 License required.

1. Any person, including a wholesaler or manufacturer, who engages in the business of wholesale distribution or furnishing controlled substances, poisons, drugs, devices or appliances that are restricted by federal law to sale by or on the order of a physician to any person located within this State shall obtain a license pursuant to the provisions of this chapter.

2. For the purpose of this section, a person is "engaged in the business of furnishing" if the person:

(a) Solicits or accepts orders for drugs or devices whose sale in this State is restricted by this chapter or chapter 453 or 454 of NRS; or

(b) Receives, stores or ships such drugs or devices.

(Added to NRS by 1967, 1657; A 1971, 2041; 1973, 780; 1979, 1693; 1991, 1160; 1993, 1222; 2003, 2288)

NRS 639.007 "Drug" and "medicine" defined. "Drug" and "medicine" mean:

1. Articles recognized in the official United States Pharmacopoeia, the official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them;

2. Articles and devices intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals;

3. Articles, other than food, aspirin and effervescent saline analgesics, intended to affect the structure or any function of the body of humans or other animals;

4. Articles intended for use as a component of any article specified in subsection 1, 2 or 3; and

5. Any controlled substance.

(Added to NRS by 1967, 1651; A 1971, 2039; 1983, 1505; 1987, 1566)

NAC 639.6053 Wholesaler who employs person to sell or market drug, medicine or chemical: Annual submission of certain information to Board; review and contents of marketing code of conduct; exemption. (NRS 639.070, 639.570)

1. Except as otherwise provided in subsections 2 and 6, on or before June 1 of each year, a wholesaler who employs a person to sell or market a drug, medicine or chemical in this State shall submit to the Board the information required pursuant to subsection 2 of NRS 639.570.

2. If a wholesaler described in subsection 1 uses, without modification, the *Code on Interactions with Healthcare Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct, the wholesaler may indicate this on its submittal in lieu of submitting a copy of its marketing code of conduct.

3. If a wholesaler described in subsection 1:

(a) Develops its own marketing code of conduct; or

(b) Uses a modified version of the *Code on Interactions with Healthcare Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct,

➥ the staff of the Board shall review the marketing code of conduct to ensure that it addresses the subjects listed in subsection 4.

4. A marketing code of conduct submitted pursuant to this section and subsection 2 of NRS 639.570 must address the following subjects:

(a) The basis of interactions;

(b) Informational presentations by or on behalf of a wholesaler;

(c) Third-party educational or professional meetings;

(d) The use of consultants;

(e) Speaker training meetings;

(f) Scholarships and educational funds;

(g) Educational and practice-related items;

(h) Independence of decision making; and

(i) Adherence to the marketing code of conduct.

5. If the staff of the Board determines that a marketing code of conduct submitted by a wholesaler described in subsection 1 does not address each of the subjects set forth in subsection 4, the marketing code of conduct shall be deemed incomplete and noncompliant with the provisions of this section and subsection 2 of NRS 639.570.

6. The provisions of this section do not apply to a wholesaler whose sole function is to distribute prescription drugs to pharmacies if the wholesaler and the pharmacy to which the prescription drugs are distributed are wholly owned by a common owner.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.6055 Submission of certain information regarding sales and marketing staff: Submission of form after initial submittal; method of submission. (NRS 639.070, 639.570)

1. If a wholesaler has submitted to the Board the information required pursuant to NAC 639.6053 at least once, the wholesaler may subsequently submit to the Board, on a form provided by the Board, the information that has remained the same and the information that has changed from the date of the previous submission, in lieu of submitting the information required annually pursuant to NAC 639.6053.

2. The submission of information to the Board pursuant to this section and NAC 639.6053 may be made by:

(a) Mail or personal delivery of a printed copy of the information required;

(b) Electronic mail to the Board at the electronic mail address **pharmacy@pharmacy.nv.gov**; or

(c) Such other technological means as the Board may develop, including, without limitation, through the use of the Internet website of the Board.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.6057 Submission of certain information regarding sales and marketing staff: Incomplete, improperly completed or noncompliant submittal; correction of deficiencies. (NRS 639.070, 639.570)

1. The Board will refuse a submittal of information from a wholesaler pursuant to NAC 639.6053 or 639.6055 if the submittal is incomplete. The Board will treat such an incomplete submittal as noncompliant for the purposes of NRS 639.570.

2. If the staff of the Board determines that a submittal of information pursuant to NAC 639.6053 or 639.6055 is incomplete, improperly completed or noncompliant, the staff shall, as soon as practicable, notify the wholesaler who submitted the information that the submittal is incomplete, improperly completed or noncompliant and provide the wholesaler with instructions for correcting the deficiencies in the submittal. The Board may retain an incomplete, improperly completed or noncompliant submittal or return the submittal to the wholesaler.

