

PROPOSED REGULATION OF THE STATE BOARD OF PHARMACY

LCB File No. R160-10

NAC 639.7105 Electronic transmission of controlled substance prescription. (NRS 639.070, 639.0745) Except as otherwise provided in NAC 639.711:

1. A prescription for:
 - (a) A controlled substance listed in schedule II must not be transmitted electronically.
 - (b) A dangerous drug or a controlled substance listed in schedule III, IV or V may be transmitted electronically by a practitioner to a pharmacy.
2. A practitioner shall not transmit a prescription electronically to a pharmacy unless:
 - (a) He is the only person who will have access to the prescription until it is received by the pharmacy; ~~and~~
 - (b) The patient:
 - (1) Consents to the transmission of the prescription electronically; and
 - (2) Approves the pharmacy where the prescription will be transmitted; *and*
 - (c) *All provisions of 21 CFR 1311, Requirements For Electronic Orders and Prescriptions are complied with.*
3. In addition to the requirements set forth in NRS 639.2353 and 639.2589, a prescription that is transmitted electronically to a pharmacy must include:
 - (a) The registration number from the Drug Enforcement Administration of the prescribing practitioner if the prescription is for a controlled substance;
 - (b) The telephone number of the practitioner;
 - (c) The time and date of the transmission; and
 - (d) The name of the pharmacy to which the prescription is sent.
4. A pharmacist who receives a prescription that is transmitted electronically shall:
 - (a) Print a copy of the prescription on paper that is of sufficient quality to last for at least 2 years; and
 - (b) Keep a copy of the prescription for at least 2 years after he receives the prescription.
5. A pharmacist shall not dispense a prescription that is transmitted electronically until he determines that the prescription complies with the requirements of state and federal law.
6. A prescription that is transmitted electronically and complies with the provisions of this section shall be deemed an original prescription.

(Added to NAC by Bd. of Pharmacy, eff. 11-14-97; A by R164-01, 12-17-2001)