JOE LOMBARDO
Governor

HELEN PARK
President

J. DAVID WUEST
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 compounding; requiring certain pharmacies and practitioners to obtain authorization from the State Board of Pharmacy to engage in the sterile or nonsterile compounding of drug products; requiring certain applicants to disclose whether they intend to engage in such compounding; and providing other matters properly relating thereto.
(LCB File No. R158-26)

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

Pharmacies must notify the Board if they are engaged in compounding so the Board can verify and approve their eligibility to perform compounding activities.

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. The amendment to this regulation will have a beneficial effect on both the regulated entities and the public by ensuring that pharmacies engaged in compounding are compliant with Nevada law.

(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 ensuring that pharmacies engaged in compounding are compliant with Nevada law.

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.

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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. R158-26

September 30, 2026

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

AUTHORITY: §§ 1-5, NRS 639.070.

A REGULATION relating to compounding; requiring certain pharmacies and practitioners to obtain authorization from the State Board of Pharmacy to engage in the sterile or nonsterile compounding of drug products; requiring certain applicants to disclose whether they intend to engage in such compounding; 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) Existing regulations establish general standards applicable to the sterile and nonsterile compounding of drug products and parenteral solutions. (NAC 639.661- 639.690) **Section 2** of this regulation prohibits a pharmacy from engaging in the sterile or nonsterile compounding of drug products unless authorized to do so by the Board. **Section 3** of this regulation prohibits a dispensing practitioner from engaging in the sterile or nonsterile compounding of drug products unless authorized to do so by the Board. **Section 3** generally requires a dispensing practitioner who wishes to engage in sterile or nonsterile compounding for the administration of a compounded drug product to a human or animal to obtain from the Board a certificate of registration for each site of practice at which the dispensing practitioner will engage in such compounding. **Section 3** further requires a dispensing practitioner who is authorized by the Board to engage in sterile or nonsterile compounding to comply with existing regulations governing compounding as if the dispensing practitioner were a pharmacist and the practice site of the practitioner were a pharmacy.

Existing law requires an applicant for a license to conduct a pharmacy to submit an application to the Board containing certain information. (NRS 639.231) **Section 4** of this regulation additionally requires the application to disclose whether the applicant intends to engage in the sterile or nonsterile compounding of drug products.

Existing regulations require a practitioner who wishes to dispense controlled substances or dangerous drugs for human consumption to obtain a certificate of registration from the Board and prescribe the requirements for such a certificate. (NAC 639.742) **Section 5** of this regulation requires an application for such a certificate to disclose whether the applicant intends to engage in the sterile or nonsterile compounding of drug products and makes a conforming change relating to the authorization to engage in such compounding required by **section 3**.

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

Sec. 2. ***A pharmacy licensed pursuant to NRS 639.230 may not engage in the sterile or nonsterile compounding of drug products unless authorized to do so by the Board.***

Sec. 3. ***1. A dispensing practitioner may not engage in the sterile or nonsterile compounding of drug products unless authorized to do so by the Board.***

2. Except in a medical facility as described in NRS 449.0151, other than a medical facility described in subsection 11, 12 or 15 of that section, a dispensing practitioner who wishes to engage in sterile or nonsterile compounding, or both, for the administration of a compounded drug product to a human or animal must submit to the Board, on a form provided by the Board, an application for a certificate of registration to engage in the sterile or nonsterile compounding of drug products. A dispensing practitioner must submit a separate application for each site of practice at which he or she will engage in sterile or nonsterile compounding. A certificate of registration to engage in the sterile or nonsterile compounding of drug products is a revocable privilege, and no holder of such a certificate of registration acquires any vested right therein or thereunder.

3. A dispensing practitioner authorized to engage in the sterile or nonsterile compounding of drug products must comply with the provisions of NAC 639.661 to 639.690, inclusive, as if:

(a) He or she were a pharmacist; and

(b) His or her practice site was a pharmacy.

Sec. 4. NAC 639.500 is hereby amended to read as follows:

639.500 1. A person, as that term is defined in NRS 0.039, or the State of Nevada or any of its political subdivisions, may own more than one pharmacy.

