SENATE BILL NO. 168–SENATOR CARE

MARCH 4, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to prescription drugs. (BDR 54-1011)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: 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 pharmacy; requiring that the label of a prescription drug contain certain warnings; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill requires that the label attached to any prescription drug dispensed in this State contain a written warning which must state "WARNING: Review boxed warning information included with this prescription" if the prescription drug is required to have a boxed warning pursuant to federal law. (NRS 639.2801) A violation of any provision of this bill is punishable as a misdemeanor. (NRS 639.310)

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

Section 1. NRS 639.2801 is hereby amended to read as follows:

639.2801 ***1.*** Unless specified to the contrary in writing on the prescription by the prescribing practitioner, all prescriptions filled by any practitioner must be dispensed in a container to which is affixed a label or other device which clearly shows:

[~~1.~~] ***(a)*** The date.

[~~2.~~] ***(b)*** The name, address and prescription serial number of the practitioner who filled the prescription.

~~[3.]~~ ***(c)*** The names of the prescribing practitioner and of the person for whom prescribed.

~~[4.]~~ ***(d)*** The number of dosage units.

~~[5.]~~ ***(e)*** The symptom or purpose for which the drug is prescribed, if included by the practitioner pursuant to NRS 639.2352.

~~[6.]~~ ***(f)*** Specific directions for use given by the prescribing practitioner.

~~[7.]~~ ***(g)*** The expiration date of the effectiveness of the drug or medicine dispensed, if that information is included on the original label of the manufacturer of that drug or medicine. If the expiration date specified by the manufacturer is not less than 1 year after the date of dispensing, the practitioner may use a date that is 1 year after the date of dispensing as the expiration date.

~~[8.]~~ ***(h)*** The proprietary or generic name of the drug or medicine as written by the prescribing practitioner.

~~[9.]~~ ***(i)*** The strength of the drug or medicine.

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2. The label ***described in subsection 1*** must contain the warning: Caution: Do not use with alcohol or nonprescribed drugs without consulting the prescribing practitioner.

3. If a prescription filled by any practitioner requires a boxed warning pursuant to 21 C.F.R. § 201.57(c)(1), the label described in subsection 1 must contain the warning:

WARNING: Review boxed warning information included with this prescription.

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