

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; 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:

- 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

(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.

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

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

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

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

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

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

20 (a) The state board of health in a county whose population is less than
21 100,000;

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

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

26 ~~[5.]~~ 6. A respiratory therapist employed in a health care facility. The
27 therapist may possess and administer respiratory products only at the
28 direction of a physician.

29 ~~[6.]~~ 7. A dialysis technician, under the direction or supervision of a
30 physician or registered nurse only if the drug or medicine is used for the
31 process of renal dialysis.

32 ~~[7.]~~ 8. A medical student or student nurse in the course of his studies
33 at an approved college of medicine or school of professional or practical
34 nursing, at the direction of a physician and:

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

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

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

1 ~~[8.]~~ 9. Any person designated by the head of a correctional institution.
2 ~~[9.]~~ 10. An ultimate user or any person designated by the ultimate user
3 pursuant to a written agreement.

4 ~~[10.]~~ 11. A nuclear medicine technologist, at the direction of a
5 physician and in accordance with any conditions established by regulation
6 of the board.

7 ~~[11.]~~ 12. A radiologic technologist, at the direction of a physician and
8 in accordance with any conditions established by regulation of the board.

9 ~~[12.]~~ 13. A chiropractic physician, but only if the drug or medicine is a
10 topical drug used for cooling and stretching external tissue during
11 therapeutic treatments.

12 ~~[13.]~~ 14. A physical therapist, but only if the drug or medicine is a
13 topical drug which is:

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

16 (b) Prescribed by a licensed physician for:

17 (1) Iontophoresis; or

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

19 ~~[14.]~~ 15. In accordance with applicable regulations of the state board
20 of health, an employee of a residential facility for groups, as defined in
21 NRS 449.017, pursuant to a written agreement entered into by the ultimate
22 user.

23 ~~[15.]~~ 16. A veterinary technician at the direction of his supervising
24 veterinarian.

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

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

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

31 (c) *Administers immunizations in compliance with the "Standards of*
32 *Immunization Practices" recommended and approved by the United*
33 *States Public Health Service Advisory Committee on Immunization*
34 *Practices.*

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

37 *The board shall prepare an annual report concerning immunizations*
38 *administered by pharmacists that includes, without limitation, the*
39 *number of immunizations which were administered by pharmacists*
40 *during the previous year, any problems or complaints reported to the*
41 *board concerning immunizations administered by pharmacists and any*

- 1 *other information that the board determines would be useful in*
- 2 *determining whether pharmacists should continue to administer*
- 3 *immunizations in this state. The report must be available for public*
- 4 *inspection during regular business hours at the office of the board.*

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