

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

LCB FILE NO. R120-21I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/08/2021**

Proposed Regulation of the Nevada State Board of Pharmacy

Workshop – December 2, 2021

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 639.070.

A REGULATION relating to the deemed approval of continuing education credits offered by an accredited pharmacy school in Nevada.

Section. 1. NAC Chapter 639 of NAC is hereby amended as follows:

~~*NAC 639.310 – “Accredited material” defined. (NRS 639.070, 639.2176) – “Accredited material” means material for continuing education which has been endorsed by the Board after review by the Board, by its advisory committee on continuing education, by the Accreditation Council for Pharmacy Education or by a board of pharmacy of another state.*~~

Board approved Accredited Programs in Pharmacy Continuing Education include courses:

- 1. Provided by the University of Nevada Reno School of Medicine, University of Nevada Las Vegas School of Medicine, Touro University Nevada, or Roseman University of Health Sciences, the Department of Health and Human Services and the Nevada State Board of Pharmacy; or*
- 2. Endorsed by the Accreditation Council for Pharmacy Education.*

NAC 639.330 Registration and reregistration: Continuing education required; submission of proof. (NRS 639.070, 639.2176)

1. Except as otherwise provided in NAC 639.335, the Board will not issue a certificate as a registered pharmacist to any person pursuant to NRS 639.133, or renew the certificate of any registered pharmacist, until the applicant submits proof to the Board of receipt of 30 continuing education units within the biennium immediately preceding the current renewal period. The continuing education units must include not less than:

~~*(a) Fifteen continuing education units in accredited programs; and*~~

(ab) One continuing education unit earned:

(1) In a jurisprudence program approved or presented by the Board relating to the practice of pharmacy or the law relating to pharmacy in this State; or

(2) By attending an entire day of any meeting of the Board if:

(I) The Board meets for not less than 4 hours on that day; and

(II) The registered pharmacist attends the entire day of the meeting regardless of the length of time that the Board meets on that day.

2. A registered pharmacist who attends a meeting of the Board as set forth in subsection 1 is entitled to receive credit for four continuing education units.

3. No applicant may carry over any excess continuing education units earned in a previous biennium for purposes of compliance with the requirements of this section.

4. Work-related experience acquired in fields other than the practice of pharmacy is not acceptable as credit toward the requirements of continuing education established by NRS 639.2171 to 639.2176, inclusive, and NAC 639.300 to 639.390, inclusive.

~~NAC 639.340— Providers of continuing education: Request for recognition; grant, denial or withdrawal of recognition. (NRS 639.070, 639.2176) Any person seeking recognition as a provider must notify the Board of his or her intent to provide material or programs for continuing education and request recognition by the Board. The request will be granted if the Board finds that the person applying for recognition is competent to provide material or programs for continuing education, and the Board will communicate its recognition by mail. Recognition may be denied or withdrawn if the Board finds that the person has:~~

- ~~—1. Failed to furnish material as advertised;~~
- ~~—2. Engaged in any misleading or deceptive practice;~~
- ~~—3. Failed to furnish material as required by law or NAC 639.300 to 639.390, inclusive;~~
- ~~—4. Failed to comply with the laws or regulations governing continuing professional education in this State; or~~
- ~~—5. If the material or programs are not accredited by the Accreditation Council for Pharmacy Education, failed to submit the material or programs to the Board at least 60 days before providing the material or programs.~~

NAC 639.345 Providers of continuing education: Records required; issuance of certificates of completion. (NRS 639.070, 639.2176) Each provider shall:

1. Keep records sufficient to document:
 - (a) The participation of each pharmacist;
 - (b) The course or program in which the pharmacist participated;
 - (c) Whether the pharmacist completed the program or course; and
 - (d) The number of continuing education units awarded to the pharmacist.

Ê Such records must be maintained for a period of 4 years after completion of the course or program.

2. Furnish to each participant who completes a course or program a certificate of completion which contains the following information:

- (a) The name of the participant.
- (b) The name of the provider of the course or program.
- (c) A description of the course or program.
- (d) The number of continuing education units completed.
- (e) The date of completion.

~~—(f) The course designation, either accredited or acceptable.~~

~~NAC 639.350— Providers of continuing education: List of participants; reference to accreditation; information to be transmitted to Board. (NRS 639.070, 639.2176)~~

~~—1. Each provider of material:~~

~~—(a) Shall maintain a list of all participants in the program for 4 years; and~~

~~—(b) May use only the wording authorized in NAC 639.365 with reference to the provider's accreditation in this State.~~

~~—2. In the case of any material, course or program intended to be presented at a specific time and place, the provider shall, within 60 days after completion of the course or program, transmit to the Board the following information:~~

~~—(a) The names and the number of participants in the program or course.~~

~~—(b) Any material changes in the program or course made since notice of accreditation was issued by the Board.~~

~~—(c) The date, time and location of the presentation.~~

~~—(d) The number of hours awarded for continuing education units.~~

~~—(e) A brief description of the program, including the principal objective of the presentation.~~

~~NAC 639.360— Accreditation of material, course or program. (NRS 639.070, 639.2176)~~

~~—1. A provider who seeks accreditation for any material, course or program must submit it to the Board or its designee for review. The Board will notify the provider of the accreditation or denial thereof within 60 days after the submission of a completed application. In a notice of accreditation, the Board will designate the number of units of continuing education for which the course or program is accredited. Accreditation expires 2 years after issuance, unless sooner renewed.~~

