

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

LCB File No. R116-98

July 24, 1998

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

AUTHORITY: NRS 639.070.

Section 1. NAC 639.520 is hereby amended to read as follows:

639.520 1. The prescription department of every pharmacy must be separated from the merchandising or public areas of the premises by a barrier extending not less than 5 feet above the floor level and of sufficient width to make dangerous drugs, controlled substances, narcotics, poisons or restricted devices inaccessible to unauthorized persons. The barrier must be constructed of solid material and contain [a] *at least one* gate or door permitting access by the pharmacist. [The] *Each* gate or door must be secured by a deadbolt lock that can be opened from the outside only by a key. The *gate or* door may be secured by a combination lock during the hours of business.

2. The registered pharmacist on duty:

- (a) [Must possess] *Shall maintain possession of* the key to the prescription department; and
- (b) Is responsible for securing the prescription department at all times when he is not personally present in the department except when he is in the immediate area and can observe and exercise control over the prescription department.

3. The secretary of the board may permit an alternative type of physical security if, in his opinion, the alternative type will be sufficient to make the drugs, controlled substances, narcotics, poisons and restricted devices inaccessible to any unauthorized person.

4. **[Other than as permitted]** *Except as otherwise provided* by law or regulation, no person other than a registered pharmacist may enter the prescription department of a pharmacy unless he is on business directly concerning the operation, maintenance or repair of the prescription department and a pharmacist employed in the prescription department is physically present at the same time.

5. *Except as otherwise provided in subsection 6 or 7, a pharmacy shall maintain on its premises an alarm system that is operational 24 hours a day and that is monitored by a central station for control which is approved by Underwriters Laboratories Inc.*

6. *A pharmacy that is located within a building in which at least one employee of the person who owns the building is present 24 hours a day may, in lieu of the alarm system required pursuant to subsection 5, maintain on the premises of the pharmacy an alarm system that is:*

(a) Equipped with an audible alarm that is operational 24 hours a day; and

(b) Not monitored by a central station for control.

7. *The provisions of subsections 5 and 6 do not apply to a pharmacy that is staffed 24 hours a day.*