

ASSEMBLY BILL NO. 177—ASSEMBLYWOMEN BENITEZ-THOMPSON,
TORRES; GONZÁLEZ, MARTINEZ, MARZOLA AND BRITTNEY
MILLER

FEBRUARY 25, 2021

JOINT SPONSORS: SENATORS DONATE AND DENIS

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to prescriptions.
(BDR 54-61)

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 pharmacy; requiring certain pharmacies to provide certain information regarding a prescription in a language other than English under certain circumstances; requiring such pharmacies to post notice of the rights of a patient to request information in language other than English; providing immunity from civil liability to a pharmacy or employee for injuries resulting from the translation of such information by a third party under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the State Board of Pharmacy to regulate the practice of
- 2 pharmacy and the sale and dispensing of poisons, drugs, chemicals and medicines.
- 3 (NRS 639.070) Existing law prescribes requirements for labeling containers for
- 4 prescription drugs. (NRS 639.2801) This bill requires each pharmacy, except for an
- 5 institutional pharmacy, to provide the specific directions for use required to be
- 6 included on the label of a prescription drug in English and, upon request of a
- 7 prescribing practitioner, patient or an authorized representative of a patient, any
- 8 language prescribed by regulations adopted by the Board. This bill provides that if
- 9 a pharmacy enters into a contract with a third party for the translation of the
- 10 information required to be provided by the pharmacy, the pharmacy and any
- 11 employee of the pharmacy are not liable in any civil action for any injury resulting
- 12 from the translation by the third party which is not the result of negligence,



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recklessness or deliberate misconduct of the pharmacy or employee. Finally, this bill requires a pharmacy subject to this requirement to post in a conspicuous place: (1) notice of the rights of a patient to request information in a language other than English; and (2) a list of every language in which such information may be made available.

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 pharmacy, except for an institutional pharmacy, shall, upon the request of a prescribing practitioner, a patient or an authorized representative of a patient, provide the information required by subsection 6 of NRS 639.2801 in English and any language in which the information is required to be provided pursuant to subsection 3.

2. Each pharmacy subject to the requirements of subsection 1 shall post in a conspicuous place:

(a) Notice of the rights of a patient to request information in a language other than English pursuant to subsection 1; and

(b) A list of every language in which such information is available.

3. The Board shall adopt regulations prescribing every language in which a pharmacy is required to provide information required by NRS 639.2801. The languages in which a pharmacy is required to provide such information must be specified by the regulations adopted by the Board pursuant to this section based on demographic trends and projections.

4. The Board may adopt such other regulations as are necessary to carry out the provisions of this section.

5. If a pharmacy enters into a contract with a third party for the translation of the information that the pharmacy is required to provide pursuant to this section, the pharmacy and any employee of the pharmacy are not liable in any civil action for any injury resulting from the translation by the third party which is not the result of negligence, recklessness or deliberate misconduct of the pharmacy or employee.

Sec. 2. 1. This section becomes effective upon passage and approval.

2. Section 1 of this act becomes effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and



1 (b) On July 1, 2022, for all other purposes.

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