

STATE OF NEVADA



PERRY FAIGIN
NIKKI HAAG
MARCEL F. SCHAEERER
Deputy Directors

J. DAVID WUEST
Executive Secretary

DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
STATE OF NEVADA BOARD OF PHARMACY

Date Posted: August 12, 2025

AGENDA

◆ PUBLIC NOTICE ◆

The Nevada State Board of Pharmacy will conduct a meeting beginning Wednesday, September 3, 2025, at 9:00 am. The meeting will continue Thursday, September 4, 2025, at 9:00 am if necessary or until the Board concludes its business. 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

Please Note:

In regulating the practice of pharmacy, the Nevada State Board of Pharmacy has a duty to carry out and enforce the provisions of Nevada law to protect the health, safety, and welfare of the public.

Please note that items on this agenda may be taken out of order, two or more agenda items may be combined for consideration, and/or items may be removed from the agenda or delayed for discussion at any time.

The Board may convene in closed session pursuant to NRS 241.030 to consider the character, alleged misconduct, professional competence or physical or mental health of any person named on this agenda.

The Board will take public comment on any matters within their jurisdiction, control, or advisory power. Public comments may be limited to three minutes per person. Public comment may also be submitted to the Board at teambc@pharmacy.nv.gov.

The Board may refuse to consider public comment related to a contested case pursuant to NRS 233B.126 until the Board has rendered a decision in the contested case.

1. Call to Order and Roll Call – Establishment of Quorum
2. Public Comment: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020)

◆ CONSENT AGENDA ◆

The Consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

3. Approval of the July 16-17, 2025, Board Meeting Minutes (**FOR POSSIBLE ACTION**)
4. 4.1 Applications for Out-of-State Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-Appearance (**FOR POSSIBLE ACTION**)
 - A. EBI, LLC – Parsippany, NJ
 - B. Mori Medical Equipment, Inc – Vista, CA
 - C. Noctrix Health, Inc – Pleasanton, CA
- 4.2 Applications for Out-of-State Wholesaler License (NRS 639.233) – Non-appearance (**FOR POSSIBLE ACTION**)

Background Check Not Required by Law.

- 4.2.1 Publicly Traded (NAC 639.593(6)(a))
 - D. Amneal Pharmaceuticals, LLC – Glasgow, KY
 - E. CooperSurgical, Inc – Fort Worth, TX
 - F. Hill-Rom Company, Inc – Batesville, IN
 - G. Hill-Rom Company, Inc – Las Vegas, NV
 - H. Hill-Rom Company, Inc – Sparks, NV
 - I. Hill-Rom Manufacturing, Inc – St Paul, MN

- J. HSG-Corp – Fort Worth, TX
 - K. HSG-Corp – Savannah, GA
 - L. LENZ Therapeutics, Inc – Solana Beach, CA
- 4.2.2 Publicly Traded and VAWD-Accredited (NAC 639.593(6)(a) and (c))
- 4.2.3 Publicly Traded and Manufacturer (NAC 639.593(6)(a) and (d))
- M. Arrowhead Pharmaceuticals, Inc – Pasadena, CA
 - N. Regeneron Pharmaceuticals, Inc – East Greenbush, NY
 - O. Regeneron Pharmaceutical, Inc – Rensselaer, NY
 - P. Tisalus Life Sciences, Inc – Westminster, CO
- 4.2.4 Publicly Traded, VAWD-Accredited, and Manufacturer (NAC 639.593(6)(a), (c), and (d))
- 4.2.5 VAWD-Accredited (NAC 639.593(6)(c))
- Q. American Pharmaceutical Distributors – Waterford, MI
 - R. Hilco Vision – Fairfield, OH
- 4.2.6 Manufacturer (NAC 639.593(6)(d))
- S. Accelerated Care Plus Leasing, Inc – Reno, NV
 - T. AirLife – Litchfield Park, AZ
 - U. Arterocyte Medical Systems, Inc – Hopkinton, MA
 - V. Bayer HealthCare, LLC – Berkeley, CA
 - W. Bright Uro, Inc – Irvine, CA
 - X. Flexicare, Inc – Irvine, CA
 - Y. Innovative Neurotronics, Inc – Reno, NV
 - Z. Ivy Technology, LLC – Louisville, KY
 - AA. Leica Biosystems Imaging, Inc – Vista, CA
 - BB. Osteal Therapeutics, Inc – Beverly, MA
 - CC. Radiometer America, Inc – Middleburgh Heights, OH
 - DD. Rising Pharmaceuticals – East Windsor, NJ
 - EE. True Marker Pharmaceuticals – Phoenix, AZ
 - FF. TSC Life US Inc – Greenwood Village, CO
 - GG. Vitalcare Health Services – Reno, NV
- 4.2.7 VAWD-Accredited and Manufacturer (NAC 639.593(6)(c) and (d))
- 4.2.8 Distributor for Single Manufacturer (NAC 639.593(6)(e))

