

ASSEMBLY BILL NO. 186—ASSEMBLYMEMBER ORENTLICHER

PREFILED FEBRUARY 3, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing pharmacists. (BDR 54-344)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

~

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

AN ACT relating to pharmacy; authorizing a registered pharmacist to prescribe drugs and devices to treat certain health conditions; authorizing a registered pharmacist to administer drugs; authorizing a registered pharmacist to engage in certain activity relating to laboratories and laboratory testing; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes, under certain conditions, a pharmacist to dispense a
2 self-administered hormonal contraceptive without a prescription and prescribe and
3 dispense a drug for the medication-assisted treatment of opioid use disorder. (NRS
4 639.28078, 639.28079) **Section 1** of this bill authorizes a registered pharmacist to
5 prescribe and dispense drugs and devices for the treatment of health conditions that:
6 (1) have been previously diagnosed; (2) are self-limiting; (3) are diagnosed after the
7 performance of certain tests; or (4) threaten the health of the patient. **Section 1**
8 additionally prohibits a registered pharmacist from prescribing drugs and devices
9 not approved by the United States Food and Drug Administration. **Section 1** also
10 authorizes the State Board of Pharmacy to adopt regulations establishing: (1) the
11 scope of the ability of a registered pharmacist to prescribe drugs and devices; (2)
12 the standard of care required of a registered pharmacist who prescribes drugs and
13 devices; and (3) the requirements for adequate liability insurance for registered
14 pharmacists who engage in such activities. **Section 2** of this bill provides that
15 prescribing and dispensing drugs and devices pursuant to **section 1** constitutes the
16 practice of pharmacy. **Sections 3, 10-13 and 15** of this bill make additional changes
17 necessary to authorize a registered pharmacist to prescribe and dispense drugs and
18 devices pursuant to **section 1**. The Board would be authorized to suspend or revoke
19 the registration of a pharmacist who prescribes or dispenses a drug or device
20 without complying with the provisions of **section 1** or the regulations adopted
21 pursuant thereto. (NRS 639.210)



Existing law includes within the practice of pharmacy the performance or supervision of activities associated with manufacturing, compounding, labeling, dispensing and distributing a drug. (NRS 629.0124) **Section 2** additionally includes the performance or supervision of activities associated with administering a drug, thereby authorizing a registered pharmacist to perform or supervise such activities. **Sections 14, 16 and 17** of this bill accordingly provide general authorization for a registered pharmacist to possess and administer controlled substances and dangerous drugs.

Existing law requires the Board to adopt regulations governing the manipulation of a person for the collection of specimens by a registered pharmacist that: (1) require the pharmacist to use only a fingerstick or oral or nasal swab to collect the specimens; and (2) set forth the procedures and requirements the pharmacist is required to follow when manipulating a person for the collection of a specimen. (NRS 639.0747) **Section 4** of this bill removes the requirement that a pharmacist use only a fingerstick or oral or nasal swab to collect a specimen, thereby authorizing a pharmacist to collect a specimen using any method available for the collection of the specimen.

Existing law authorizes a registered pharmacist or a registered intern pharmacist to: (1) perform a home blood glucose test; and (2) order and perform laboratory tests that are necessary for therapy that uses a drug approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus. (NRS 639.2808, 639.28085) **Section 5** of this bill additionally authorizes a registered pharmacist to: (1) order laboratory tests that are necessary for any drug therapy or that otherwise facilitate the care of a patient within the authorized scope of practice of the pharmacist; and (2) perform certain other laboratory tests determined by the Federal Government to be simple laboratory examinations and procedures that have an insignificant risk of an erroneous result. (42 U.S.C. 263a(d)(3); 42 C.F.R. Part 493, Subpart A) **Section 5** also authorizes the State Board of Pharmacy to adopt regulations to authorize registered intern pharmacists to order and perform such laboratory tests. **Section 2** provides that ordering and performing such laboratory tests constitutes the practice of pharmacy. **Sections 2 and 6** of this bill remove duplicative provisions from existing law. **Sections 8, 9 and 18-24** of this bill make conforming changes so that requirements for insurance coverage of certain services performed by registered pharmacists are not changed by this bill.

Existing law requires the State Board of Health to adopt regulations for the certification and licensure of laboratory directors. (NRS 652.125) Existing regulations define an exempt laboratory to be a laboratory that: (1) conducts only certain microscopy tests and tests determined by the Federal Government to be simple laboratory examinations and procedures that have an insignificant risk of an erroneous result; and (2) does not perform only tests for human immunodeficiency virus. (42 U.S.C. 263a(d)(3); 42 C.F.R. Part 493, Subpart A; NAC 652.072) **Section 7** of this bill requires regulations of the Board to authorize a registered pharmacist to serve as the laboratory director of an exempt laboratory.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

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

1. Subject to the limitations set forth in subsection 2, a registered pharmacist may, in accordance with any requirements



1 *prescribed pursuant to subsection 3, prescribe drugs or devices*
2 *that are used for the treatment of health conditions, other than*
3 *opioid use disorder, that:*

4 *(a) Have been previously diagnosed;*

5 *(b) Are self-limiting;*

6 *(c) Are diagnosed after performing a test that is classified as a*
7 *waived test pursuant to 42 C.F.R. Part 493, Subpart A; or*

8 *(d) In the professional judgment of the pharmacist, are*
9 *emergencies that threaten the health of the patient.*

10 *2. A registered pharmacist shall not prescribe a drug or*
11 *device that is not approved by the United States Food and Drug*
12 *Administration.*

13 *3. The Board may adopt regulations:*

14 *(a) Requiring a registered pharmacist who takes the actions*
15 *authorized by this section to be covered by adequate liability*
16 *insurance, as determined by the Board;*

17 *(b) Establishing the scope of the ability for a registered*
18 *pharmacist to prescribe drugs and devices as authorized by*
19 *subsection 1; and*

20 *(c) Establishing the standard of care required of a registered*
21 *pharmacist who prescribes drugs and devices as authorized by*
22 *subsection 1.*

23 *4. As used in this section, “self-limiting” means a health*
24 *condition that generally persists for a limited period of time.*

25 **Sec. 2.** NRS 639.0124 is hereby amended to read as follows:

26 639.0124 1. “Practice of pharmacy” includes, but is not
27 limited to, the:

28 (a) Performance or supervision of activities associated with
29 manufacturing, compounding, labeling, dispensing, ~~and~~
30 distributing ~~of~~ *and administering* a drug, including the receipt,
31 handling and storage of prescriptions and other confidential
32 information relating to patients.

33 (b) Interpretation and evaluation of prescriptions or orders for
34 medicine.

35 (c) Participation in drug evaluation and drug research.

36 (d) Advising of the therapeutic value, reaction, drug interaction,
37 hazard and use of a drug.

38 (e) Selection of the source, storage and distribution of a drug.

39 (f) Maintenance of proper documentation of the source, storage
40 and distribution of a drug.

41 (g) Interpretation of clinical data contained in a person’s record
42 of medication.

43 (h) Development of written guidelines and protocols in
44 collaboration with a practitioner which authorize collaborative drug



1 therapy management. The written guidelines and protocols must
2 comply with NRS 639.2629.

3 (i) Implementation and modification of drug therapy,
4 administering drugs and ordering and performing tests in
5 accordance with a collaborative practice agreement.

6 (j) Prescribing, dispensing and administering of drugs for
7 preventing the acquisition of human immunodeficiency virus and
8 ~~ordering and~~ conducting laboratory tests necessary for therapy that
9 uses such drugs pursuant to the protocol prescribed pursuant to
10 NRS 639.28085.

11 (k) Dispensing a self-administered hormonal contraceptive
12 pursuant to NRS 639.28078.

13 (l) Assessing a patient and prescribing and dispensing a drug for
14 medication-assisted treatment in accordance with NRS 639.28079.

15 *(m) Ordering and performing laboratory tests in accordance*
16 *with NRS 639.2808.*

17 *(n) Prescribing and dispensing drugs and devices in*
18 *accordance with section 1 of this act.*

19 2. The term does not include the changing of a prescription by
20 a pharmacist or practitioner without the consent of the prescribing
21 practitioner, except as otherwise provided in NRS 639.2583,
22 639.28078 and 639.28085.

