

Senate Bill No. 519—Committee on Human Resources

and Facilities

CHAPTER.....

AN ACT relating to public health; authorizing certain persons to possess and administer controlled substances and dangerous drugs; requiring the state board of pharmacy to prepare an annual report concerning immunizations administered by pharmacists; and providing other matters properly relating thereto.

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

Section 1. (Deleted by amendment.)

Sec. 2. NRS 453.375 is hereby amended to read as follows:

453.375 A controlled substance may be possessed and administered by the following persons:

1. A practitioner.
2. A registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a physician, physician's assistant, dentist, podiatric physician or advanced practitioner of nursing, or pursuant to a chart order, for administration to a patient at another location.
3. An advanced emergency medical technician:
 - (a) As authorized by regulation of:
 - (1) The state board of health in a county whose population is less than 100,000; or
 - (2) A county or district board of health in a county whose population is 100,000 or more; and
 - (b) In accordance with any applicable regulations of:
 - (1) The state board of health in a county whose population is less than 100,000;
 - (2) A county board of health in a county whose population is 100,000 or more; or
 - (3) A district board of health created pursuant to NRS 439.370 in any county.
4. A respiratory therapist, at the direction of a physician or physician's assistant.
5. A medical student, student in training to become a physician's assistant or student nurse in the course of his studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician or physician's assistant and:
 - (a) In the presence of a physician, physician's assistant or a registered nurse; or
 - (b) Under the supervision of a physician, physician's assistant or a registered nurse if the student is authorized by the college or school to administer the substance outside the presence of a physician, physician's assistant or nurse.

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

6. An ultimate user or any person whom the ultimate user designates pursuant to a written agreement.

7. Any person designated by the head of a correctional institution.

8. A veterinary technician at the direction of his supervising veterinarian.

9. In accordance with applicable regulations of the state board of health, an employee of a residential facility for groups, as defined in NRS 449.017, pursuant to a written agreement entered into by the ultimate user.

10. In accordance with applicable regulations of the state board of pharmacy, an animal control officer, a wildlife biologist or an employee designated by a federal, state or local governmental agency whose duties include the control of domestic, wild and predatory animals.

Sec. 3. (Deleted by amendment.)

Sec. 4. NRS 454.213 is hereby amended to read as follows:

454.213 A drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be possessed and administered by:

1. A practitioner.

2. A physician's assistant at the direction of his supervising physician or a licensed dental hygienist acting in the office of and under the supervision of a dentist.

3. ~~1A~~ ***Except as otherwise provided in subsection 4, a*** registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a prescribing physician, dentist, podiatric physician or advanced practitioner of nursing, or pursuant to a chart order, for administration to a patient at another location.

4. ***In accordance with applicable regulations of the board, a registered nurse licensed to practice professional nursing or licensed practical nurse who is:***

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

(b) Acting under the direction of the medical director of that agency or facility who works in this state.

5. An intermediate emergency medical technician or an advanced emergency medical technician, as authorized by regulation of the state board of pharmacy and in accordance with any applicable regulations of:

(a) The state board of health in a county whose population is less than 100,000;

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

(c) A district board of health created pursuant to NRS 439.370 in any county.

~~[5-]~~ 6. A respiratory therapist employed in a health care facility. The therapist may possess and administer respiratory products only at the direction of a physician.

~~[6-]~~ 7. A dialysis technician, under the direction or supervision of a physician or registered nurse only if the drug or medicine is used for the process of renal dialysis.

~~[7-]~~ 8. A medical student or student nurse in the course of his studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician and:

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

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

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

~~[8-]~~ 9. Any person designated by the head of a correctional institution.

~~[9-]~~ 10. An ultimate user or any person designated by the ultimate user pursuant to a written agreement.

~~[10-]~~ 11. A nuclear medicine technologist, at the direction of a physician and in accordance with any conditions established by regulation of the board.

~~[11-]~~ 12. A radiologic technologist, at the direction of a physician and in accordance with any conditions established by regulation of the board.

~~[12-]~~ 13. A chiropractic physician, but only if the drug or medicine is a topical drug used for cooling and stretching external tissue during therapeutic treatments.

~~[13-]~~ 14. A physical therapist, but only if the drug or medicine is a topical drug which is:

(a) Used for cooling and stretching external tissue during therapeutic treatments; and

(b) Prescribed by a licensed physician for:

(1) Iontophoresis; or

(2) The transmission of drugs through the skin using ultrasound.

~~[14-]~~ 15. In accordance with applicable regulations of the state board of health, an employee of a residential facility for groups, as defined in NRS 449.017, pursuant to a written agreement entered into by the ultimate user.

~~[15-]~~ 16. A veterinary technician at the direction of his supervising veterinarian.

17. In accordance with applicable regulations of the board, a registered pharmacist who:

(a) Is trained in and certified to carry out standards and practices for immunization programs;

(b) Is authorized to administer immunizations pursuant to written protocols from a physician; and

(c) Administers immunizations in compliance with the “Standards of Immunization Practices” recommended and approved by the United States Public Health Service Advisory Committee on Immunization Practices.

Sec. 5. Chapter 639 of NRS is hereby amended by adding thereto a new section to read as follows:

The board shall prepare an annual report concerning immunizations administered by pharmacists that includes, without limitation, the number of immunizations which were administered by pharmacists during the previous year, any problems or complaints reported to the board concerning immunizations administered by pharmacists and any other information that the board determines would be useful in determining whether pharmacists should continue to administer immunizations in this state. The report must be available for public inspection during regular business hours at the office of the board.