

Amendment No. 522

Senate Amendment to Assembly Bill No. 177 First Reprint	(BDR 54-61)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



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:

Existing law authorizes the State Board of Pharmacy to regulate the practice of pharmacy and the sale and dispensing of poisons, drugs, chemicals and medicines. (NRS 639.070) Existing law prescribes requirements for labeling containers for prescription drugs. (NRS 639.2801) This bill requires each pharmacy, except for an institutional pharmacy, to provide the ~~information~~ **specific directions for use** required to be included on the label of a prescription drug in English and, upon request of a prescribing practitioner, patient or an authorized representative of a patient, any language prescribed by regulations adopted by the Board. This bill **provides that if a pharmacy enters into a contract with a third party for the translation of the information required to be provided by the pharmacy, 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. 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

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