4.2.9 **Background checks completed in compliance with NRS 639.500.**

HH. Animal Health International, Inc – Ceres, CA
II. Animal Health International, Inc – Ontario, CA
JJ. Animal Health International, Inc – Ranoke, TX
KK. Animal Health International, Inc – Spanish Fork, UT
LL. Animal Health International, Inc – Twin Falls, ID
MM. Animal Health International, Inc – Visalia, CA
NN. API Expeditors, LLC – Miami, FL
OO. Frontier Dental Supply, Inc – Windsor Mill, MD
PP. Medtronic Logistics, LLC – Louisville, CO
QQ. Medtronic Logistics, LLC – Fort Worth, TX
RR. Medtronic Logistics, LLC – Swedesboro, NJ
SS. Packaging Coordinators, Inc – Croydon, PA
TT. Silver State Medical Supply, LLC – Las Vegas, NV
UU. Stat-Med, Inc – North Las Vegas, NV
VV. TENS Pros – St. Louis, MO

4.3 Application for Nevada Pharmacy License (NRS 639.230) – Non-Appearance **(FOR POSSIBLE ACTION)**

WW. Alto Pharmacy – Las Vegas, NV
XX. Community Health Alliance Neil Road Pharmacy – Reno, NV
YY. ER at North Valleys, an Extension of Northern Nevada Medical Center – Sparks, NV
ZZ. Meta Pharmacy Services – Las Vegas, NV
AAA. Renown Pharmacy – Reno, NV
BBB. Smith's Pharmacy #303 – Henderson, NV

4.4 Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Non-Appearance **(FOR POSSIBLE ACTION)**

CCC. Coram CVS/Specialty Infusion Services – San Diego, CA
DDD. Hillstone Pharmacy – Knoxville, TN
EEE. Optimal Balance Pharmacy, LLC – Houston, TX
FFF. RLS (IUSA), Inc – Fullerton, CA
GGG. Turbare Manufacturing – Conway, AR
HHH. WP Pharma Labs – Dallas, TX

4.5 Application for Out-of-State Pharmacy License (NRS 639.2328) – Non-Appearance **(FOR POSSIBLE ACTION)**

- III. Adegem Pharmacy – Grove City, OH
- JJJ. Alto Pharmacy – Denver, CO
- KKK. Alto Pharmacy – Plano, TX
- LLL. Alto Specialty Pharmacy – Austin, TX
- MMM. E-Rxhub – Tampa, FL
- NNN. Foundation Pharmacy, LLC – Sunrise, FL
- OOO. Medico Pharmacy – Los Angeles, CA
- PPP. Praxis Specialty Pharmacy, LLC – Tampa, FL
- QQQ. Vibrix Pharmacy – Lindon, UT
- RRR. Wedgewood Pharmacy, LLC – Chandler, AZ

- 4.6 Application for Ambulatory Surgery Center License (NAC 639.4992) – Non- Appearance **(FOR POSSIBLE ACTION)**

SSS. Medical and Dental Center of Nevada, LLC – Las Vegas, NV

- 4.7 Request to Engage in The Practice of Pharmacy at A Site Other Than a Licensed Pharmacy – Non-Appearance **(FOR POSSIBLE ACTION)**