23 **Sec. 3.** NRS 639.0125 is hereby amended to read as follows:

24 639.0125 "Practitioner" means:

25 1. A physician, dentist, veterinarian or podiatric physician who
26 holds a license to practice his or her profession in this State;

27 2. A hospital, pharmacy or other institution licensed, registered
28 or otherwise permitted to distribute, dispense, conduct research with
29 respect to or administer drugs in the course of professional practice
30 or research in this State;

31 3. An advanced practice registered nurse who has been
32 authorized to prescribe controlled substances, poisons, dangerous
33 drugs and devices;

34 4. A physician assistant who:

35 (a) Holds a license issued by the Board of Medical Examiners;
36 and

37 (b) Is authorized by the Board to possess, administer, prescribe
38 or dispense controlled substances, poisons, dangerous drugs or
39 devices under the supervision of a physician as required by chapter
40 630 of NRS;

41 5. A physician assistant who:

42 (a) Holds a license issued by the State Board of Osteopathic
43 Medicine; and

44 (b) Is authorized by the Board to possess, administer, prescribe
45 or dispense controlled substances, poisons, dangerous drugs or



1 devices under the supervision of an osteopathic physician as
2 required by chapter 633 of NRS;

3 6. An optometrist who is certified by the Nevada State Board
4 of Optometry to prescribe and administer pharmaceutical agents
5 pursuant to NRS 636.288, when the optometrist prescribes or
6 administers pharmaceutical agents within the scope of his or her
7 certification;

8 7. A dental hygienist who:

9 (a) Holds a valid license to practice dental hygiene in this State;

10 (b) Is authorized to prescribe and dispense the dangerous drugs
11 and devices listed in NRS 631.3105 in accordance with the
12 provisions of that section and the regulations adopted pursuant
13 thereto; and

14 (c) Holds a certificate issued pursuant to NRS 639.1374 by the
15 State Board of Pharmacy authorizing him or her to so prescribe;

16 8. A pharmacist who is registered pursuant to NRS 639.28079
17 to prescribe and dispense drugs for medication-assisted treatment ~~[-]~~
18 *or who prescribes drugs or devices in accordance with section 1 of*
19 *this act*; or

20 9. A certified registered nurse anesthetist who orders,
21 prescribes, possesses or administers controlled substances, poisons,
22 dangerous drugs or devices in accordance with NRS 632.2397.

23 **Sec. 4.** NRS 639.0747 is hereby amended to read as follows:

24 639.0747 ~~[-]~~ The Board shall adopt such regulations as are
25 necessary to carry out the provisions of NRS 652.210 with regard to
26 a registered pharmacist, including, without limitation, regulations
27 that ~~[-]~~

28 ~~—(a) Require a registered pharmacist to use only a fingerstick or~~
29 ~~oral or nasal swab to collect the specimens pursuant to NRS~~
30 ~~652.210; and~~

31 ~~—(b) Set~~ *set* forth the procedures and requirements with which a
32 registered pharmacist shall comply when manipulating a person for
33 the collection of specimens or performing any laboratory test
34 pursuant to NRS 652.210.

35 ~~[2.—As used in this section, “fingerstick” means a procedure in~~
36 ~~which a finger is pricked with a lancet, small blade or other~~
37 ~~instrument to obtain a small quantity of blood for any laboratory test~~
38 ~~pursuant to NRS 652.210.]~~

39 **Sec. 5.** NRS 639.2808 is hereby amended to read as follows:

40 639.2808 **1.** A registered pharmacist ~~[-or-a]~~ *may*:

41 (a) *Order laboratory tests that are necessary for therapy that*
42 *uses a drug approved by the Food and Drug Administration or to*
43 *otherwise facilitate the care of a patient within the authorized*
44 *scope of practice of the registered pharmacist; and*



1 ***(b) Perform any laboratory test that is classified as a waived***
2 ***test under 42 C.F.R. Part 493, Subpart A, including, without***
3 ***limitation, a blood glucose test using devices for monitoring***
4 ***approved by the Food and Drug Administration for use in the***
5 ***home if such a test is performed in compliance with standards of***
6 ***practice recommended by the Association of Diabetes Care and***
7 ***Education Specialists.***

8 **2.** A registered intern pharmacist may perform a blood glucose
9 test using devices for monitoring approved by the Food and Drug
10 Administration for use in the home. The performance of such a test
11 must be in compliance with standards of practice recommended by
12 the ~~[American]~~ Association of Diabetes ~~[Educators]~~ ***Care and***
13 ***Education Specialists*** or its successor organization. ***The Board may***
14 ***adopt regulations authorizing a registered intern pharmacist to***
15 ***perform other activities described in subsection 1.***

16 **Sec. 6.** NRS 639.28085 is hereby amended to read as follows:

17 639.28085 1. To the extent authorized by federal law, a
18 pharmacist who meets the requirements prescribed by the Board
19 pursuant to subsection 2 may, in accordance with the requirements
20 of the protocol prescribed pursuant to subsection 2:

21 (a) ~~[Order and perform]~~ ***Perform*** laboratory tests that are
22 necessary for therapy that uses a drug approved by the United States
23 Food and Drug Administration for preventing the acquisition of
24 human immunodeficiency virus; and

25 (b) Prescribe, dispense and administer any drug described in
26 paragraph (a) to a patient.

27 **2.** The Board shall adopt regulations:

28 (a) Requiring a pharmacist who takes the actions authorized by
29 this section to be covered by adequate liability insurance, as
30 determined by the Board; and

31 (b) Establishing a protocol for the actions authorized by this
32 section.

33 **Sec. 7.** NRS 652.125 is hereby amended to read as follows:

34 652.125 1. The Board shall adopt regulations for the
35 certification and licensure of laboratory directors and laboratory
36 personnel who perform technical duties other than the collection of
37 blood. ***The regulations must authorize a registered pharmacist to***
38 ***serve as the laboratory director of an exempt laboratory,***
39 ***regardless of whether the registered pharmacist has entered into a***
40 ***collaborative practice agreement.***

41 **2.** The Division shall, as a prerequisite for the renewal of a
42 certificate or license, require the laboratory director and any
43 laboratory personnel certified by the Division pursuant to this
44 chapter to comply with the requirements for continuing education
45 adopted by the Board.



1 **3. As used in this section:**

2 **(a) "Collaborative practice agreement" has the meaning**
3 **ascribed to it in NRS 639.0052.**

4 **(b) "Exempt laboratory" means a laboratory:**

5 **(1) That is licensed pursuant to this chapter and the**
6 **regulations adopted pursuant thereto;**

7 **(2) That does not only perform testing for human**
8 **immunodeficiency virus; and**

9 **(3) In which each test performed is:**

10 **(I) Classified as a waived test pursuant to 42 C.F.R. Part**
11 **493, Subpart A; or**

12 **(II) Categorized as a provider-performed microscopy**
13 **procedure pursuant to 42 C.F.R. § 493.19.**

14 **Sec. 8.** NRS 287.0271 is hereby amended to read as follows:

15 287.0271 1. The governing body of any county, school
16 district, municipal corporation, political subdivision, public
17 corporation or other local governmental agency of the State of
18 Nevada that provides health insurance through a plan of self-
19 insurance shall provide coverage for:

20 (a) Drugs approved by the United States Food and Drug
21 Administration for preventing the acquisition of human
22 immunodeficiency virus;

23 (b) Laboratory testing that is necessary for therapy that uses
24 such a drug; and

25 (c) ~~The~~ **Ordering laboratory testing described in paragraph**
26 **(b) and the** services described in NRS 639.28085, when provided by
27 a pharmacist who participates in the network plan of the governing
28 body.

29 2. The governing body of any county, school district,
30 municipal corporation, political subdivision, public corporation or
31 other local governmental agency of the State of Nevada that
32 provides health insurance through a plan of self-insurance shall
33 reimburse a pharmacist who participates in the network plan of the
34 governing body for the services described in ~~NRS 639.28085~~
35 **paragraph (c) of subsection 1** at a rate equal to the rate of
36 reimbursement provided to a physician, physician assistant or
37 advanced practice registered nurse for similar services.

38 3. The governing body of any county, school district,
39 municipal corporation, political subdivision, public corporation or
40 other local governmental agency of the State of Nevada that
41 provides health insurance through a plan of self-insurance may
42 subject the benefits required by subsection 1 to reasonable medical
43 management techniques.

44 4. The governing body of any county, school district,
45 municipal corporation, political subdivision, public corporation or



1 other local governmental agency of the State of Nevada that
2 provides health insurance through a plan of self-insurance shall
3 ensure that the benefits required by subsection 1 are made available
4 to an insured through a provider of health care who participates in
5 the network plan of the governing body.

6 5. A plan of self-insurance described in subsection 1 that is
7 delivered, issued for delivery or renewed on or after January 1,
8 2024, has the legal effect of including the coverage required by
9 subsection 1, and any provision of the plan that conflicts with the
10 provisions of this section is void.

11 6. As used in this section:

12 (a) "Medical management technique" means a practice which is
13 used to control the cost or use of health care services or prescription
14 drugs. The term includes, without limitation, the use of step therapy,
15 prior authorization and categorizing drugs and devices based on
16 cost, type or method of administration.

17 (b) "Network plan" means a plan of self-insurance provided by
18 the governing body of a local governmental agency under which the
19 financing and delivery of medical care, including items and services
20 paid for as medical care, are provided, in whole or in part, through a
21 defined set of providers under contract with the governing body.
22 The term does not include an arrangement for the financing of
23 premiums.

