



NEVADA STATE BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

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Electronic Prescribing Mandate for Controlled Substances

Nevada Revised Statutes (NRS) 639.23535 requires that all controlled substance (CS) prescriptions must be transmitted to a pharmacy by electronic prescribing (e-prescribing). While NRS 639.23535 took effect on January 1, 2021, the Nevada State Board of Pharmacy provided an exemption for practitioners by **regulation**. **The law mandated that this exemption would expire on December 31, 2021.**

Starting January 1, 2022, all CS prescriptions must be transmitted to a pharmacy by e-prescribing. The requirements do not apply to a prescription:

- a) Issued by a veterinarian;
- b) Issued under circumstances . . . where:
 1. Electronic transmission is unavailable due to technologic or electronic failure; or
 2. The drug will be dispensed at a pharmacy located outside of this State;
- c) Issued by a practitioner who will also dispense the drug; . . .
- e) For which electronic prescribing is prohibited by federal law; . . .
- g) Issued pursuant to a protocol for research; or . . .
- i) Issued under circumstances in which the practitioner determines that:

1. The patient is unable to obtain the drug in a timely manner if the prescription is given by electronic transmission; and
2. Delay will adversely affect the patient's medical condition.

Pharmacists are not required to verify or may not require a practitioner to verify that a CS prescription submitted by a method other than e-prescribing meets one of the above exceptions. See NRS 639.23535(4).

A practitioner **must** utilize an approved **e-prescribing software system** to transmit CS prescriptions to a pharmacy. E-prescribing software that is not on the approved list **must** be approved by the Board before a practitioner may utilize it. See Nevada Administrative Code 639.7102 and the application for e-prescribing software approval located [here](#).

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Frequently asked questions about the e-prescribing mandate are located [here](#).

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