~~—2. In determining whether or not any submitted material, course or program should be accredited, the Board must be satisfied that:~~

~~—(a) The material, course or program is presented by a provider;~~

~~—(b) A certificate of completion will be issued to each participant who completes the course or program;~~

~~—(c) The program includes some mechanism whereby each participant is allowed to evaluate the course with respect to the comprehensibility of the material;~~

~~—(d) A complete syllabus is included;~~

~~—(e) The material, course or program is accurate, applicable to pharmacy and of adequate technical quality; and~~

~~—(f) If the material, course or program is not accredited by the Accreditation Council for Pharmacy Education, the material, course or program is submitted to the Board at least 60 days before the material, course or program is provided.~~

NAC 639.365 Advertising, announcements and other promotional material. (NRS 639.070, 639.2176)

1. A provider may hold himself or herself out as a provider of the material, course or program for continuing education under NRS 639.2171 to 639.2176, inclusive.

2. A provider of any accredited material, course or program may state in advertising, announcements or other promotional materials:

This course (or program) has been designated ACCREDITED by the State Board of Pharmacy for continuing education units. This designation expires on (date)

3. A provider of any acceptable material, course or program may state in announcements, advertising or other promotional materials:

This course (or program) has been designated as ACCEPTABLE under the guidelines for continuing education of the State Board of Pharmacy and has been assigned units of credit toward continuing education.

~~NAC 639.370— Materials for continuing education: Formats of programs; subject matter. (NRS 639.070, 639.2176)~~

~~—1. Approved programs for continuing education may consist of lectures, seminars, classes or correspondence courses. Presentations may be live or be given by audiotape or videotape. Material may be studied privately or in groups.~~

~~—2. A provider of material for continuing education has primary responsibility for the format and presentation of the material and may designate or restrict the manner in which the material is presented.~~

~~—3. Material for continuing education may cover any subject pertinent to the socioeconomic and legal aspects of health care, the properties and actions of drugs and dosage forms, and the etiology, characteristics and therapeutics of the disease state and may include:~~

~~—(a) Pharmacology.~~

~~—(b) Biochemistry.~~

~~—(c) Physiology.~~

~~—(d) Pharmaceutical chemistry.~~

- ~~—(e) Pharmacy administration.~~
 - ~~—(f) Pharmacy jurisprudence.~~
 - ~~—(g) Public health and communicable diseases.~~
 - ~~—(h) Management of a professional practice.~~
 - ~~—(i) Anatomy.~~
 - ~~—(j) Histology.~~
 - ~~—(k) Other subject matter in the curricula of the accredited colleges and schools of pharmacy.~~
- ~~Ê Matter outside of these areas is subject to acceptance or rejection by the Board.~~

~~NAC 639.380 Advisory Committee on Continuing Education: Creation; number of members. (NRS 639.070, 639.2176) The Advisory Committee on Continuing Education is hereby created. The Committee consists of five members.~~

~~NAC 639.385 Advisory Committee on Continuing Education: Composition; powers and duties; quorum; review of materials for continuing education. (NRS 639.070, 639.2176)~~

- ~~—1. The composition of the Committee is as follows:~~
 - ~~—(a) A member of the Board, who is Chair of the Committee.~~
 - ~~—(b) The Executive Secretary, who is Vice Chair of the Committee.~~
 - ~~—(c) Three members appointed by the Chair of the Committee and approved by the Board.~~
- ~~—2. The Committee:~~
 - ~~—(a) May adopt internal administrative policies and procedures.~~
 - ~~—(b) With the approval of the Board, shall establish criteria for accrediting and evaluating any material, course or program for continuing education which is not already accredited by the Accreditation Council for Pharmacy Education.~~
 - ~~—(c) May select a panel of reviewers to assist in the evaluation of various categories of materials, courses and programs for continuing education.~~
 - ~~—(d) Shall evaluate the material, course or program based on the Committee's own criteria, together with any reports from reviewers, and recommend to the Board for its final decision the accreditation of programs and the number of units of continuing education to be awarded to the programs.~~
 - ~~—(e) May adopt such rules as are necessary for its operation.~~
 - ~~—(f) Shall advise the Board on all matters relating to continuing education.~~
 - ~~—(g) May collect from each provider of continuing education a fee sufficient to allow this function of the Board to be self-supporting.~~
- ~~—3. A quorum of the Committee is three members, at least one of whom must be the Chair or Vice Chair.~~
- ~~—4. A provider wishing to have any material, course or program accredited must submit to the Committee:~~
 - ~~—(a) All the printed or recorded material intended to be distributed to participants;~~
 - ~~—(b) Biographical information on the persons who are responsible for the content of the course;~~
 - ~~—(c) Outlines of specifications for and the overall objectives of the presentations, if a major portion of the course or program consists of oral presentations;~~
 - ~~—(d) A copy of the provider's statement of evaluation; and~~
 - ~~—(e) An estimate of the appropriate number of units of continuing education to be awarded for completing the course or program.~~
- ~~—5. The material so submitted may be evaluated by the Committee or, where appropriate, may be transmitted to members of a panel for its evaluation.~~

NAC 639.390 Certificate of completion: Retention by pharmacist; copy to be submitted to Board upon request. (NRS 639.070, 639.2176) A certificate of completion awarded to a participating pharmacist must be retained by the participating pharmacist for 4 years following his or her completion of

the course or program of continuing education, but a copy of the certificate must be submitted to the Board upon its request for the purpose of verifying his or her completion of the course or program.