24 (c) "Provider of health care" has the meaning ascribed to it in
25 NRS 629.031.

26 **Sec. 9.** NRS 422.27235 is hereby amended to read as follows:

27 422.27235 1. The Director shall include in the State Plan for
28 Medicaid a requirement that the State pay the nonfederal share of
29 expenditures incurred for:

30 (a) Any laboratory testing that is necessary for therapy that uses
31 a drug approved by the United States Food and Drug Administration
32 for preventing the acquisition of human immunodeficiency virus.

33 (b) The *ordering of a laboratory test described in paragraph*
34 *(a) by a pharmacist and the* services of a pharmacist described in
35 NRS 639.28085. The State must provide reimbursement for such
36 services at a rate equal to the rate of reimbursement provided to a
37 physician, physician assistant or advanced practice registered nurse
38 for similar services.

39 (c) Any service to test for, prevent or treat human
40 immunodeficiency virus or hepatitis C provided by a provider of
41 primary care if the service is covered when provided by a specialist
42 and:

43 (1) The service is within the scope of practice of the provider
44 of primary care; or



1 (2) The provider of primary care is capable of providing the
2 service safely and effectively in consultation with a specialist and
3 the provider engages in such consultation.

4 2. The Director shall include in the State Plan for Medicaid a
5 requirement that the State reimburse an advanced practice registered
6 nurse or a physician assistant for any service to test for, prevent or
7 treat human immunodeficiency virus or hepatitis C at a rate equal to
8 the rate of reimbursement provided to a physician for similar
9 services.

10 3. As used in this section, "primary care" means the practice of
11 family medicine, pediatrics, internal medicine, obstetrics and
12 gynecology and midwifery.

13 **Sec. 10.** NRS 453.126 is hereby amended to read as follows:

14 453.126 "Practitioner" means:

15 1. A physician, dentist, veterinarian or podiatric physician who
16 holds a license to practice his or her profession in this State and is
17 registered pursuant to this chapter.

18 2. An advanced practice registered nurse who holds a
19 certificate from the State Board of Pharmacy authorizing him or her
20 to dispense or to prescribe and dispense controlled substances.

21 3. A scientific investigator or a pharmacy, hospital or other
22 institution licensed, registered or otherwise authorized in this State
23 to distribute, dispense, conduct research with respect to, to
24 administer, or use in teaching or chemical analysis, a controlled
25 substance in the course of professional practice or research.

26 4. A euthanasia technician who is licensed by the Nevada State
27 Board of Veterinary Medical Examiners and registered pursuant to
28 this chapter, while he or she possesses or administers sodium
29 pentobarbital pursuant to his or her license and registration.

30 5. A physician assistant who:

31 (a) Holds a license from the Board of Medical Examiners; and

32 (b) Is authorized by the Board to possess, administer, prescribe
33 or dispense controlled substances under the supervision of a
34 physician as required by chapter 630 of NRS.

35 6. A physician assistant who:

36 (a) Holds a license from the State Board of Osteopathic
37 Medicine; and

38 (b) Is authorized by the Board to possess, administer, prescribe
39 or dispense controlled substances under the supervision of an
40 osteopathic physician as required by chapter 633 of NRS.

41 7. An optometrist who is certified by the Nevada State Board
42 of Optometry to prescribe and administer pharmaceutical agents
43 pursuant to NRS 636.288, when the optometrist prescribes or
44 administers pharmaceutical agents within the scope of his or her
45 certification.



1 8. A certified registered nurse anesthetist who orders,
2 prescribes, possesses or administers controlled substances in
3 accordance with NRS 632.2397.

4 9. A pharmacist who is registered pursuant to NRS 639.28079
5 to prescribe and dispense drugs for medication-assisted treatment ~~§~~
6 *or who prescribes and dispenses drugs or devices in accordance*
7 *with section 1 of this act.*

8 **Sec. 11.** NRS 453.128 is hereby amended to read as follows:

9 453.128 1. "Prescription" means:

10 (a) An order given individually for the person for whom
11 prescribed, directly from a physician, physician assistant licensed
12 pursuant to chapter 630 or 633 of NRS, dentist, podiatric physician,
13 optometrist, advanced practice registered nurse, certified registered
14 nurse anesthetist, pharmacist registered pursuant to NRS 639.28079
15 *or acting in accordance with section 1 of this act* or veterinarian, or
16 his or her agent, to a pharmacist or indirectly by means of an order
17 signed by the practitioner or an electronic transmission from the
18 practitioner to a pharmacist; or

19 (b) A chart order written for an inpatient specifying drugs which
20 he or she is to take home upon his or her discharge.

21 2. The term does not include a chart order written for an
22 inpatient for use while he or she is an inpatient.

23 **Sec. 12.** NRS 453.226 is hereby amended to read as follows:

24 453.226 1. Every practitioner or other person who dispenses
25 any controlled substance within this State or who proposes to
26 engage in the dispensing of any controlled substance within this
27 State shall obtain biennially a registration issued by the Board in
28 accordance with its regulations. A person must present proof that he
29 or she is authorized to access the database of the program
30 established pursuant to NRS 453.162 before the Board may issue or
31 renew a registration.

32 2. A person registered by the Board in accordance with the
33 provisions of NRS 453.011 to 453.552, inclusive, to dispense or
34 conduct research with controlled substances may possess, dispense
35 or conduct research with those substances to the extent authorized
36 by the registration and in conformity with the other provisions of
37 those sections.

38 3. The following persons are not required to register and may
39 lawfully possess and distribute controlled substances pursuant to the
40 provisions of NRS 453.011 to 453.552, inclusive:

41 (a) An agent or employee of a registered dispenser of a
42 controlled substance if he or she is acting in the usual course of his
43 or her business or employment;



1 (b) A common or contract carrier or warehouseman, or an
2 employee thereof, whose possession of any controlled substance is
3 in the usual course of business or employment;

4 (c) An ultimate user or a person in possession of any controlled
5 substance pursuant to a lawful order of a physician, physician
6 assistant licensed pursuant to chapter 630 or 633 of NRS, dentist,
7 advanced practice registered nurse, certified registered nurse
8 anesthetist, podiatric physician, pharmacist registered pursuant to
9 NRS 639.28079 *or acting in accordance with section 1 of this act*
10 or veterinarian or in lawful possession of a schedule V substance; or

11 (d) A physician who:

12 (1) Holds a locum tenens license issued by the Board of
13 Medical Examiners or a temporary license issued by the State Board
14 of Osteopathic Medicine; and

15 (2) Is registered with the Drug Enforcement Administration
16 at a location outside this State.

17 4. The Board may waive the requirement for registration of
18 certain dispensers if it finds it consistent with the public health and
19 safety.

20 5. A separate registration is required at each principal place of
21 business or professional practice where the applicant dispenses
22 controlled substances.

23 6. The Board may inspect the establishment of a registrant or
24 applicant for registration in accordance with the Board's regulations.

25 **Sec. 13.** NRS 453.336 is hereby amended to read as follows:

26 453.336 1. Except as otherwise provided in subsection 6, a
27 person shall not knowingly or intentionally possess a controlled
28 substance, unless the substance was obtained directly from, or
29 pursuant to, a prescription or order of a physician, physician
30 assistant licensed pursuant to chapter 630 or 633 of NRS, dentist,
31 podiatric physician, optometrist, advanced practice registered nurse,
32 certified registered nurse anesthetist, pharmacist registered pursuant
33 to NRS 639.28079 *or acting in accordance with section 1 of this*
34 *act* or veterinarian while acting in the course of his or her
35 professional practice, or except as otherwise authorized by the
36 provisions of NRS 453.005 to 453.552, inclusive.

37 2. Except as otherwise provided in subsections 3, 4 and 5 and
38 in NRS 453.3363, and unless a greater penalty is provided in NRS
39 212.160, 453.3385, 453.3387 or 453.339, a person who violates this
40 section:

41 (a) For a first or second offense, if the controlled substance is
42 listed in schedule I or II and the quantity possessed is less than 14
43 grams, or if the controlled substance is listed in schedule III, IV or V
44 and the quantity possessed is less than 28 grams, is guilty of
45 possession of a controlled substance and shall be punished for a



1 category E felony as provided in NRS 193.130. In accordance with
2 NRS 176.211, the court shall defer judgment upon the consent of the
3 person.

4 (b) For a third or subsequent offense, if the controlled substance
5 is listed in schedule I or II and the quantity possessed is less than 14
6 grams, or if the controlled substance is listed in schedule III, IV or V
7 and the quantity possessed is less than 28 grams, or if the offender
8 has previously been convicted two or more times in the aggregate of
9 any violation of the law of the United States or of any state, territory
10 or district relating to a controlled substance, is guilty of possession
11 of a controlled substance and shall be punished for a category D
12 felony as provided in NRS 193.130, and may be further punished by
13 a fine of not more than \$20,000.