- 4.8 Application for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6944) – Non-Appearance **(FOR POSSIBLE ACTION)**

TTT. Platinum Medical Supplies – Las Vegas, NV

- 4.9 Application for Nevada Warehouse (NAC 639.622) – Non- Appearance **(FOR POSSIBLE ACTION)**

◆ REGULAR AGENDA ◆

5. Disciplinary hearings pursuant to NRS 639.247. **(FOR POSSIBLE ACTION)**

- | | |
|--|------------------|
| A. Karri Lynn Burgner | (22-247-CS-A-N) |
| B. McGuff Compounding Pharmacy Services, Inc | (23-070-PH-O) |
| C. McGuff Company, Inc | (23-070-WH-O) |
| D. CVS Pharmacy #6625 | (23-314-PH-N) |
| E. Victoreea Harris | (23-314-RPH-C-N) |
| F. Samuel Chacon | (23-348-CS-N) |
| G. Revive Rx | (23-411-PH-O) |
| H. Injured Workers Pharmacy, LLC | (23-428-PH-O) |
| I. Frank Shallenberger | (23-515-CS-N) |
| J. Debra Renee McCurtainMurry | (24-131-CS-S) |
| K. Abdollah Assad | (24-470-CS-N) |
| L. Kristin Hestdalen | (25-020-CS-N) |
| M. Bernard Brooks | (25-031-RPH-N) |

N. Smith's Pharmacy #315	(25-076-PH-S)
O. Octavia Loraine Brooks	(25-076-RPH-S)
P. Alyssa Mercedes Garcia	(25-076-PT-S)
Q. Ability Prosthetics and Orthotics of Nevada, LLC	(23-234-MP-N)
R. PharMerica	(24-370-PH-N)
S. Camilla Kim	(24-370-RPH-N)
T. Sean Arora	(24-509-CS-N)
U. Cassie Gifford	(24-509-PR-A-N)
V. Gabrielle McIntyre	(24-509-PR-B-N)
W. Allison Jaggard	(24-509-PR-C-N)
X. Qui Thai	(22-476-CS-S)
Y. CVS Pharmacy #9981	(25-034-PH-N)
Z. Joseph Delallo	(25-034-RPH-N)

6. Application for Nevada Medical, Devices, Equipment and Gases License (NAC 639.6944) – Appearance (**FOR POSSIBLE ACTION**)
 - A. Advanced Prosthetics & Orthotics – Henderson, NV
 - B. Advanced Prosthetics & Orthotics – Las Vegas, NV
 - C. Advanced Prosthetics & Orthotics – Pahrump, NV
 - D. Fix My Oxygen, LLC – Las Vegas, NV
7. Application for Nevada Pharmacy License (NRS 639.230) – Appearance (**FOR POSSIBLE ACTION**)
 - A. National Health Rx – Las Vegas, NV
 - B. Prosource Pharmacy – Las Vegas, NV
8. Application for Out-of-State Compounding Pharmacy License (NRS 639.230) – Appearance – (**FOR POSSIBLE ACTION**)
 - A. Avrio Pharmacy – Scottsdale, AZ
 - B. Vidrine Pharmaceutical Group, LLC – Lake Charles, LA
9. Application for Out-of-State Wholesaler License (NRS 639.233) – Appearance – (**FOR POSSIBLE ACTION**)
 - A. Packaging Coordinators, Inc – Philadelphia, PA – Background Check Not Required by Law
 - B. Patterson Logistic Services, Inc – Dinuba, CA – Background Check Not Required by Law
 - C. Patterson Logistic Services, Inc – Boone, IA – Background Check Not Required by Law
 - D. Patterson Logistic Services, Inc – Blythwood, SC – Background Check not Required by Law

