



**STATE OF NEVADA**  
**BOARD OF PHARMACY**

985 Damonte Ranch Pkwy, Ste 206  
Reno, NV 89521

Posted: June 9, 2023

**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, July 13, 2023.

Pursuant to NRS 241.023(1)(c) the meeting is being conducted by means of  
remote technology. The public may attend the meeting via live stream remotely  
or at the following location:

Hyatt Place  
1790 E Plumb Lane  
Reno, NV

Via Videoconference at Zoom: <https://zoom.us/j/5886256671>

or

Via Teleconference at 1 (669) 900-6833  
Meeting ID: 588 625 6671

The purpose of the hearing is to receive comments from all interested persons  
regarding the adoption and amendment of regulations that pertain to Chapter 639  
of the Nevada Administrative Code.

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

**A. Amendment of Nevada Administrative Code (NAC) 639.** The proposed  
amendments will add the American Red Cross as a provider of certification in  
lifesaving techniques. LCB File R198-22

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

Existing regulations require a pharmacist or intern pharmacist who administers  
immunizations to be certified in life-saving techniques by the American Heart

Association or its equivalent. The proposed amendment additionally authorizes a pharmacist or intern pharmacist to obtain such certification from the American Red Cross. The amendment also requires any such certification by an equivalent organization to be approved by the Board. The amendment will ensure that pharmacists and intern pharmacists have the required training and certification necessary to provide immunization services to patients. The regulation is necessary for the protection, health, and safety of the public.

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

A copy of the proposed regulation 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 amendment on regulated businesses or the public. The beneficial effects of the amendment will allow pharmacies to meet the increased demand for vaccine services and will be essential to the State's capacity to expeditiously treat Nevada's population. The regulation is necessary to protect the health and safety of the public.

(b) Both immediate and long-term effects.

The immediate and long-term economic effect on regulated entities and the public will be the improved delivery of safe and reliable pharmaceutical care.

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

There will be no additional or special costs incurred by the Board of Pharmacy for enforcement of this regulation amendment.

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 any other state or local governmental agency that the proposed regulation amendment overlaps or duplicates.

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

The regulation is not 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 regulation 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.

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 Board at [pharmacy@pharmacy.nv.gov](mailto:pharmacy@pharmacy.nv.gov) or to the Nevada State Board of Pharmacy, 985 Damonte Ranch Parkway, Suite 206 – Reno, NV 89521. Written submissions must be received by the Board on or before July 13, 2023. 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.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Nevada State Board of Pharmacy in writing at 985 Damonte Ranch Pkwy., #206, Reno, Nevada 89521, or by calling (775) 850-1440. Please notify us at least one (1) week prior to the scheduled meeting date to allow time to secure any necessary equipment or provisions prior to the meeting.

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.

Pursuant to NRS 233B.064(1), upon adoption of any regulation, the Board, 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



**PROPOSED REGULATION OF THE  
STATE BOARD OF PHARMACY**

**LCB File No. R198-22**

May 12, 2023

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

AUTHORITY: §§ 1 and 2, NRS 454.213, 639.070 and 639.137.

A REGULATION relating to pharmacy; revising the required qualifications of a pharmacist or intern pharmacist who administers immunizations; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Board of Pharmacy to adopt regulations necessary for the protection of the public and the practice of pharmacy. (NRS 639.070) Existing regulations authorize a pharmacist or intern pharmacist who possesses certain training to administer certain immunizations pursuant to a written protocol issued by a physician. Existing regulations require a pharmacist or intern pharmacist who administers immunizations to be certified in life-saving techniques by the American Heart Association or its equivalent. (NAC 639.2973, 639.2974) **Sections 1 and 2** of this regulation additionally authorize a pharmacist or intern pharmacist to obtain such certification from the American Red Cross. **Sections 1 and 2** also require any such certification by an equivalent organization to be approved by the Board.