14 (c) If the controlled substance is listed in schedule I or II and the
15 quantity possessed is 14 grams or more, but less than 28 grams, or if
16 the controlled substance is listed in schedule III, IV or V and the
17 quantity possessed is 28 grams or more, but less than 200 grams, is
18 guilty of low-level possession of a controlled substance and shall be
19 punished for a category C felony as provided in NRS 193.130.

20 (d) If the controlled substance is listed in schedule I or II and the
21 quantity possessed is 28 grams or more, but less than 42 grams, or if
22 the controlled substance is listed in schedule III, IV or V and the
23 quantity possessed is 200 grams or more, is guilty of mid-level
24 possession of a controlled substance and shall be punished for a
25 category B felony by imprisonment in the state prison for a
26 minimum term of not less than 1 year and a maximum term of not
27 more than 10 years and by a fine of not more than \$50,000.

28 (e) If the controlled substance is listed in schedule I or II and the
29 quantity possessed is 42 grams or more, but less than 100 grams, is
30 guilty of high-level possession of a controlled substance and shall be
31 punished for a category B felony by imprisonment in the state prison
32 for a minimum term of not less than 2 years and a maximum term of
33 not more than 15 years and by a fine of not more than \$50,000.

34 3. Unless a greater penalty is provided in NRS 212.160,
35 453.337 or 453.3385, a person who is convicted of the possession of
36 flunitrazepam or gamma-hydroxybutyrate, or any substance for
37 which flunitrazepam or gamma-hydroxybutyrate is an immediate
38 precursor, is guilty of a category B felony and shall be punished by
39 imprisonment in the state prison for a minimum term of not less
40 than 1 year and a maximum term of not more than 6 years.

41 4. Unless a greater penalty is provided pursuant to NRS
42 212.160, a person who is convicted of the possession of 1 ounce or
43 less of marijuana is guilty of a misdemeanor and shall be punished
44 by:

45 (a) Performing not more than 24 hours of (a) community service;



1 (b) Attending the live meeting described in paragraph (a) of
2 subsection 2 of NRS 484C.530 and complying with any other
3 requirements set forth in that section; or

4 (c) Being required to undergo an evaluation in accordance with
5 subsection 1 of NRS 484C.350,
6 ↪ or any combination thereof.

7 5. Unless a greater penalty is provided pursuant to NRS
8 212.160, a person who is convicted of the possession of more than 1
9 ounce, but less than 50 pounds, of marijuana or more than one-
10 eighth of an ounce, but less than one pound, of concentrated
11 cannabis is guilty of a category E felony and shall be punished as
12 provided in NRS 193.130.

13 6. It is not a violation of this section if a person possesses a
14 trace amount of a controlled substance and that trace amount is in or
15 on a hypodermic device obtained from a sterile hypodermic device
16 program pursuant to NRS 439.985 to 439.994, inclusive.

17 7. The court may grant probation to or suspend the sentence of
18 a person convicted of violating this section.

19 8. If a person fulfills the terms and conditions imposed for a
20 violation of subsection 4, the court shall, without a hearing, order
21 sealed all documents, papers and exhibits in that person's record,
22 minute book entries and entries on dockets, and other documents
23 relating to the case in the custody of such other agencies and
24 officers as are named in the court's order. The court shall cause a
25 copy of the order to be sent to each agency or officer named in the
26 order. Each such agency or officer shall notify the court in writing
27 of its compliance with the order.

28 9. As used in this section:

29 (a) "Controlled substance" includes flunitrazepam, gamma-
30 hydroxybutyrate and each substance for which flunitrazepam or
31 gamma-hydroxybutyrate is an immediate precursor.

32 (b) "Marijuana" does not include concentrated cannabis.

33 (c) "Sterile hypodermic device program" has the meaning
34 ascribed to it in NRS 439.986.

35 **Sec. 14.** NRS 453.375 is hereby amended to read as follows:

36 453.375 1. A controlled substance may be possessed and
37 administered by the following persons:

38 (a) A practitioner.

39 (b) A registered nurse licensed to practice professional nursing
40 or licensed practical nurse, at the direction of a physician, physician
41 assistant, dentist, podiatric physician or advanced practice registered
42 nurse, or pursuant to a chart order, for administration to a patient at
43 another location.

44 (c) A paramedic:

45 (1) As authorized by regulation of:



1 (I) The State Board of Health in a county whose
2 population is less than 100,000; or

3 (II) A county or district board of health in a county whose
4 population is 100,000 or more; and

5 (2) In accordance with any applicable regulations of:

6 (I) The State Board of Health in a county whose
7 population is less than 100,000;

8 (II) A county board of health in a county whose
9 population is 100,000 or more; or

10 (III) A district board of health created pursuant to NRS
11 439.362 or 439.370 in any county.

12 (d) A respiratory therapist, at the direction of a physician or
13 physician assistant.

14 (e) An anesthesiologist assistant, at the direction of a
15 supervising anesthesiologist or supervising osteopathic
16 anesthesiologist.

17 (f) A medical student, student in training to become a physician
18 assistant or anesthesiologist assistant, student nurse in the course of
19 his or her studies at an accredited college of medicine or approved
20 school of professional or practical nursing, at the direction of a
21 physician or physician assistant and:

22 (1) In the presence of a physician, physician assistant or a
23 registered nurse; or

24 (2) Under the supervision of a physician, physician assistant
25 or a registered nurse if the student is authorized by the college or
26 school to administer the substance outside the presence of a
27 physician, physician assistant or nurse.

28 ➔ A medical student or student nurse may administer a controlled
29 substance in the presence or under the supervision of a registered
30 nurse alone only if the circumstances are such that the registered
31 nurse would be authorized to administer it personally.

32 (g) An ultimate user or any person whom the ultimate user
33 designates pursuant to a written agreement.

34 (h) Any person designated by the head of a correctional
35 institution.

36 (i) A veterinary technician at the direction of his or her
37 supervising veterinarian.

38 (j) In accordance with applicable regulations of the State Board
39 of Health, an employee of a residential facility for groups, as
40 defined in NRS 449.017, pursuant to a written agreement entered
41 into by the ultimate user.

42 (k) In accordance with applicable regulations of the State Board
43 of Pharmacy, an animal control officer, a wildlife biologist or an
44 employee designated by a federal, state or local governmental



1 agency whose duties include the control of domestic, wild and
2 predatory animals.

3 (l) A person who is enrolled in a training program to become a
4 paramedic, respiratory therapist or veterinary technician if the
5 person possesses and administers the controlled substance in the
6 same manner and under the same conditions that apply, respectively,
7 to a paramedic, respiratory therapist or veterinary technician who
8 may possess and administer the controlled substance, and under the
9 direct supervision of a person licensed or registered to perform the
10 respective medical art or a supervisor of such a person.

11 (m) A registered pharmacist . ~~[pursuant to written guidelines and
12 protocols developed pursuant to NRS 639.2629 or a collaborative
13 practice agreement, as defined in NRS 639.0052.]~~

14 2. As used in this section:

15 (a) "Accredited college of medicine" means:

16 (1) A medical school that is accredited by the Liaison
17 Committee on Medical Education of the American Medical
18 Association and the Association of American Medical Colleges or
19 their successor organizations; or

20 (2) A school of osteopathic medicine, as defined in
21 NRS 633.121.

22 (b) "Anesthesiologist assistant" means a person who holds a
23 license issued pursuant to NRS 630.2683 or 633.4254 or a
24 temporary license issued pursuant to NRS 630.2685 or 633.4262.

25 **Sec. 15.** NRS 453.381 is hereby amended to read as follows:

26 453.381 1. In addition to the limitations imposed by NRS
27 453.256 and 453.3611 to 453.3648, inclusive, a physician, physician
28 assistant, dentist, advanced practice registered nurse, certified
29 registered nurse anesthetist, podiatric physician or pharmacist
30 registered pursuant to NRS 639.28079 *or acting in accordance with*
31 *section 1 of this act* may prescribe or administer controlled
32 substances only for a legitimate medical purpose and in the usual
33 course of his or her professional practice, and he or she shall not
34 prescribe, administer or dispense a controlled substance listed in
35 schedule II for himself or herself, his or her spouse or his or her
36 children except in cases of emergency.

37 2. A veterinarian, in the course of his or her professional
38 practice only, and not for use by a human being, may prescribe,
39 possess and administer controlled substances, and the veterinarian
40 may cause them to be administered by a veterinary technician under
41 the direction and supervision of the veterinarian.

42 3. A euthanasia technician, within the scope of his or her
43 license, and not for use by a human being, may possess and
44 administer sodium pentobarbital.



1 4. A pharmacist shall not fill an order which purports to be a
2 prescription if the pharmacist has reason to believe that it was not
3 issued in the usual course of the professional practice of a physician,
4 physician assistant, dentist, advanced practice registered nurse,
5 certified registered nurse anesthetist, podiatric physician, pharmacist
6 registered pursuant to NRS 639.28079 *or acting in accordance with*
7 *section 1 of this act* or veterinarian.

