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December 7, 2022

Via Email

Nevada State Board of Pharmacy
Attention: Dave Wuest, PharmD
Executive Secretary
985 Damonte Ranch Parkway #206
Reno, NV 89521

Email: dwuest@pharmacy.nv.gov

Re: Proposed Regulation LCB File No. R164-20

Dear Executive Secretary Wuest,

On behalf of all pharmacies owned and operated by Walgreen Co. licensed in the State of Nevada, we appreciate the opportunity to comment on your proposed regulations for LCB File No. R164-20.

Allowing pharmacists to work from alternative locations outside (i.e., at home) pharmacies provides the opportunity of alternative work environments for pharmacists to alleviate burnout and to provide medical accommodations for team members. We appreciate the Board's attempt to make the process to allow pharmacists to work from locations outside the pharmacy simpler and more efficient. We respectfully request the following amendments to make the regulation most effective and enable broad applicability to improve patient access.

While dispensing must occur in a licensed pharmacy, the other cognitive functions related to collaborative drug therapy and prescribing should be able to be performed at locations other than a licensed pharmacy (i.e., physicians' offices and public health clinics.)

Sec. 2 1. While engaging in the practice of pharmacy at a location other than the site of a license pharmacy pursuant to the provisions of NAC 639.403 or section 3 of this regulation a registered pharmacist may perform only:

- (a) *The functions described in paragraphs (b), (c), (d), (g), ~~and (h)~~, (i), (j), and (k) of subsection 1 of NRS 639.0124, as amended by section 1 of Senate Bill No. 229, chapter 290, Statutes of Nevada 2021, at page 1660, section 2 of Senate Bill No. 325, chapter 492, Statutes of Nevada 2021, at page 3201, and section 5 of Senate Bill No. 190, chapter 504, Statues of Nevada 2021, at 3270; and*

We recommend striking the section below; there is no reason that pharmacists should be limited to practicing only in one site if they feel that they are capable. With the current state of healthcare worker availability in Nevada and across the country, the Board should not create arbitrary limitations that may restrict patient access.

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~~Sec. 2 4. A registered pharmacist shall not engage in the practice of pharmacy at a location other than the site of a license pharmacy pursuant to the provisions of NAC 639.403 or section 3 of this regulation if he or she:~~

- ~~(a) Serves as a managing pharmacist; or~~
- ~~(b) Provides pharmaceutical services at:~~

- ~~(1) A facility for modified medical detoxification, as defined in NRS 449.00385;~~
- ~~(2) An independent center for emergency medical care, as defined in NRS 449.013;~~
- ~~(3) A facility for intermediate care, as defined in NRS 449.0038;~~
- ~~(4) A facility for skilled nursing, as defined in NRS 449.0039; or~~
- ~~(5) A surgical center for ambulatory patients, as defined in NRS 449.019.~~

Several required elements in Section 3(2) are not commonly available in community pharmacy records. We respectfully request that Section 3(2) be amended as follows to align with the current standard of care:

Sec 3. 2. A registered pharmacist described in subsection 1 shall not engage in the practice of pharmacy at a location other than the site of a licensed pharmacy unless he or she is provided with the same computerized system and access to data regarding a patient for whom a prescription has been submitted that is available to a registered pharmacist in the pharmacy. Such data must include, without limitation:

- (a) The height, weight and age of the patient and any allergies the patient may have;*
- ~~*(b) The medical records regarding any medications prescribed to the patient;*~~
- ~~*(c) The results of any relevant laboratory tests;*~~
- ~~*(d) The health history and notes regarding physical examinations, to the extent that the information is available in the computerized system of the pharmacy;*~~
- (e) Any notes provided by a physician, nurse or other medical staff, to the extent that those notes are available in the computerized system of the pharmacy;*
- (f) A legible copy of the prescription that is available through a scanned image in the computerized system of the pharmacy or by facsimile machine; and*
- (g) Any other information that is available in the computerized system of the pharmacy that is relevant or necessary for the registered pharmacist to provide pharmaceutical services.*

I appreciate the Board's consideration of these proposed amendments. If the Board would like additional information, please feel free to contact me.

Sincerely,



Lorri Walmsley, R.Ph.



Nevada State Board of Pharmacy
985 Damonte Ranch Parkway, Suite 206
Reno, Nevada 89521

Nevada State Board of Pharmacy,

We appreciate the opportunity to comment on the proposed changes allowing pharmacists to practice at a location other than a licensed pharmacy. Since we work with pharmacies devoted to animal health and the veterinary profession, we would like to offer a few recommendations to allow the proposed language to accommodate all situations.

Under Sec. 3.2.(a), providing height or allergies on prescriptions is not common in veterinary medicine and a small change to the language should be able to clarify that these are applicable only for human patients. Likewise, Sec.3.2(e), could be rewritten to include veterinarians, as practitioners. Lastly, we had a question about (f) and whether it would accommodate orders transmitted orally or written, which are the common methods on the veterinary side. These changes can be made various ways, following are a few suggestions.

For human patients, such data must include, without limitation: or;

Such data must include, without limitation:

- (a) The weight and age of the patient, as well as the height of human patients;*
- (b) Any allergies the human patient may have;*
- (c) The medical records regarding any medications prescribed to the patient;*
- (d) The results of any relevant laboratory tests;*
- (e) The health history and notes regarding physical examinations, to the extent that the information is available in the computerized system of the pharmacy;*
- (f) Any notes provided by a practitioner, nurse or other medical staff, to the extent that those notes are available in the computerized system of the pharmacy;*
- (g) The prescription information, including a scanned or facsimile copy, when made available; and*
- (h) Any other information that is available in the computerized system of the pharmacy that is relevant or necessary for the registered pharmacist to provide pharmaceutical services.*

We appreciate the board's work on this and please do not hesitate to contact us if you have any questions.

Sincerely,

Scott Young
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[%20Remote%20Site%20Operation%20in%20Response%20to%20COVID-19%20exp%2012.31.21.pdf](#).

(Accessed December 5, 2022).

2. NRS 239.220 Management by a registered pharmacist; exceptions; requirements for managing pharmacist; notice of change in managing pharmacist. Available from <https://www.leg.state.nv.us/NRS/NRS-639.html> (Accessed December 5, 2022).