- E. Patterson Logistic Services, Inc – Kent, WA – Background Check not Required by Law
- F. Patterson Logistic Services, Inc – South Bend, IN – Background Check not Required by Law
- 10. Application for Nevada Wholesaler License (NRS 639.233) – Appearance – **(FOR POSSIBLE ACTION)**
 - A. Patterson Dental Supply, Inc – Las Vegas, NV – Background Check not Required by Law
- 11. Applications for Controlled Substance Registration (NRS 453.226) – Appearance **(FOR POSSIBLE ACTION)**
 - A. Eric Disbrow
 - B. Jeffrey C. Backofen
 - C. Jeffrey Kesten
 - D. Melissa Case
- 12. Discussion and possible action on request for advisory opinion from Advanced Molecular Compounding LLC (NAC 639.150) **(FOR POSSIBLE ACTION)**
- 13. Presentation on 83rd (2025) Session of the Nevada Legislature by Mike Hillerby (INFORMATIONAL ONLY – NO ACTION)

◆ WORKSHOP ◆

Thursday, September 4, 2025 – 9:00 am

- 14. Notice of Proposed Regulation Workshop Pursuant to NRS 233B.061(2) **(FOR POSSIBLE ACTION)**:
 - A. A REGULATION relating to the authority of a homeopathic physician who is not licensed as an allopathic or osteopathic physician in Nevada to possess, administer, prescribe and dispense controlled substances and dangerous drugs; and providing other matters properly relating thereto.
 - B. Amendment to Chapter 639 of the Nevada Administrative Code. The proposed amendments establish standards for licensees relating to staffing, supervision, duties of a pharmacy, duties of a pharmacist and requirements related to the timing of dispensing prescription drugs and devices.

15. General Counsel Report. Note: The Board may exclude the public for a report on potential or existing litigation pursuant to NRS 241.015(3)(b)(2).

16. Executive Secretary Report:

- A. Financial Report
- B. Issuance of Temporary Licenses and Registrations
- C. Change of Address Business List
- D. Meetings with Other Health Care Regulatory Boards
- E. Licensing Activities Report
- F. Citations & Fines issued pursuant to NRS 632.2895
- G. Legislative update

17. Date and Location of Next Scheduled Board Meeting:

October 15-16, 2025 – Las Vegas, NV

18. Public Comment: No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an item. (NRS 241.020)

19. Adjournment

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Pharmacy, 985 Damonte Ranch Parkway, Suite 206, Reno, NV, 89521, or call Darlene Nases at (775) 850-1440, as soon as possible.

Supporting materials or additional information regarding the meeting may be obtained from Darlene Nases at (775) 850-1440, email teambc@pharmacy.nv.gov or 985 Damonte Ranch Parkway, Suite 206, Reno, Nevada, 89521.

Continuing Education credit of 4 hours, including 1 hour of law, will be given per day of in-person Board meeting attendance pursuant to NAC 639.330(1)(b)(2). You are required to attend the board meeting for a full day to receive CE credit including the law credit.

This notice has been posted at www.notice.nv.gov and www.bop.nv.gov pursuant to NRS 241.020 (4).

WORKSHOP

14A

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – September 4, 2025

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 453.221, NRS 454.371, NRS 639.070, NRS 639.0727

A REGULATION relating to the authority of a homeopathic physician who is not licensed as an allopathic or osteopathic physician in Nevada to possess, administer, prescribe and dispense controlled substances and dangerous drugs; and providing other matters properly relating thereto.

Section 1. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. A homeopathic physician who is not licensed as an allopathic or osteopathic physician in Nevada may only possess, administer, prescribe and dispense dangerous drugs in conformance with homeopathic pharmacology and in the dosages permitted in the Homeopathic Pharmacopoeia of the United States.*
- 2. A homeopathic physician registered pursuant to NRS 453.226(1) who is not licensed as an allopathic or osteopathic physician in Nevada may only possess, administer, prescribe and dispense controlled substances in conformance with homeopathic pharmacology and in the dosages permitted in the Homeopathic Pharmacopoeia of the United States.*
- 3. The Board hereby adopts by reference the Homeopathic Pharmacopoeia of the United States, promulgated by the Homeopathic Pharmacopoeia Convention of the United States and available at <https://www.hpus.com>.*
- 3. As used in this section:**
 - (a) “Homeopathic physician” has the meaning ascribed to it in NRS 630A.050.*
 - (b) “Allopathic physician” means a person licensed to practice medicine pursuant to NRS 630.160.*
 - (c) “Osteopathic physician” has the meaning ascribed to it in NRS 633.091.*