8 5. Any person who has obtained from a physician, physician
9 assistant, dentist, advanced practice registered nurse, certified
10 registered nurse anesthetist, podiatric physician, pharmacist
11 registered pursuant to NRS 639.28079 *or acting in accordance with*
12 *section 1 of this act* or veterinarian any controlled substance for
13 administration to a patient during the absence of the physician,
14 physician assistant, dentist, advanced practice registered nurse,
15 certified registered nurse anesthetist, podiatric physician, pharmacist
16 or veterinarian shall return to him or her any unused portion of the
17 substance when it is no longer required by the patient.

18 6. A manufacturer, wholesale supplier or other person legally
19 able to furnish or sell any controlled substance listed in schedule II
20 shall not provide samples of such a controlled substance to
21 registrants.

22 7. A salesperson of any manufacturer or wholesaler of
23 pharmaceuticals shall not possess, transport or furnish any
24 controlled substance listed in schedule II.

25 8. A person shall not dispense a controlled substance in
26 violation of a regulation adopted by the Board.

27 **Sec. 16.** NRS 454.00958 is hereby amended to read as
28 follows:

29 454.00958 "Practitioner" means:

30 1. A physician, dentist, veterinarian or podiatric physician who
31 holds a valid license to practice his or her profession in this State.

32 2. A pharmacy, hospital or other institution licensed or
33 registered to distribute, dispense, conduct research with respect to or
34 to administer a dangerous drug in the course of professional practice
35 in this State.

36 3. When relating to the prescription of poisons, dangerous
37 drugs and devices:

38 (a) An advanced practice registered nurse who holds a certificate
39 from the State Board of Pharmacy permitting him or her so to
40 prescribe; or

41 (b) A physician assistant who holds a license from the Board of
42 Medical Examiners and a certificate from the State Board of
43 Pharmacy permitting him or her so to prescribe.

44 4. An optometrist who is certified to prescribe and administer
45 pharmaceutical agents pursuant to NRS 636.288 when the



1 optometrist prescribes or administers dangerous drugs which are
2 within the scope of his or her certification.

3 5. A dental hygienist who holds a valid license to practice
4 dental hygiene in this State and:

5 (a) Is authorized to prescribe and dispense the dangerous drugs
6 listed in NRS 631.3105 in accordance with the provisions of that
7 section and the regulations adopted pursuant thereto; and

8 (b) Holds a certificate issued by the State Board of Pharmacy
9 pursuant to NRS 639.1374 authorizing him or her to so prescribe.

10 6. A certified registered nurse anesthetist who orders,
11 prescribes, possesses or administers poisons, dangerous drugs or
12 devices in accordance with NRS 632.2397.

13 7. A pharmacist who is registered pursuant to NRS 639.28079
14 to prescribe and dispense drugs for medication-assisted treatment ~~§~~
15 *or who prescribes and dispenses drugs or devices in accordance*
16 *with section 1 of this act.*

17 **Sec. 17.** NRS 454.213 is hereby amended to read as follows:

18 454.213 1. Except as otherwise provided in NRS 454.217, a
19 drug or medicine referred to in NRS 454.181 to 454.371, inclusive,
20 may be possessed and administered by:

21 (a) A practitioner.

22 (b) A physician assistant licensed pursuant to chapter 630 or 633
23 of NRS or an anesthesiologist assistant, at the direction of his or her
24 supervising physician or supervising anesthesiologist or supervising
25 osteopathic anesthesiologist, as applicable, or a licensed dental
26 hygienist or expanded function dental assistant acting in the office
27 of and under the supervision of a dentist.

28 (c) Except as otherwise provided in paragraph (d), a registered
29 nurse licensed to practice professional nursing or licensed practical
30 nurse, at the direction of a prescribing physician, physician assistant
31 licensed pursuant to chapter 630 or 633 of NRS, dentist, podiatric
32 physician or advanced practice registered nurse, or pursuant to a
33 chart order, for administration to a patient at another location.

34 (d) In accordance with applicable regulations of the Board, a
35 registered nurse licensed to practice professional nursing or licensed
36 practical nurse who is:

37 (1) Employed by a health care agency or health care facility
38 that is authorized to provide emergency care, or to respond to the
39 immediate needs of a patient, in the residence of the patient; and

40 (2) Acting under the direction of the medical director of that
41 agency or facility who works in this State.

42 (e) A medication aide - certified at a designated facility under
43 the supervision of an advanced practice registered nurse or
44 registered nurse and in accordance with standard protocols
45 developed by the State Board of Nursing. As used in this paragraph,



1 “designated facility” has the meaning ascribed to it in
2 NRS 632.0145.

3 (f) Except as otherwise provided in paragraph (g), an advanced
4 emergency medical technician or a paramedic, as authorized by
5 regulation of the State Board of Pharmacy and in accordance with
6 any applicable regulations of:

7 (1) The State Board of Health in a county whose population
8 is less than 100,000;

9 (2) A county board of health in a county whose population is
10 100,000 or more; or

11 (3) A district board of health created pursuant to NRS
12 439.362 or 439.370 in any county.

13 (g) An advanced emergency medical technician or a paramedic
14 who holds an endorsement issued pursuant to NRS 450B.1975,
15 under the direct supervision of a local health officer or a designee of
16 the local health officer pursuant to that section.

17 (h) A respiratory therapist employed in a health care facility.
18 The therapist may possess and administer respiratory products only
19 at the direction of a physician.

20 (i) A dialysis technician, under the direction or supervision of a
21 physician or registered nurse only if the drug or medicine is used for
22 the process of renal dialysis.

23 (j) A medical student or student nurse in the course of his or her
24 studies at an accredited college of medicine or approved school of
25 professional or practical nursing, at the direction of a physician and:

26 (1) In the presence of a physician or a registered nurse; or

27 (2) Under the supervision of a physician or a registered nurse
28 if the student is authorized by the college or school to administer the
29 drug or medicine outside the presence of a physician or nurse.

30 ➤ A medical student or student nurse may administer a dangerous
31 drug in the presence or under the supervision of a registered nurse
32 alone only if the circumstances are such that the registered nurse
33 would be authorized to administer it personally.

34 (k) Any person designated by the head of a correctional
35 institution.

36 (l) An ultimate user or any person designated by the ultimate
37 user pursuant to a written agreement.

38 (m) A holder of a license to engage in radiation therapy and
39 radiologic imaging issued pursuant to chapter 653 of NRS, at the
40 direction of a physician and in accordance with any conditions
41 established by regulation of the Board.

42 (n) A chiropractic physician, but only if the drug or medicine is
43 a topical drug used for cooling and stretching external tissue during
44 therapeutic treatments.



1 (o) A physical therapist, but only if the drug or medicine is a
2 topical drug which is:

3 (1) Used for cooling and stretching external tissue during
4 therapeutic treatments; and

5 (2) Prescribed by a licensed physician for:

6 (I) Iontophoresis; or

7 (II) The transmission of drugs through the skin using
8 ultrasound.

9 (p) In accordance with applicable regulations of the State Board
10 of Health, an employee of a residential facility for groups, as
11 defined in NRS 449.017, pursuant to a written agreement entered
12 into by the ultimate user.

13 (q) A veterinary technician or a veterinary assistant at the
14 direction of his or her supervising veterinarian.

15 (r) ~~In accordance with applicable regulations of the Board, a~~
16 ~~registered pharmacist who:~~

17 ~~(1) Is trained in and certified to carry out standards and~~
18 ~~practices for immunization programs;~~

19 ~~(2) Is authorized to administer immunizations pursuant to~~
20 ~~written protocols from a physician; and~~

21 ~~(3) Administers immunizations in compliance with the~~
22 ~~“Standards for Immunization Practices” recommended and~~
23 ~~approved by the Advisory Committee on Immunization Practices of~~
24 ~~the Centers for Disease Control and Prevention.~~

25 ~~(s)} A registered pharmacist. [pursuant to written guidelines and~~
26 ~~protocols developed pursuant to NRS 639.2629 or a collaborative~~
27 ~~practice agreement, as defined in NRS 639.0052.~~

28 ~~(t)} (s) A person who is enrolled in a training program to~~

29 become a physician assistant or anesthesiologist assistant licensed
30 pursuant to chapter 630 or 633 of NRS, dental hygienist, advanced
31 emergency medical technician, paramedic, respiratory therapist,
32 dialysis technician, physical therapist or veterinary technician or to
33 obtain a license to engage in radiation therapy and radiologic
34 imaging pursuant to chapter 653 of NRS if the person possesses and
35 administers the drug or medicine in the same manner and under the
36 same conditions that apply, respectively, to a physician assistant or
37 anesthesiologist assistant licensed pursuant to chapter 630 or 633 of
38 NRS, dental hygienist, advanced emergency medical technician,
39 paramedic, respiratory therapist, dialysis technician, physical
40 therapist, veterinary technician or person licensed to engage in
41 radiation therapy and radiologic imaging who may possess and
42 administer the drug or medicine, and under the direct supervision of
43 a person licensed or registered to perform the respective medical art
44 or a supervisor of such a person.