2. An applicant for a license to conduct a pharmacy in this State must submit to the Board a complete and accurate application on a form provided by the Board, ***including a disclosure of whether the applicant intends to engage in the sterile or nonsterile compounding of drug products,*** along with the requisite fees. The staff of the Board shall return the application to the applicant if the application is incomplete or does not include the requisite fees.

Sec. 5. NAC 639.742 is hereby amended to read as follows:

639.742 1. Except as otherwise provided in NAC 639.7421, 639.74225 and 639.7423, a practitioner who wishes to dispense controlled substances or dangerous drugs, or both, for human consumption must apply to the Board on an application provided by the Board for a certificate of registration to dispense controlled substances or dangerous drugs. A practitioner must submit a separate application for each site of practice, including, without limitation, a telepharmacy, remote site or satellite consultation site, from which the practitioner wishes to dispense controlled substances or dangerous drugs, or both, for human consumption. ***The application must include a disclosure of whether the applicant intends to engage in the sterile or nonsterile compounding of drug products.*** A certificate of registration to dispense controlled substances or dangerous drugs, or both, for human consumption is a revocable privilege, and no holder of such a certificate of registration acquires any vested right therein or thereunder.

2. Except as otherwise provided in NAC 639.7421 to 639.7423, inclusive, if a facility from which the practitioner intends to dispense dangerous drugs or controlled substances, or both, for human consumption is not wholly owned and operated by the practitioner, the owner or owners of the facility must also submit an application to the Board on a form provided by the Board.

3. Except as otherwise provided in this section and NRS 639.23277 and NAC 639.395, 639.648, 639.719, 639.74225 and 639.7423, the dispensing practitioner and, if applicable, the owner or owners of the facility and any federally-qualified health center vehicle, shall ensure that:

(a) All drugs are ordered by the dispensing practitioner;

(b) All drugs are received and accounted for by the dispensing practitioner;

(c) All drugs are stored in a secure, locked room or cabinet to which the dispensing practitioner has the only key or lock combination;

(d) All drugs are dispensed in accordance with NAC 639.745;

(e) No prescription is dispensed to a patient unless the dispensing practitioner is on-site at the facility or federally-qualified health center vehicle, as applicable;

(f) All drugs are dispensed only to the patient personally at the facility or federally-qualified health center vehicle, as applicable;

(g) The price of each drug dispensed to a patient is separately itemized on any bill or statement provided to the patient;

(h) All drugs are dispensed only for medically necessary purposes and according to prevailing standards of care for practitioners practicing in the specialty claimed or practiced by the dispensing practitioner; and

(i) The certificate for each dispensing technician employed at the facility is displayed in the room or cabinet in which drugs are stored.

4. Except as otherwise provided in NAC 639.648, 639.719, 639.74225, 639.7423 and 639.7424, with regard to the filling and dispensing of a prescription at a facility, only the dispensing practitioner or a dispensing technician may:

(a) Enter the room or cabinet in which drugs are stored;

(b) Remove drugs from stock;

(c) Count, pour or reconstitute drugs;

(d) Place drugs into containers;

(e) Produce and affix appropriate labels to containers that contain or will contain drugs;

(f) Fill containers for later use in dispensing drugs; or

(g) Package or repackage drugs.

5. Except as otherwise provided in NAC 639.74225 and 639.7423, a dispensing practitioner ~~[may compound]~~ ***authorized to engage in the sterile or nonsterile compounding of*** drug products ~~[if he or she complies]~~ ***must comply*** with the provisions of NAC 639.661 to 639.690, inclusive, as if:

(a) He or she were a pharmacist;

(b) His or her practice site was a pharmacy; and

(c) Any dispensing technician involved in the compounding was a pharmaceutical technician.

6. Except as otherwise provided in subsection 6 of NAC 639.746, the dispensing practitioners of an oncology group practice or a group of practitioners practicing at a reproductive healthcare center registered pursuant to NAC 639.746 are jointly responsible for ensuring that the requirements of subsection 3 are met.