3. If the staff of the Board provides notice of an incomplete, improperly completed or noncompliant submittal to a wholesaler pursuant to this section, the wholesaler must comply with the instructions for correcting the deficiencies in the submittal within 120 days after the receipt of the instructions. Within the 120-day period, the wholesaler may request a meeting with the staff of the Board to discuss the deficiencies in its submittal. If the wholesaler corrects the deficiencies in its submittal within the 120-day period, the Board will accept and file the submittal.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.616 Manufacturer who employs person to sell or market drug, medicine or chemical: Annual submission of certain information to Board; review and contents of marketing code of conduct. (NRS 639.070, 639.570)

1. Except as otherwise provided in subsection 2, on or before June 1 of each year, a manufacturer who employs a person to sell or market a drug, medicine or chemical in this State shall submit to the Board the information required pursuant to subsection 2 of NRS 639.570.

2. If a manufacturer described in subsection 1 uses, without modification, the *Code on Interactions with Healthcare Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct, the manufacturer may indicate this on its submittal in lieu of submitting a copy of its marketing code of conduct.

3. If a manufacturer described in subsection 1:

(a) Develops its own marketing code of conduct; or

(b) Uses a modified version of the *Code on Interactions with Healthcare Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct,

➥ the staff of the Board shall review the marketing code of conduct to ensure that it addresses the subjects listed in subsection 4.

4. A marketing code of conduct submitted pursuant to this section and subsection 2 of NRS 639.570 must address the following subjects:

(a) The basis of interactions;

(b) Informational presentations by or on behalf of a manufacturer;

(c) Third-party educational or professional meetings;

(d) The use of consultants;

(e) Speaker training meetings;

(f) Scholarships and educational funds;

(g) Educational and practice-related items;

(h) Independence of decision making; and

(i) Adherence to the marketing code of conduct.

5. If the staff of the Board determines that a marketing code of conduct submitted by a manufacturer does not address each of the subjects set forth in subsection 4, the marketing code of conduct shall be deemed incomplete and noncompliant with the provisions of this section and subsection 2 of NRS 639.570.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.617 Manufacturer who employs person to sell or market device or appliance: Annual submission of certain information to Board; review and contents of marketing code of conduct. (NRS 639.070**,** 639.570**)**

1. Except as otherwise provided in subsection 2, on or before June 1 of each year, a manufacturer who employs a person to sell or market a device or appliance in this State shall submit to the Board the information required pursuant to subsection 2 of NRS 639.570.

2. If a manufacturer described in subsection 1 uses, without modification, the *Code of Ethics on Interactions with Health Care Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct, the manufacturer may indicate this on its submittal in lieu of submitting a copy of its marketing code of conduct.

3. If a manufacturer described in subsection 1:

(a) Develops its own marketing code of conduct; or

(b) Uses a modified version of the *Code of Ethics on Interactions with Health Care Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct,

➥ the staff of the Board shall review the marketing code of conduct to ensure that it addresses the subjects listed in subsection 4.

4. A marketing code of conduct submitted by a manufacturer pursuant to this section and subsection 2 of NRS 639.570 must address the following subjects:

(a) Providing or sponsoring product training and education;

(b) Supporting third-party educational conferences;

(c) Sales and promotional meetings;

(d) Arrangements with consultants;

(e) Gifts;

(f) Providing reimbursement and other economic information; and

(g) Grants and other charitable donations.

5. If the staff of the Board determines that a marketing code of conduct submitted by a manufacturer does not address each of the subjects set forth in subsection 4, the marketing code of conduct shall be deemed incomplete and noncompliant with the provisions of this section and subsection 2 of NRS 639.570.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.618 Submission of certain information regarding sales and marketing staff: Submission of form after initial submittal; method of submission. (NRS 639.070**,** 639.570**)**

1. If a manufacturer has submitted to the Board the information required pursuant to NAC 639.616 or 639.617 at least once, the manufacturer may subsequently submit to the Board, on a form provided by the Board, the information that has remained the same and the information that has changed from the date of the previous submission, in lieu of submitting the information required annually pursuant to NAC 639.616 or 639.617, as applicable.

2. The submission of information to the Board pursuant to this section and NAC 639.616 and 639.617 may be made by:

(a) Mail or personal delivery of a printed copy of the information required;

(b) Electronic mail to the Board at the electronic mail address **pharmacy@pharmacy.nv.gov**; or

(c) Such other technological means as the Board may develop, including, without limitation, through the use of the Internet website of the Board.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.619 Submission of certain information regarding sales and marketing staff: Incomplete, improperly completed or noncompliant submittal; correction of deficiencies. (NRS 639.070**,** 639.570**)**

1. The Board will refuse a submittal of information from a manufacturer pursuant to NAC 639.616, 639.617 or 639.618 if the submittal is incomplete. The Board will treat such an incomplete submittal as noncompliant for the purposes of NRS 639.570.