1 ~~[(a)]~~ (t) A medical assistant, in accordance with applicable
2 regulations of the:

3 (1) Board of Medical Examiners, at the direction of the
4 prescribing physician and under the supervision of a physician or
5 physician assistant.

6 (2) State Board of Osteopathic Medicine, at the direction of
7 the prescribing physician and under the supervision of a physician
8 or physician assistant.

9 2. As used in this section, "accredited college of medicine" has
10 the meaning ascribed to it in NRS 453.375.

11 **Sec. 18.** NRS 689A.0437 is hereby amended to read as
12 follows:

13 689A.0437 1. An insurer that offers or issues a policy of
14 health insurance shall include in the policy coverage for:

15 (a) All drugs approved by the United States Food and Drug
16 Administration for preventing the acquisition of human
17 immunodeficiency virus or treating human immunodeficiency virus
18 or hepatitis C in the form recommended by the prescribing
19 practitioner, regardless of whether the drug is included in the
20 formulary of the insurer;

21 (b) Laboratory testing that is necessary for therapy that uses a
22 drug to prevent the acquisition of human immunodeficiency virus;

23 (c) Any service to test for, prevent or treat human
24 immunodeficiency virus or hepatitis C provided by a provider of
25 primary care if the service is covered when provided by a specialist
26 and:

27 (1) The service is within the scope of practice of the provider
28 of primary care; or

29 (2) The provider of primary care is capable of providing the
30 service safely and effectively in consultation with a specialist and
31 the provider engages in such consultation; and

32 (d) ~~[(The)]~~ *Ordering laboratory testing described in paragraph*
33 *(b) and the* services described in NRS 639.28085, when provided by
34 a pharmacist who participates in the network plan of the insurer.

35 2. An insurer that offers or issues a policy of health insurance
36 shall reimburse:

37 (a) A pharmacist who participates in the network plan of the
38 insurer for the services described in ~~[(NRS 639.28085)]~~ *paragraph*
39 *(d) of subsection 1* at a rate equal to the rate of reimbursement
40 provided to a physician, physician assistant or advanced practice
41 registered nurse for similar services.

42 (b) An advanced practice registered nurse or a physician
43 assistant who participates in the network plan of the insurer for any
44 service to test for, prevent or treat human immunodeficiency virus



1 or hepatitis C at a rate equal to the rate of reimbursement provided
2 to a physician for similar services.

3 3. An insurer shall not:

4 (a) Subject the benefits required by subsection 1 to medical
5 management techniques, other than step therapy;

6 (b) Limit the covered amount of a drug described in paragraph
7 (a) of subsection 1;

8 (c) Refuse to cover a drug described in paragraph (a) of
9 subsection 1 because the drug is dispensed by a pharmacy through
10 mail order service; or

11 (d) Prohibit or restrict access to any service or drug to treat
12 human immunodeficiency virus or hepatitis C on the same day on
13 which the insured is diagnosed.

14 4. An insurer shall ensure that the benefits required by
15 subsection 1 are made available to an insured through a provider of
16 health care who participates in the network plan of the insurer.

17 5. A policy of health insurance subject to the provisions of this
18 chapter that is delivered, issued for delivery or renewed on or after
19 January 1, 2024, has the legal effect of including the coverage
20 required by subsection 1, and any provision of the policy that
21 conflicts with the provisions of this section is void.

22 6. As used in this section:

23 (a) "Medical management technique" means a practice which is
24 used to control the cost or use of health care services or prescription
25 drugs. The term includes, without limitation, the use of step therapy,
26 prior authorization and categorizing drugs and devices based on
27 cost, type or method of administration.

28 (b) "Network plan" means a policy of health insurance offered
29 by an insurer under which the financing and delivery of medical
30 care, including items and services paid for as medical care, are
31 provided, in whole or in part, through a defined set of providers
32 under contract with the insurer. The term does not include an
33 arrangement for the financing of premiums.

34 (c) "Primary care" means the practice of family medicine,
35 pediatrics, internal medicine, obstetrics and gynecology and
36 midwifery.

37 (d) "Provider of health care" has the meaning ascribed to it in
38 NRS 629.031.

39 **Sec. 19.** NRS 689B.0312 is hereby amended to read as
40 follows:

41 689B.0312 1. An insurer that offers or issues a policy of
42 group health insurance shall include in the policy coverage for:

43 (a) All drugs approved by the United States Food and Drug
44 Administration for preventing the acquisition of human
45 immunodeficiency virus or treating human immunodeficiency virus



1 or hepatitis C in the form recommended by the prescribing
2 practitioner, regardless of whether the drug is included in the
3 formulary of the insurer;

4 (b) Laboratory testing that is necessary for therapy that uses a
5 drug to prevent the acquisition of human immunodeficiency virus;

6 (c) Any service to test for, prevent or treat human
7 immunodeficiency virus or hepatitis C provided by a provider of
8 primary care if the service is covered when provided by a specialist
9 and:

10 (1) The service is within the scope of practice of the provider
11 of primary care; or

12 (2) The provider of primary care is capable of providing the
13 service safely and effectively in consultation with a specialist and
14 the provider engages in such consultation; and

15 (d) ~~The~~ *Ordering laboratory testing described in paragraph*
16 *(b) and the* services described in NRS 639.28085, when provided by
17 a pharmacist who participates in the network plan of the insurer.

18 2. An insurer that offers or issues a policy of group health
19 insurance shall reimburse:

20 (a) A pharmacist who participates in the network plan of the
21 insurer for the services described in ~~NRS 639.28085~~ *paragraph*
22 *(d) of subsection 1* at a rate equal to the rate of reimbursement
23 provided to a physician, physician assistant or advanced practice
24 registered nurse for similar services.

25 (b) An advanced practice registered nurse or a physician
26 assistant who participates in the network plan of the insurer for any
27 service to test for, prevent or treat human immunodeficiency virus
28 or hepatitis C at a rate equal to the rate of reimbursement provided
29 to a physician for similar services.

30 3. An insurer shall not:

31 (a) Subject the benefits required by subsection 1 to medical
32 management techniques, other than step therapy;

33 (b) Limit the covered amount of a drug described in paragraph
34 (a) of subsection 1;

35 (c) Refuse to cover a drug described in paragraph (a) of
36 subsection 1 because the drug is dispensed by a pharmacy through
37 mail order service; or

38 (d) Prohibit or restrict access to any service or drug to treat
39 human immunodeficiency virus or hepatitis C on the same day on
40 which the insured is diagnosed.

41 4. An insurer shall ensure that the benefits required by
42 subsection 1 are made available to an insured through a provider of
43 health care who participates in the network plan of the insurer.

44 5. A policy of group health insurance subject to the provisions
45 of this chapter that is delivered, issued for delivery or renewed on or



1 after January 1, 2024, has the legal effect of including the coverage
2 required by subsection 1, and any provision of the policy that
3 conflicts with the provisions of this section is void.

4 6. As used in this section:

5 (a) "Medical management technique" means a practice which is
6 used to control the cost or use of health care services or prescription
7 drugs. The term includes, without limitation, the use of step therapy,
8 prior authorization and categorizing drugs and devices based on
9 cost, type or method of administration.

10 (b) "Network plan" means a policy of group health insurance
11 offered by an insurer under which the financing and delivery of
12 medical care, including items and services paid for as medical care,
13 are provided, in whole or in part, through a defined set of providers
14 under contract with the insurer. The term does not include an
15 arrangement for the financing of premiums.

16 (c) "Primary care" means the practice of family medicine,
17 pediatrics, internal medicine, obstetrics and gynecology and
18 midwifery.

19 (d) "Provider of health care" has the meaning ascribed to it in
20 NRS 629.031.

21 **Sec. 20.** NRS 689C.1671 is hereby amended to read as
22 follows:

23 689C.1671 1. A carrier that offers or issues a health benefit
24 plan shall include in the plan coverage for:

25 (a) All drugs approved by the United States Food and Drug
26 Administration for preventing the acquisition of human
27 immunodeficiency virus or treating human immunodeficiency virus
28 or hepatitis C in the form recommended by the prescribing
29 practitioner, regardless of whether the drug is included in the
30 formulary of the carrier;

31 (b) Laboratory testing that is necessary for therapy that uses a
32 drug to prevent the acquisition of human immunodeficiency virus;

33 (c) Any service to test for, prevent or treat human
34 immunodeficiency virus or hepatitis C provided by a provider of
35 primary care if the service is covered when provided by a specialist
36 and:

37 (1) The service is within the scope of practice of the provider
38 of primary care; or

39 (2) The provider of primary care is capable of providing the
40 service safely and effectively in consultation with a specialist and
41 the provider engages in such consultation; and

42 (d) ~~[The]~~ *Ordering laboratory testing described in paragraph*
43 *(b) and the* services described in NRS 639.28085, when provided by
44 a pharmacist who participates in the health benefit plan of the
45 carrier.



