

# Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – July 15, 2021

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; NRS 639.XXX

**A REGULATION relating to human immunodeficiency virus; establishing a protocol authorizing a pharmacist to prescribe, dispense and administer drugs to prevent the acquisition of human immunodeficiency virus and perform certain laboratory tests; and providing other matters properly relating thereto.**

**Amendment of Nevada Administrative Code (NAC 639.)** The proposed amendments will create a new section to implement the provisions of Senate Bill 325 requiring the Board to adopt regulations that establish requirements to allow a pharmacist to dispense drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus.

**NAC 639.5XX is hereby added to read as follows:**

## *Prevention of the Acquisition of Human Immunodeficiency Virus*

1. *A pharmacist prescribing and dispensing medications for treatment for pre-exposure prophylaxis (PrEP) and postexposure prophylaxis (PEP) for HIV-negative persons must:*
  - a) *Complete a two (2) hour education course approved by ACPE regarding treatment for PrEP and PEP for HIV-negative persons. A record of the certification must be maintained and readily retrievable during the time of dispensing, and for two (2) years after dispensing treatment has terminated.*
2. *A pharmacist treating with PrEP or PEP must follow current Centers for Disease Control (CDC) guidelines:*
  - a) *For prescribing PrEP, A Clinical Practice Guideline- Preexposure Prophylaxis for the Prevention of HIV Infection in the United States;*
  - b) *For prescribing PEP, Guidelines for Antiretroviral Postexposure After Sexual, Injection Drug Use, or Other Nonoccupational Exposure to HIV.*
3. *Prior to prescribing and dispensing PrEP the pharmacist must complete the following assessment on the patient;*
  - a) *The patient must complete a HIV test;*
  - b) *The patient must complete a renal function test;*
  - c) *The patient must complete a hepatitis B test; and*
  - d) *An assessment of signs and symptoms of acute HIV infection.*

4. *Treatment for PEP should be expedited. Treatment may be initiated prior to a baseline assessment. Prior to continuation of treatment the pharmacist must complete the following assessment on the patient;*
  - a) *The patient must complete a HIV test;*
  - b) *The patient must complete a pregnancy test if the patient is of child bearing age;*
  - c) *The patient must complete a liver function test;*
  - d) *The patient must complete a renal function test;*
  - e) *The patient must complete sexually transmitted infection screening and test;*
  - f) *The patient must complete a hepatitis B test;*
  - g) *The patient must complete a hepatitis C test.*
  
5. *A pharmacist prescribing and dispensing PrEP or PEP medications must counsel the patient and provide information on the product dispensed, including, but not limited to:*
  - 1) *Proper administration and storage of the medication;*
  - 2) *Dosage;*
  - 3) *Effectiveness;*
  - 4) *Potential side effects;*
  - 5) *The need to be tested for HIV;*
  - 6) *The need to adhere to the treatment; and*
  - 7) *Information regarding the medications only help prevent or treat HIV and they do not prevent other sexual transmitted diseases.*
  
6. *A pharmacist dispensing PrEP or PEP must comply with all labeling and record keeping requirements in conformance with all applicable federal and state laws.*
  
7. *Once the pharmacist dispenses the PrEP treatment, they must have a plan of care which includes support and ongoing assessment as required by the CDC.*
  
8. *In order to prescribe, a pharmacist prescribing and dispensing PrEP or PEP medications must maintain liability insurance coverage of one million dollar.*