Section 2. Chapter 639 of NAC is hereby amended by adding thereto a new section to read as follows:

A pharmacist shall not fill a prescription issued by a homeopathic physician who is not licensed as an allopathic or osteopathic physician, or dispense a dangerous drug or a controlled substance pursuant to a prescription issued by a homeopathic physician who is not licensed as an allopathic or osteopathic physician, except in dosages permitted in the Homeopathic Pharmacopoeia of the United States.

DRAFT

WORKSHOP - 14B

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

September 4, 2025

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

Blue italics - new proposed language.

Red italics – new proposed language suggested by stakeholders.

Green italics - language included from R113-24 that did not receive public comment.

AUTHORITY: §§ 1 and 2, NRS 639.070; §§ 3-5, NRS 639.070 and 639.1371.

A REGULATION relating to pharmacy; establish standards for licensees relating to staffing, supervision, duties of a pharmacy, duties of a pharmacist and requirements related to the timing of dispensing prescription drugs and devices.

Section 1. Chapter 639 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3, 4, 5, 6, 7 and 8 of this regulation.

Sec. 2.

- 1. Except as otherwise provided in subsections 4 and 5, a pharmacy that dispenses controlled substances or dangerous drugs must be staffed with at least two pharmacists, who are fully dedicated to performing dispensing services, 80% of the time of each day the pharmacy is opened to the public or 65% of the time of each day the pharmacy is opened to the public if the pharmacy is open to the public 24 hours a day; and*
- 2. During all other times when only one pharmacist is staffed, the pharmacy must be staffed with at least one pharmaceutical technician or intern pharmacist fully dedicated to performing dispensing services or at least two pharmaceutical technicians or two intern*

- pharmacists or one pharmaceutical technician and one intern pharmacist dedicated to performing dispensing services if the pharmacy also operates a drive through window; and*
- 3. If the pharmacy is performing nondispensing services, the pharmacy must be staffed with an additional pharmacist designated to provide the non-dispensing services. This pharmacist may assist in providing dispensing services, including the dispensing of controlled substances or dangerous drugs, if, in the professional judgement of the pharmacist, patient care and safety are not compromised.*
 - 4. The requirements of subsection 1 do not apply on the days the pharmacy fills fewer than 100 prescriptions which is based on the number of prescriptions filled on the same day in the previous annum.*
 - 5. The requirements of subsection 3 do not apply on the days the pharmacy fills fewer than 75 prescriptions which is based on the number of prescriptions filled on the same day in the previous annum.*
 - 6. As used in this section:*
 - a. "Dispensing services" means the filling and dispensing of prescriptions.*
 - b. "Nondispensing services" means all activities that a pharmacist performs except for dispensing services.*

Sec. 3.

In addition to the requirements of section 2, a pharmacy that dispenses controlled substances or dangerous drugs, must:

- 1. Staff in a manner that meets the demands of the pharmacy and prioritizes patient care and safety.*

2. *Staff sufficiently at all times in order to minimize fatigue, distraction, or other conditions which interfere with a pharmacist's ability to practice competently and safely.*
3. *Provide sufficient time for pharmacists to complete professional duties and responsibilities.*
4. *A pharmacy shall develop a process for pharmacy staff to communicate requests for additional staff or reports of staffing concerns. Requests for additional staff or reports of staffing concerns shall be communicated in writing to the managing pharmacist or to the pharmacist who has been designated by the managing pharmacist to assume the managing pharmacist's duties in his or her absence.*
 - a. *The managing pharmacist or his or her designee shall resolve any request for additional staff or reports of staffing concerns in a timely manner, or within 72 hours, to ensure a safe working environment for pharmacy staff. If the managing pharmacist or his or her designee does not have authority to resolve the issues listed, they shall report the issue to the person of authority within 24 hours of receiving the request for additional staff or reports of staffing concerns who shall resolve any issues listed in a timely manner, or within 72 hours, to ensure a safe working environment for pharmacy staff. A copy of the written request for additional staff or reports of staffing concerns shall be maintained in the pharmacy for three years for immediate inspection by an agent, inspector, or employee of the Board.*
 - b. *The managing pharmacist or his or her designee, or the person of authority who is responsible for responding to a request for additional staff or reports of staffing concerns shall document their actions and provide a written response to the*