1 2. A carrier that offers or issues a health benefit plan shall
2 reimburse:

3 (a) A pharmacist who participates in the health benefit plan of
4 the carrier for the services described in ~~[NRS 639.28085]~~ *paragraph*
5 *(d) of subsection 1* at a rate equal to the rate of reimbursement
6 provided to a physician, physician assistant or advanced practice
7 registered nurse for similar services.

8 (b) An advanced practice registered nurse or a physician
9 assistant who participates in the network plan of the carrier for any
10 service to test for, prevent or treat human immunodeficiency virus
11 or hepatitis C at a rate equal to the rate of reimbursement provided
12 to a physician for similar services.

13 3. A carrier shall not:

14 (a) Subject the benefits required by subsection 1 to medical
15 management techniques, other than step therapy;

16 (b) Limit the covered amount of a drug described in paragraph
17 (a) of subsection 1;

18 (c) Refuse to cover a drug described in paragraph (a) of
19 subsection 1 because the drug is dispensed by a pharmacy through
20 mail order service; or

21 (d) Prohibit or restrict access to any service or drug to treat
22 human immunodeficiency virus or hepatitis C on the same day on
23 which the insured is diagnosed.

24 4. A carrier shall ensure that the benefits required by
25 subsection 1 are made available to an insured through a provider of
26 health care who participates in the network plan of the carrier.

27 5. A health benefit plan subject to the provisions of this chapter
28 that is delivered, issued for delivery or renewed on or after
29 January 1, 2024, has the legal effect of including the coverage
30 required by subsection 1, and any provision of the plan that conflicts
31 with the provisions of this section is void.

32 6. As used in this section:

33 (a) "Medical management technique" means a practice which is
34 used to control the cost or use of health care services or prescription
35 drugs. The term includes, without limitation, the use of step therapy,
36 prior authorization and categorizing drugs and devices based on
37 cost, type or method of administration.

38 (b) "Network plan" means a health benefit plan offered by a
39 carrier under which the financing and delivery of medical care,
40 including items and services paid for as medical care, are provided,
41 in whole or in part, through a defined set of providers under contract
42 with the carrier. The term does not include an arrangement for the
43 financing of premiums.



1 (c) "Primary care" means the practice of family medicine,
2 pediatrics, internal medicine, obstetrics and gynecology and
3 midwifery.

4 (d) "Provider of health care" has the meaning ascribed to it in
5 NRS 629.031.

6 **Sec. 21.** NRS 695A.1843 is hereby amended to read as
7 follows:

8 695A.1843 1. A society that offers or issues a benefit
9 contract shall include in the benefit coverage for:

10 (a) All drugs approved by the United States Food and Drug
11 Administration for preventing the acquisition of human
12 immunodeficiency virus or treating human immunodeficiency virus
13 or hepatitis C in the form recommended by the prescribing
14 practitioner, regardless of whether the drug is included in the
15 formulary of the society;

16 (b) Laboratory testing that is necessary for therapy that uses a
17 drug to prevent the acquisition of human immunodeficiency virus;

18 (c) Any service to test for, prevent or treat human
19 immunodeficiency virus or hepatitis C provided by a provider of
20 primary care if the service is covered when provided by a specialist
21 and:

22 (1) The service is within the scope of practice of the provider
23 of primary care; or

24 (2) The provider of primary care is capable of providing the
25 service safely and effectively in consultation with a specialist and
26 the provider engages in such consultation; and

27 (d) ~~The~~ *Ordering laboratory testing described in paragraph*
28 *(b) and the* services described in NRS 639.28085, when provided by
29 a pharmacist who participates in the network plan of the society.

30 2. A society that offers or issues a benefit contract shall
31 reimburse:

32 (a) A pharmacist who participates in the network plan of the
33 society for the services described in ~~NRS 639.28085~~ *paragraph*
34 *(d) of subsection 1* at a rate equal to the rate of reimbursement
35 provided to a physician, physician assistant or advanced practice
36 registered nurse for similar services.

37 (b) An advanced practice registered nurse or a physician
38 assistant who participates in the network plan of the society for any
39 service to test for, prevent or treat human immunodeficiency virus
40 or hepatitis C at a rate equal to the rate of reimbursement provided
41 to a physician for similar services.

42 3. A society shall not:

43 (a) Subject the benefits required by subsection 1 to medical
44 management techniques, other than step therapy;



1 (b) Limit the covered amount of a drug described in paragraph
2 (a) of subsection 1;

3 (c) Refuse to cover a drug described in paragraph (a) of
4 subsection 1 because the drug is dispensed by a pharmacy through
5 mail order service; or

6 (d) Prohibit or restrict access to any service or drug to treat
7 human immunodeficiency virus or hepatitis C on the same day on
8 which the insured is diagnosed.

9 4. A society shall ensure that the benefits required by
10 subsection 1 are made available to an insured through a provider of
11 health care who participates in the network plan of the society.

12 5. A benefit contract subject to the provisions of this chapter
13 that is delivered, issued for delivery or renewed on or after
14 January 1, 2024, has the legal effect of including the coverage
15 required by subsection 1, and any provision of the plan that conflicts
16 with the provisions of this section is void.

17 6. As used in this section:

18 (a) "Medical management technique" means a practice which is
19 used to control the cost or use of health care services or prescription
20 drugs. The term includes, without limitation, the use of step therapy,
21 prior authorization and categorizing drugs and devices based on
22 cost, type or method of administration.

23 (b) "Network plan" means a benefit contract offered by a society
24 under which the financing and delivery of medical care, including
25 items and services paid for as medical care, are provided, in whole
26 or in part, through a defined set of providers under contract with the
27 society. The term does not include an arrangement for the financing
28 of premiums.

29 (c) "Primary care" means the practice of family medicine,
30 pediatrics, internal medicine, obstetrics and gynecology and
31 midwifery.

32 (d) "Provider of health care" has the meaning ascribed to it in
33 NRS 629.031.

34 **Sec. 22.** NRS 695B.1924 is hereby amended to read as
35 follows:

36 695B.1924 1. A hospital or medical services corporation that
37 offers or issues a policy of health insurance shall include in the
38 policy coverage for:

39 (a) All drugs approved by the United States Food and Drug
40 Administration for preventing the acquisition of human
41 immunodeficiency virus or treating human immunodeficiency virus
42 or hepatitis C in the form recommended by the prescribing
43 practitioner, regardless of whether the drug is included in the
44 formulary of the hospital or medical services organization;



1 (b) Laboratory testing that is necessary for therapy using a drug
2 to prevent the acquisition of human immunodeficiency virus;

3 (c) Any service to test for, prevent or treat human
4 immunodeficiency virus or hepatitis C provided by a provider of
5 primary care if the service is covered when provided by a specialist
6 and:

7 (1) The service is within the scope of practice of the provider
8 of primary care; or

9 (2) The provider of primary care is capable of providing the
10 service safely and effectively in consultation with a specialist and
11 the provider engages in such consultation; and

12 (d) ~~[The]~~ *Ordering laboratory testing described in paragraph*
13 *(b) and the* services described in NRS 639.28085, when provided by
14 a pharmacist who participates in the network plan of the hospital or
15 medical services corporation.

16 2. A hospital or medical services corporation that offers or
17 issues a policy of health insurance shall reimburse:

18 (a) A pharmacist who participates in the network plan of the
19 hospital or medical services corporation for the services described in
20 ~~[NRS 639.28085]~~ *paragraph (d) of subsection 1* at a rate equal to
21 the rate of reimbursement provided to a physician, physician
22 assistant or advanced practice registered nurse for similar services.

23 (b) An advanced practice registered nurse or a physician
24 assistant who participates in the network plan of the hospital or
25 medical services corporation for any service to test for, prevent or
26 treat human immunodeficiency virus or hepatitis C at a rate equal to
27 the rate of reimbursement provided to a physician for similar
28 services.

29 3. A hospital or medical services corporation shall not:

30 (a) Subject the benefits required by subsection 1 to medical
31 management techniques, other than step therapy;

32 (b) Limit the covered amount of a drug described in paragraph
33 (a) of subsection 1;

34 (c) Refuse to cover a drug described in paragraph (a) of
35 subsection 1 because the drug is dispensed by a pharmacy through
36 mail order service; or

37 (d) Prohibit or restrict access to any service or drug to treat
38 human immunodeficiency virus or hepatitis C on the same day on
39 which the insured is diagnosed.

40 4. A hospital or medical services corporation shall ensure that
41 the benefits required by subsection 1 are made available to an
42 insured through a provider of health care who participates in the
43 network plan of the hospital or medical services corporation.

