

SENATE BILL NO. 171—SENATORS GANSERT; CANCELA,
FORD, HARRIS, MANENDO, PARKS AND SEGERBLOM

PREFILED FEBRUARY 13, 2017

JOINT SPONSOR: ASSEMBLYWOMAN TOLLES

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Requires certain pharmacies to post or provide written instructions for the safe disposal of unused drugs. (BDR 54-634)

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

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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 pharmacies; requiring certain pharmacies in this State to post or provide written instructions for the safe disposal of unused drugs; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides, in certain institutional settings, for the return of certain
2 unused drugs to the dispensing pharmacy and the reissue or transfer of such drugs.
3 (NRS 433.801, 435.700, 449.2485, 639.2675, 639.2676) Existing law also
4 establishes programs for the donation, distribution and dispensing of drugs to treat
5 HIV/AIDS and cancer. (Chapter 453B of NRS) This bill requires each retail
6 community pharmacy in this State to post in a conspicuous place on the premises of
7 the pharmacy or provide, upon request, written instructions for safely disposing of
8 unused drugs. This bill additionally provides that, upon violating such a
9 requirement, the holder of a license of a retail community pharmacy and any
10 pharmacist working for such a pharmacy are not: (1) guilty of a misdemeanor or
11 felony; or (2) subject to suspension, revocation or probation of a certificate, license
12 or permit held by such a licensee or pharmacist. This bill further authorizes the
13 State Board of Pharmacy to discipline the holder of a license of a retail community
14 pharmacy upon a violation of the requirement for posting or providing information
15 concerning the disposal of unused drugs by one or both of the following methods:
16 (1) public reprimand; or (2) a fine not to exceed \$200 that may be imposed not
17 more than once every 6 months.



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. Each retail community pharmacy in this State shall post in a conspicuous place on the premises of the pharmacy or provide, upon the request of any person, written instructions concerning the safe disposal of unused drugs.

2. Notwithstanding any provision of this chapter to the contrary, upon a violation of subsection 1, the holder of a license of a retail community pharmacy and any pharmacist employed by the pharmacy are not:

(a) Guilty of a misdemeanor or felony; or

(b) Subject to:

(1) The suspension or revocation of a certificate, license or permit issued to the retail community pharmacy or pharmacist; or

(2) Probation.

3. Notwithstanding any provision of this chapter to the contrary, upon a violation of subsection 1, only the holder of a license of a retail community pharmacy may be disciplined by the Board, and only by one or both of the following methods:

(a) Public reprimand; or

(b) Imposition of a fine not to exceed \$200 against the licensee. A fine may be imposed against the holder of a license of a retail community pharmacy pursuant to this section not more than once every 6 months.

4. As used in this section, "retail community pharmacy" means a pharmacy that is licensed by the Board and dispenses drugs directly to the general public at retail prices. The term does not include:

(a) A pharmacy that dispenses prescription medications to patients solely through the mail;

(b) A nonprofit pharmacy designated by the Board pursuant to NRS 639.2676;

(c) An institutional pharmacy;

(d) A pharmacy in a correctional institution; or

(e) A pharmacy owned or operated by a governmental entity.

Sec. 2. (Deleted by amendment.)