request or report of concern within 72 hours of submission which must be communicated to the managing pharmacist or his or her designee, and the pharmacy staff who submitted the request or report of concern. A copy of the written response shall be maintained in the pharmacy for three years for immediate inspection by an agent, inspector, or employee of the Board.

5. A pharmacy shall not retaliate or discipline a pharmacist who, in good faith, makes a request for additional staff or reports staffing concerns pursuant to this section. As used in this section, retaliation or discipline includes, but is not limited to, the following:

- a. Removing or suspending the employee from employment;*
- b. Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;*
- c. Transferring or reassigning the employee;*
- d. Denying the employee a promotion that otherwise would have been received;*
- e. Reducing the employee in pay, position, or scheduled work hours.*

Sec. 4.

1. A pharmacy shall develop and implement a policy, which shall be maintained in the pharmacy for immediate inspection by an agent, inspector, or employee of the Board. that permits a pharmacist to:

- a. Limit the provision of nondispensing services if, in the pharmacist's professional judgment, the provision of such services cannot be safely provided or may negatively impact patient access to medications. The pharmacy's policy shall require pharmacy staff to make an appointment for a patient or refer a patient to another pharmacy offering immunizations and other nondispensing services.*

- b. Limit pharmacy access points, if, in the pharmacist's professional judgment, limiting such access points will minimize fatigue, distraction, or other conditions which interfere with a pharmacist's ability to practice competently and safely.*
- 2. A pharmacy shall not override the control of the pharmacist on duty as follows:*
 - a. A pharmacist's decision not to administer or supervise immunizations or provide other nondispensing services if, in the pharmacist's professional judgment, the provision of such services cannot be provided safely or may negatively impact patient access to medications. The pharmacy staff shall offer to make an appointment for the patient or refer the patient to another pharmacy offering immunizations and other nondispensing services.*
 - b. A pharmacist's decision to limit pharmacy access points if, in the pharmacist's professional judgment, limiting such access points will minimize fatigue, distraction, or other conditions which interfere with a pharmacist's ability to practice competently and safely. Such limitations shall not interfere with a patient's ability to drop off or receive dispensed prescriptions during the pharmacy's posted hours of operation.*
- 3. Subsection 1 does not apply to pharmacies that are not open to the public.*
- 4. A pharmacy shall not retaliate or discipline a pharmacist who, in good faith, acts in accordance with this section. As used in this section, retaliation or discipline includes, but is not limited to, the following:*
 - a. Removing or suspending the employee from employment;*
 - b. Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;*

- c. Transferring or reassigning the employee;*
- d. Denying the employee a promotion that otherwise would have been received;*
- e. Reducing the employee in pay, position, or scheduled work hours.*

Sec. 5.

- 1. The pharmacy and managing pharmacist of the pharmacy that dispenses controlled substances or dangerous drugs shall ensure that the pharmacy complies with sections 2 and 3 of this regulation, to the extent applicable.*
- 2. A pharmacist who is on the staff of the pharmacy that dispenses controlled substances or dangerous drugs, including, without limitation, the managing pharmacist of such a pharmacy, shall report to the Board when the pharmacy fails to meet the requirements of section 2 or 3 of this regulation if in their professional judgement such failure may have compromised patient care and safety.*

Sec. 6.