44 5. A policy of health insurance subject to the provisions of this
45 chapter that is delivered, issued for delivery or renewed on or after



1 January 1, 2024, has the legal effect of including the coverage
2 required by subsection 1, and any provision of the policy that
3 conflicts with the provisions of this section is void.

4 6. As used in this section:

5 (a) "Medical management technique" means a practice which is
6 used to control the cost or use of health care services or prescription
7 drugs. The term includes, without limitation, the use of step therapy,
8 prior authorization and categorizing drugs and devices based on
9 cost, type or method of administration.

10 (b) "Network plan" means a policy of health insurance offered
11 by a hospital or medical services corporation under which the
12 financing and delivery of medical care, including items and services
13 paid for as medical care, are provided, in whole or in part, through a
14 defined set of providers under contract with the hospital or medical
15 services corporation. The term does not include an arrangement for
16 the financing of premiums.

17 (c) "Primary care" means the practice of family medicine,
18 pediatrics, internal medicine, obstetrics and gynecology and
19 midwifery.

20 (d) "Provider of health care" has the meaning ascribed to it in
21 NRS 629.031.

22 **Sec. 23.** NRS 695C.1743 is hereby amended to read as
23 follows:

24 695C.1743 1. A health maintenance organization that offers
25 or issues a health care plan shall include in the plan coverage for:

26 (a) All drugs approved by the United States Food and Drug
27 Administration for preventing the acquisition of human
28 immunodeficiency virus or treating human immunodeficiency virus
29 or hepatitis C in the form recommended by the prescribing
30 practitioner, regardless of whether the drug is included in the
31 formulary of the health maintenance organization;

32 (b) Laboratory testing that is necessary for therapy that uses a
33 drug to prevent the acquisition of human immunodeficiency virus;

34 (c) Any service to test for, prevent or treat human
35 immunodeficiency virus or hepatitis C provided by a provider of
36 primary care if the service is covered when provided by a specialist
37 and:

38 (1) The service is within the scope of practice of the provider
39 of primary care; or

40 (2) The provider of primary care is capable of providing the
41 service safely and effectively in consultation with a specialist and
42 the provider engages in such consultation; and

43 (d) ~~[The]~~ *Ordering laboratory testing described in paragraph*
44 *(b) and the* services described in NRS 639.28085, when provided by



1 a pharmacist who participates in the network plan of the health
2 maintenance organization.

3 2. A health maintenance organization that offers or issues a
4 health care plan shall reimburse:

5 (a) A pharmacist who participates in the network plan of the
6 health maintenance organization for the services described in ~~NRS~~
7 ~~639.28085~~ *paragraph (d) of subsection 1* at a rate equal to the rate
8 of reimbursement provided to a physician, physician assistant or
9 advanced practice registered nurse for similar services.

10 (b) An advanced practice registered nurse or a physician
11 assistant who participates in the network plan of the health
12 maintenance organization for any service to test for, prevent or treat
13 human immunodeficiency virus or hepatitis C at a rate equal to the
14 rate of reimbursement provided to a physician for similar services.

15 3. A health maintenance organization shall not:

16 (a) Subject the benefits required by subsection 1 to medical
17 management techniques, other than step therapy;

18 (b) Limit the covered amount of a drug described in paragraph
19 (a) of subsection 1;

20 (c) Refuse to cover a drug described in paragraph (a) of
21 subsection 1 because the drug is dispensed by a pharmacy through
22 mail order service; or

23 (d) Prohibit or restrict access to any service or drug to treat
24 human immunodeficiency virus or hepatitis C on the same day on
25 which the enrollee is diagnosed.

26 4. A health maintenance organization shall ensure that the
27 benefits required by subsection 1 are made available to an enrollee
28 through a provider of health care who participates in the network
29 plan of the health maintenance organization.

30 5. A health care plan subject to the provisions of this chapter
31 that is delivered, issued for delivery or renewed on or after
32 January 1, 2024, has the legal effect of including the coverage
33 required by subsection 1, and any provision of the plan that conflicts
34 with the provisions of this section is void.

35 6. As used in this section:

36 (a) "Medical management technique" means a practice which is
37 used to control the cost or use of health care services or prescription
38 drugs. The term includes, without limitation, the use of step therapy,
39 prior authorization and categorizing drugs and devices based on
40 cost, type or method of administration.

41 (b) "Network plan" means a health care plan offered by a health
42 maintenance organization under which the financing and delivery of
43 medical care, including items and services paid for as medical care,
44 are provided, in whole or in part, through a defined set of providers



1 under contract with the health maintenance organization. The term
2 does not include an arrangement for the financing of premiums.

3 (c) "Primary care" means the practice of family medicine,
4 pediatrics, internal medicine, obstetrics and gynecology and
5 midwifery.

6 (d) "Provider of health care" has the meaning ascribed to it in
7 NRS 629.031.

8 **Sec. 24.** NRS 695G.1705 is hereby amended to read as
9 follows:

10 695G.1705 1. A managed care organization that offers or
11 issues a health care plan shall include in the plan coverage for:

12 (a) All drugs approved by the United States Food and Drug
13 Administration for preventing the acquisition of human
14 immunodeficiency virus or treating human immunodeficiency virus
15 or hepatitis C in the form recommended by the prescribing
16 practitioner, regardless of whether the drug is included in the
17 formulary of the managed care organization;

18 (b) Laboratory testing that is necessary for therapy that uses a
19 drug to prevent the acquisition of human immunodeficiency virus;

20 (c) Any service to test for, prevent or treat human
21 immunodeficiency virus or hepatitis C provided by a provider of
22 primary care if the service is covered when provided by a specialist
23 and:

24 (1) The service is within the scope of practice of the provider
25 of primary care; or

26 (2) The provider of primary care is capable of providing the
27 service safely and effectively in consultation with a specialist and
28 the provider engages in such consultation; and

29 (d) ~~[The]~~ *Ordering laboratory testing described in paragraph*
30 *(b) and the* services described in NRS 639.28085, when provided by
31 a pharmacist who participates in the network plan of the managed
32 care organization.

33 2. A managed care organization that offers or issues a health
34 care plan shall reimburse:

35 (a) A pharmacist who participates in the network plan of the
36 managed care organization for the services described in ~~[NRS~~
37 ~~639.28085]~~ *paragraph (d) of subsection 1* at a rate equal to the rate
38 of reimbursement provided to a physician, physician assistant or
39 advanced practice registered nurse for similar services.

40 (b) An advanced practice registered nurse or a physician
41 assistant who participates in the network plan of the managed care
42 organization for any service to test for, prevent or treat human
43 immunodeficiency virus or hepatitis C at a rate equal to the rate of
44 reimbursement provided to a physician for similar services.

45 3. A managed care organization shall not:



1 (a) Subject the benefits required by subsection 1 to medical
2 management techniques, other than step therapy;

3 (b) Limit the covered amount of a drug described in paragraph
4 (a) of subsection 1;

5 (c) Refuse to cover a drug described in paragraph (a) of
6 subsection 1 because the drug is dispensed by a pharmacy through
7 mail order service; or

8 (d) Prohibit or restrict access to any service or drug to treat
9 human immunodeficiency virus or hepatitis C on the same day on
10 which the insured is diagnosed.

11 4. A managed care organization shall ensure that the benefits
12 required by subsection 1 are made available to an insured through a
13 provider of health care who participates in the network plan of the
14 managed care organization.

15 5. A health care plan subject to the provisions of this chapter
16 that is delivered, issued for delivery or renewed on or after
17 January 1, 2024, has the legal effect of including the coverage
18 required by subsection 1, and any provision of the plan that conflicts
19 with the provisions of this section is void.

20 6. As used in this section:

21 (a) "Medical management technique" means a practice which is
22 used to control the cost or use of health care services or prescription
23 drugs. The term includes, without limitation, the use of step therapy,
24 prior authorization and categorizing drugs and devices based on
25 cost, type or method of administration.

26 (b) "Network plan" means a health care plan offered by a
27 managed care organization under which the financing and delivery
28 of medical care, including items and services paid for as medical
29 care, are provided, in whole or in part, through a defined set of
30 providers under contract with the managed care organization. The
31 term does not include an arrangement for the financing of
32 premiums.

33 (c) "Primary care" means the practice of family medicine,
34 pediatrics, internal medicine, obstetrics and gynecology and
35 midwifery.

36 (d) "Provider of health care" has the meaning ascribed to it in
37 NRS 629.031.

38 **Sec. 25.** 1. This section becomes effective upon passage and
39 approval.

40 2. Sections 1 to 24, inclusive, of this act become effective:

41 (a) Upon passage and approval for the purpose of adopting any
42 regulations and performing any other preparatory administrative
43 tasks that are necessary to carry out the provisions of this act; and



1 (b) On January 1, 2026, for all other purposes.

⑩

