

SENATE BILL NO. 519—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

(ON BEHALF OF BOARD OF PHARMACY)

MARCH 22, 1999

Referred to Committee on Human Resources and Facilities

SUMMARY—Authorizes certain persons to possess and administer controlled substances and dangerous drugs. (BDR 40-456)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to public health; authorizing certain persons to possess and administer controlled substances and dangerous drugs; and providing other matters properly relating thereto.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** NRS 453.375 is hereby amended to read as follows:
3 453.375 A controlled substance may be possessed and administered by
4 the following persons:
5 1. A practitioner.
6 2. A registered nurse licensed to practice professional nursing or
7 licensed practical nurse, at the direction of a physician, physician's
8 assistant, dentist, podiatric physician or advanced practitioner of nursing, or
9 pursuant to a chart order, for administration to a patient at another location.
10 3. An advanced emergency medical technician:
11 (a) As authorized by regulation of:
12 (1) The state board of health in a county whose population is less than
13 100,000; or
14 (2) A county or district board of health in a county whose population
15 is 100,000 or more; and
16 (b) In accordance with any applicable regulations of:

1 (1) The state board of health in a county whose population is less than
2 100,000;

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

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

7 4. A respiratory therapist, at the direction of a physician or physician's
8 assistant.

9 5. A medical student, student in training to become a physician's
10 assistant or student nurse in the course of his studies at an approved college
11 of medicine or school of professional or practical nursing, at the direction
12 of a physician or physician's assistant and:

13 (a) In the presence of a physician, physician's assistant or a registered
14 nurse; or

15 (b) Under the supervision of a physician, physician's assistant or a
16 registered nurse if the student is authorized by the college or school to
17 administer the substance outside the presence of a physician, physician's
18 assistant or nurse.

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

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

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

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

28 9. In accordance with applicable regulations of the state board of
29 health, an employee of a residential facility for groups, as defined in NRS
30 449.017, pursuant to a written agreement entered into by the ultimate user.

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

35 **Sec. 3.** (Deleted by amendment.)

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

37 454.213 A drug or medicine referred to in NRS 454.181 to 454.371,
38 inclusive, may be possessed and administered by:

39 1. A practitioner.

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

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

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

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

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

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

17 (a) The state board of health in a county whose population is less than
18 100,000;

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

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

23 ~~[5.]~~ 6. A respiratory therapist employed in a health care facility. The
24 therapist may possess and administer respiratory products only at the
25 direction of a physician.

26 ~~[6.]~~ 7. A dialysis technician, under the direction or supervision of a
27 physician or registered nurse only if the drug or medicine is used for the
28 process of renal dialysis.

29 ~~[7.]~~ 8. A medical student or student nurse in the course of his studies
30 at an approved college of medicine or school of professional or practical
31 nursing, at the direction of a physician and:

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

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

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

40 ~~[8.]~~ 9. Any person designated by the head of a correctional institution.

41 ~~[9.]~~ 10. An ultimate user or any person designated by the ultimate user
42 pursuant to a written agreement.

- 1 ~~110.~~ 11. A nuclear medicine technologist, at the direction of a
2 physician and in accordance with any conditions established by regulation
3 of the board.
- 4 ~~111.~~ 12. A radiologic technologist, at the direction of a physician and
5 in accordance with any conditions established by regulation of the board.
- 6 ~~112.~~ 13. A chiropractic physician, but only if the drug or medicine is a
7 topical drug used for cooling and stretching external tissue during
8 therapeutic treatments.
- 9 ~~113.~~ 14. A physical therapist, but only if the drug or medicine is a
10 topical drug which is:
- 11 (a) Used for cooling and stretching external tissue during therapeutic
12 treatments; and
- 13 (b) Prescribed by a licensed physician for:
- 14 (1) Iontophoresis; or
- 15 (2) The transmission of drugs through the skin using ultrasound.
- 16 ~~114.~~ 15. In accordance with applicable regulations of the state board
17 of health, an employee of a residential facility for groups, as defined in
18 NRS 449.017, pursuant to a written agreement entered into by the ultimate
19 user.
- 20 ~~115.~~ 16. A veterinary technician at the direction of his supervising
21 veterinarian.