**Section 1.** NAC 639.2973 is hereby amended to read as follows:

639.2973 1. Before a pharmacist may administer an immunization pursuant to a written protocol or before an intern pharmacist acting under the direct and immediate supervision of a pharmacist may administer such immunizations, the pharmacist or intern pharmacist must be trained and certified to administer immunizations by completing a course approved by the Accreditation Council for Pharmacy Education or its successor organization that includes:

- (a) Certification in life-saving techniques pursuant to the American Heart Association's Basic ~~Cardiac~~ Life Support for Health Care Providers, *the American Red Cross's Basic Life Support for Healthcare Providers* or ~~its~~ an equivalent ~~it~~ program approved by the Board;
- (b) Education and practical training, including, without limitation, written study materials regarding techniques for administering immunizations;
- (c) Evaluation of the knowledge and technique of the pharmacist or intern pharmacist in administering immunizations;
- (d) Instruction consistent with the current training guidelines of the Centers for Disease Control and Prevention; and
- (e) Except as otherwise provided in subsection 2, a minimum of 20 hours of instruction and practical training concerning:
  - (1) The standards for pediatric, adolescent and adult immunization practices recommended and approved by the United States Public Health Service Advisory Committee on Immunization Practices;
  - (2) Basic immunology, and vaccine and immunization protection;
  - (3) Diseases that are preventable through vaccination and immunization;
  - (4) Recommended immunization schedules;
  - (5) Vaccine and immunization storage and management;
  - (6) Informed consent;
  - (7) Physiology and techniques for administration of immunizations;
  - (8) Preimmunization and postimmunization assessment and counseling;
  - (9) Immunization reporting and records management; and
  - (10) Identification, response, documentation and reporting of adverse events.

2. In lieu of complying with the requirements of paragraph (e) of subsection 1, a pharmacist or an intern pharmacist who administers immunizations consisting exclusively of live attenuated influenza vaccine through the nasal passages of a person may complete a program of less than 20 hours of instruction which is accredited by the Accreditation Council for Pharmacy Education or its successor organization and includes instruction relating to:

- (a) The epidemiology of influenza;
- (b) The pathophysiology, clinical presentation, diagnosis, prevention and treatment of influenza;
- (c) The administration, storage and handling of influenza vaccines; and
- (d) The counseling of patients who will be immunized with the vaccine.

3. Before a pharmaceutical technician acting under the direct and immediate supervision of a pharmacist may administer an immunization pursuant to a written protocol, the pharmaceutical technician must complete at least 1 hour of training relating to vaccines, immunization and the administration of immunizations provided by:

- (a) Immunize Nevada or its successor organization;
- (b) An entity approved by the Accreditation Council for Pharmacy Education or its successor organization;
- (c) The owner or managing pharmacist of the pharmacy at which the pharmaceutical technician is employed; or
- (d) Another entity approved by the Board.

**Sec. 2.** NAC 639.2974 is hereby amended to read as follows:

639.2974 1. A pharmacist who administers immunizations or an intern pharmacist acting under the direct and immediate supervision of a pharmacist who administers immunizations shall:

(a) Maintain certification in basic ~~life~~ life support from ~~the~~ :

(1) *The American Heart Association or its successor organization;*

(2) *The American Red Cross or its successor organization; or*

(3) *An equivalent organization approved by the Board; and*

(b) On or before October 31 of each year, complete:

(1) At least 2 hours of continuing education in a course or courses that address the life cycle of diseases, drugs and administration of immunizations; or

(2) A course provided by the Centers for Disease Control and Prevention regarding epidemiology and prevention of diseases which are preventable through immunization.

2. On or before October 31 of each year, a pharmaceutical technician acting under the direct and immediate supervision of a pharmacist who administers immunizations shall complete at least 1 hour of continuing education relating to vaccines, immunization and the administration of immunizations provided by an entity listed in subsection 3 of NAC 639.2973.