2. If the staff of the Board determines that a submittal of information pursuant to NAC 639.616, 639.617 or 639.618 is incomplete, improperly completed or noncompliant, the staff shall, as soon as practicable, notify the manufacturer who submitted the information that the submittal is incomplete, improperly completed or noncompliant and provide the manufacturer with instructions for correcting the deficiencies in the submittal. The Board may retain an incomplete, improperly completed or noncompliant submittal or return the submittal to the manufacturer.

3. If the staff of the Board provides notice of an incomplete, improperly completed or noncompliant submittal to a manufacturer pursuant to this section, the manufacturer must comply with the instructions for correcting the deficiencies in the submittal within 120 days after the receipt of the instructions. Within the 120-day period, the manufacturer may request a meeting with the staff of the Board to discuss the deficiencies in its submittal. If the manufacturer corrects the deficiencies in its submittal within the 120-day period, the Board will accept and file the submittal.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.69573 Wholesaler who employs person to sell or market device or appliance: Annual submission of certain information to Board; review and contents of marketing code of conduct. (NRS 639.070**,** 639.570**)**

1. Except as otherwise provided in subsection 2, on or before June 1 of each year, a medical products wholesaler who employs a person to sell or market a device or appliance in this State shall submit to the Board the information required pursuant to subsection 2 of NRS 639.570.

2. If a medical products wholesaler who employs a person to sell or market a device or appliance in this State uses, without modification, the *Code of Ethics on Interactions with Health Care Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct, the medical products wholesaler may indicate this on its submittal in lieu of submitting a copy of its marketing code of conduct.

3. If a medical products wholesaler:

(a) Develops its own marketing code of conduct; or

(b) Uses a modified version of the *Code of Ethics on Interactions with Health Care Professionals*, as adopted by reference in NAC 639.060, as its marketing code of conduct,

➥ the staff of the Board shall review the marketing code of conduct to ensure that it addresses the subjects listed in subsection 4.

4. A marketing code of conduct submitted by a medical products wholesaler pursuant to this section and subsection 2 of NRS 639.570 must address the following subjects:

(a) Providing or sponsoring product training and education;

(b) Supporting third-party educational conferences;

(c) Sales and promotional meetings;

(d) Arrangements with consultants;

(e) Gifts;

(f) Providing reimbursement and other economic information; and

(g) Grants and other charitable donations.

5. If the staff of the Board determines that a marketing code of conduct submitted by a medical products wholesaler does not address each of the subjects set forth in subsection 4, the marketing code of conduct shall be deemed incomplete and noncompliant with the provisions of this section and subsection 2 of NRS 639.570.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.69575 Submission of certain information regarding sales and marketing staff: Submission of form after initial submittal; method of submission. (NRS 639.070, 639.570)

1. If a medical products wholesaler has submitted to the Board the information required pursuant to NAC 639.69573 at least once, the medical products wholesaler may subsequently submit to the Board, on a form provided by the Board, the information that has remained the same and the information that has changed from the date of the previous submission, in lieu of submitting the information required annually pursuant to NAC 639.69573.

2. The submission of information to the Board pursuant to this section and NAC 639.69573 may be made by:

(a) Mail or personal delivery of a printed copy of the information required;

(b) Electronic mail to the Board at the electronic mail address **pharmacy@pharmacy.nv.gov**; or

(c) Such other technological means as the Board may develop, including, without limitation, through the use of the Internet website of the Board.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)

NAC 639.69577 Submission of certain information regarding sales and marketing staff: Incomplete, improperly completed or noncompliant submittal; correction of deficiencies. (NRS 639.070, 639.570)

1. The Board will refuse a submittal of information from a medical products wholesaler pursuant to NAC 639.69573 or 639.69575 if the submittal is incomplete. The Board will treat such an incomplete submittal as noncompliant for the purposes of NRS 639.570.

2. If the staff of the Board determines that a submittal of information pursuant to NAC 639.69573 or 639.69575 is incomplete, improperly completed or noncompliant, the staff shall, as soon as practicable, notify the medical products wholesaler who submitted the information that the submittal is incomplete, improperly completed or noncompliant and provide the medical products wholesaler with instructions for correcting the deficiencies in the submittal. The Board may retain an incomplete, improperly completed or noncompliant submittal or return the submittal to the medical products wholesaler.

3. If the staff of the Board provides notice of an incomplete, improperly completed or noncompliant submittal to a medical products wholesaler pursuant to this section, the medical products wholesaler must comply with the instructions for correcting the deficiencies in the submittal within 120 days after the receipt of the instructions. Within the 120-day period, the medical products wholesaler may request a meeting with the staff of the Board to discuss the deficiencies in its submittal. If the medical products wholesaler corrects the deficiencies in its submittal within the 120-day period, the Board will accept and file the submittal.

(Added to NAC by Bd. of Pharmacy by R122-07, eff. 1-30-2008)