



NEVADA STATE BOARD OF PHARMACY

985 Damonte Ranch Pkwy Suite 206, Reno, Nevada 89521

(775) 850-141440 • 1-800-364-2081 • FAX (775) 850-1444

• Web Page: bop.nv.gov

Guidance Regarding Transfers of Drugs Between Pharmacies to Alleviate a Temporary Shortage in Response to COVID-19

May 5, 2020

To promote patient access to needed prescription medications during the COVID-19 outbreak, the Nevada State Board of Pharmacy has adopted the following guidance on the existing authority for the transfer of a drug between pharmacies to alleviate a temporary shortage.

The statutory definition of “wholesale distribution” expressly excludes “[a] transfer of drugs, in an amount not to exceed 5 percent of the total annual sales, by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.” NRS 639.0155(4). NAC 639.709(1)(c) further specifies that “[a] pharmacy may furnish drugs, controlled substances, poisons, chemicals, devices or appliances restricted by federal law to sale by or on the order of a physician” to another pharmacy “to alleviate a temporary shortage.”

A transfer pursuant to NAC 639.709(1)(c) is subject to the following requirements:

- The transfer must be documented by invoice and records of the transfer must be maintained for two (2) years in conformance with Nevada law.
- Transfers of compounded products between pharmacies are prohibited by NAC 639.757(4).

This guidance is in effect until July 15, 2020.

For questions regarding this guidance, please e-mail the Board office at pharmacy@pharmacy.nv.gov.

J. David Wuest, R.Ph.
Executive Secretary
Nevada State Board of Pharmacy