JOE LOMBARDO
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President

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Executive Secretary

STATE OF NEVADA

BOARD OF PHARMACY

985 Damonte Ranch Pkwy, Ste 206
Reno, NV 89521

Posted: November 3, 2026

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, December 3, 2026.

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:

Hilton Garden Inn
7830 S. Las Vegas Boulevard
Las Vegas, 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 and/or 453 of the Nevada Administrative Code.

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

A REGULATION relating to pharmacy; authorizing the furnishing of prescribed drug products or controlled substances to certain practitioners for delivery to an ultimate user under certain conditions; and providing other matters properly relating thereto. (LCB File No. R106-26)

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

Pharmacies sometimes deliver medications to a doctor's office instead of directly to the patient. This regulation exists to enforce Nevada law, which does not permit pharmacies to deliver medications to anyone other than the ultimate user.

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 economic impact from this regulation amendment on the regulated entities or on the public. he amendment to this regulation will benefit both the regulated entities and the public by helping ensure that patients receive their medications as intended and by reducing opportunities for misuse or fraud.

(b) Both immediate and long-term effects.

Both the immediate and long-term economic effects on regulated entities and on the public will be beneficial by ensuring that patients receive their medications as intended and by reducing opportunities for misuse or fraud.

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 teambc@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 December 3. 2026. 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:

www.notice.nv.gov
www.bop.nv.gov
www.leg.state.nv.us.

Nevada State Board of Pharmacy
Reno, Nevada

Nevada State Board of Pharmacy
Las Vegas, Nevada

Nevada State Library
100 N. Stewart St.
Carson City, NV 89701

PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R106-26

May 22, 2026

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

AUTHORITY: § 1, NRS 639.070.

A REGULATION relating to pharmacy; authorizing the furnishing of prescribed drug products or controlled substances to certain practitioners for delivery to an ultimate user under certain conditions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Board of Pharmacy to adopt regulations regulating the practice of pharmacy. (NRS 639.070) This regulation authorizes a pharmacy, with the written permission of an ultimate user, to furnish prescribed drug products or controlled substances to certain practitioners for delivery to the ultimate user, including as part of a patient assistance program. This regulation also prescribes requirements governing the furnishing of such a drug product or controlled substance by a pharmacy to a practitioner and the related recordkeeping. Additionally, this regulation prescribes requirements governing the handling, storage and maintenance of records by a practitioner who receives such a drug product or controlled substance. This regulation requires such a practitioner to administer or provide the drug product or controlled substance to the ultimate user or destroy or donate the drug product or controlled substance within 90 days after receiving the drug product or controlled substance.

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

1. With the written permission of the ultimate user, a pharmacy may, to the extent authorized by federal law, furnish to a practitioner a drug product or controlled substance prescribed to the ultimate user so that the practitioner may deliver the drug product or controlled substance, as applicable, to the ultimate user.

2. Before furnishing a drug product or controlled substance to a practitioner pursuant to subsection 1, the pharmacy must:

(a) Obtain written permission from the ultimate user authorizing the pharmacy to furnish the drug product or controlled substance, as applicable, to the practitioner;

(b) Ensure that the practitioner is:

(1) Licensed to practice his or her profession in this State; and

(2) Authorized to possess the drug product or controlled substance, as applicable, under all applicable state and federal laws; and

(c) Obtain a written acknowledgment from the practitioner agreeing to comply with subsections 4 and 5.

3. A pharmacy shall process a prescription for a drug product or controlled substance that is furnished to a practitioner pursuant to subsection 1 in the same manner as if the drug product or controlled substance were being dispensed directly to the ultimate user.

4. A practitioner who receives a drug product or controlled substance from a pharmacy pursuant to subsection 1 shall:

(a) Comply with all applicable federal and state laws and regulations relating to the handling of the drug product or controlled substance, as applicable;

(b) Store the drug product or controlled substance, as applicable, separately from any other drugs maintained by the practitioner; and

(c) Maintain a record of the action taken with regard to the drug product or controlled substance pursuant to subsection 5 for at least 2 years after the date on which the action is taken.

5. Not later than 90 days after receiving a drug product or controlled substance from a pharmacy pursuant to subsection 1, a practitioner shall:

(a) Administer or provide the drug product or controlled substance to the ultimate user;

(b) Destroy the drug product or controlled substance in a manner authorized by state and federal law; or

(c) Donate the drug product or controlled substance to the Prescription Drug Donation Program established pursuant to NRS 453B.080.

6. The requirements of this section apply to the furnishing of a drug product or controlled substance by a pharmacy that has contracted with a patient assistance program to a practitioner so that the practitioner may assist in delivering the drug product or controlled substance, as applicable, to the ultimate user.

7. As used in this section:

(a) "Drug product" has the meaning ascribed to it in NAC 639.6631.

(b) "Patient assistance program" means a program that is sponsored by a manufacturer or government agency to provide pharmaceuticals to uninsured or underinsured ultimate users at no cost.

(c) "Practitioner" means only the persons described in subsections 1 and 3 to 9, inclusive, of NRS 639.0125.