- 1. Except as otherwise provided in subsections a through k of this section, a prescription for a dangerous drug or medical device shall be filled within three business days upon the receipt of the prescription by a pharmacy or medical products provider, or if the prescription is a refill, upon the request of the patient, except when:*
 - a. A prior authorization or contact for clarification with the prescribing practitioner of the prescribed dangerous drug or medical device is required;*
 - b. The patient's insurance denies coverage of the medication and cash payment for the medication is not an option for the patient;*
 - c. The prescribing practitioner cancels the prescription;*

- d. *Upon reviewing the patient's record pursuant to NAC 639.707(4) before dispensing the dangerous drug or medical device prescription it is determined that the prescription is therapeutically inappropriate for the patient or may negatively impact the patient;*
- e. *The prescription is determined to be unlawful, fraudulent, or not issued for a legitimate medical purpose;*
- f. *The pharmacy or medical products provider cannot fill the prescription as prescribed as the dangerous drug or medical device prescribed is not available because there is a documented drug shortage, the medication is on back-order, or the drug is not available from the pharmacy's drug distributor;*
- g. *The pharmacy or medical products provider cannot process the prescription due to a temporary technologic or electronic failure in the computer system necessary to process the prescription or is experiencing a power outage;*
- h. *The pharmacy or medical products provider cannot process the prescription due to a natural disaster, a human made disaster, an outbreak of a pandemic or the declaration of a state or federal emergency, or an incident that significantly impacts the ability of the pharmacy or medical products provider to timely process the prescription;*
- i. *The prescription is for a compounded product;*
- j. *If applicable, based on when the patient last filled a prescription for the same drug and dosage, the patient is not yet due for a refill; or*
- k. *The Board determines there is a reasonable reason why the pharmacy or medical products provider could not timely process a prescription.*

2. *The pharmacy or medical products provider shall document in the records of the prescription the reason the prescription cannot be filled within three business days pursuant to this section.*

Sec. 7. NAC 639.250 is hereby amended to read as follows:

Except as otherwise provided in NAC 639.258:

1. Except as otherwise provided in subsection 5, in ~~{a hospital,}~~ *an institutional pharmacy or a pharmacy in a correctional institution*, a pharmacist who is dispensing prescriptions may not supervise more than a total of three pharmaceutical technicians at one time. A pharmacist who is supervising distributive functions may not supervise more than a total of two pharmaceutical technicians and one pharmaceutical technician in training while the trainee is performing technician functions in on-the-job training.
2. ~~{Except as otherwise provided in subsection 5, in}~~ *In* any pharmacy, other than ~~{a hospital}~~ *an institutional pharmacy, pharmacy in a correctional institution*, telepharmacy, remote site, satellite consultation site or nondispensing pharmacy, a pharmacist may not supervise more than a total of ~~{three}~~ *four* pharmaceutical technicians or ~~{one}~~ *two* pharmaceutical ~~{technician}~~ *technicians* and two pharmaceutical technicians in training at one time.
3. In any telepharmacy, remote site or satellite consultation site, a pharmacist may not supervise more than a total of three pharmaceutical technicians at one time.
4. In any nondispensing pharmacy, a pharmacist may not supervise more than a total of eight pharmaceutical technicians or six pharmaceutical technicians and two pharmaceutical technicians in training at one time.

5. A pharmacist *in an institutional pharmacy or a pharmacy in a correctional institution* may supervise more pharmaceutical technicians and pharmaceutical technicians in training at one time than are otherwise allowed pursuant to ~~{subsections}~~ *subsection 1* ~~{and 2}~~ if:

(a) Not more than three of the pharmaceutical technicians or pharmaceutical technicians in training are performing the duties of a pharmaceutical technician as set forth in NAC 639.245; and

(b) The record kept by the pharmacy pursuant to NAC 639.245 identifies the pharmaceutical technicians and pharmaceutical technicians in training who are performing the duties of a pharmaceutical technician as set forth in NAC 639.245.

6. *A pharmacist who is on the staff of a pharmacy, including, without limitation, the managing pharmacist of such a pharmacy, shall report to the Board when the pharmacy fails to meet the requirements of this section.*

~~{6-}~~ 7. As used in this section, “nondispensing pharmacy” means a pharmacy that is licensed pursuant to this chapter and chapter 639 of NRS that does not dispense, including, without limitation, drugs, controlled substances, poisons, medicines or chemicals.

Sec. 8.

Sections 1 to 7 become effective 90 days after the Regulation is signed by the Secretary of State.