



Nevada

State-Specific Controlled Substance Requirements

Updated 6/23/23

Biennial Inventory (DEA):	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your annual inventory for the state. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p>NV follows the same biennial inventory guidelines as the DEA per Nev. Admin. Code § 453.475</p>
CE:	<p><u>Veterinarian</u>: 20 hours every 1 year General medicine topics: 15 hours if approved by national, state, and local associations</p> <p><u>Veterinarian Tech</u>: 10 hours every 1 year General medicine topics: 5 hours if approved by national, state, and local associations.</p> <p>NV does not currently have required CE for controlled substances.</p> <p>You must retain your certificate of completion for four years per NAC 639.390.</p>
Compounding:	<p>"8.2.10 Compounding of a controlled substance by a practitioner is permitted as long as the United States Pharmacopoeia (USP) 795 and 797 standards and guidelines are followed." 24 Del. Admin. Code § 8.0</p> <p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes • Mixing two solutions for instilling into the ear <p><u>NV Compounding</u>: "<u>Compound</u>" or "<u>compounding</u>" means to form or make up a composite product by combining two or more different ingredients.</p> <p><u>"compounded drug product"</u>:</p> <ol style="list-style-type: none"> (a) Means a drug that has been substantively changed to address the therapeutic needs of a patient or to comply with an ordered therapy. (b) Includes, without limitation, a combination of two drugs or a drug which has been altered to change the form of its administration, its strength or other substantive change to the active ingredient of the drug. (c) Does not include an existing drug or drug product to which a coloring or flavoring agent was added.



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	<p>Sec. 2. 1. A licensed veterinarian may order from a pharmacy a compounded drug product for the treatment of an animal receiving veterinary service and may dispense or administer such a compounded drug product subject to the following restrictions:</p> <ul style="list-style-type: none"> (a) The licensed veterinarian must order the compounded drug product from a pharmacy pursuant to an order or invoice and, except as otherwise provided in paragraph (d), may not order the compounded drug product pursuant to this section by a prescription. (b) The quantity of the compounded drug product ordered by the licensed veterinarian and prepared by the pharmacy must not exceed the quantity reasonably needed by the licensed veterinarian to treat his or her patients within the period of time that the compounded drug product will be effective and safe for use. (c) There is not available a similar, commercially manufactured product that is approved by the Food and Drug Administration or there is a documented shortage of such a product. (d) The compounded drug product is: <ul style="list-style-type: none"> (1) Administered to the animal by a licensed veterinarian, veterinary technician or veterinary technician in training at a veterinary facility in accordance with the person's scope of practice; or (2) Dispensed to the owner of the animal, or his or her authorized agent, by the licensed veterinarian for the immediate commencement of a necessary therapy and in a quantity of the lesser of: <ul style="list-style-type: none"> (I) The amount sufficient to complete the course of treatment for the animal; or (II) A 14-day supply. <p>If a 14-day supply is insufficient to treat the animal, the licensed veterinarian may issue a prescription to the owner of the animal, or his or her authorized agent, for the quantity that exceeds the 14-day supply and is needed to treat the animal.</p> <ul style="list-style-type: none"> (e) The licensed veterinarian may not dispense or otherwise provide the compounded drug product to any person other than the owner of the animal, or his or her authorized agent, for the treatment of the animal. (f) The compounded drug product must have a label that complies with all applicable laws and regulations. (g) The licensed veterinarian, veterinary technician or veterinary technician in training must properly label the compounded drug product if it is to be dispensed to the owner of an animal, or his or her authorized agent. <p>Chapter 638 of NAC, sections 2 & 3, Adopted Regulation R073-16</p>
<p>Dispensing:</p>	<p>Except as otherwise provided in subsection 2, a substance included in schedule II must not be dispensed without the written prescription of a practitioner.</p> <p>2. A controlled substance included in schedule II may be dispensed without the written prescription of a practitioner only:</p> <ul style="list-style-type: none"> (a) In an emergency, as defined by regulation of the Board, upon oral prescription of a practitioner, reduced to writing promptly and in any case within 72 hours, signed by the practitioner and filed by the pharmacy. (b) Upon the use of a facsimile machine to transmit the prescription for a substance included in schedule II by a practitioner or a practitioner's agent to a pharmacy for: <ul style="list-style-type: none"> (1) Direct administration to a patient by parenteral solution; or (2) A resident of a facility for intermediate care or a facility for skilled nursing which is licensed as such by the Health Division of the Department. <p>A prescription transmitted by a facsimile machine pursuant to this paragraph must be printed on paper which is capable of being retained for at least 2 years. For the purposes of this section, such a prescription constitutes a written prescription. The pharmacy shall keep prescriptions in conformity with the requirements of NRS 453.246. A prescription for a substance included in schedule II must not be refilled.</p>



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	<p>3. Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a substance included in schedule III or IV which is a dangerous drug as determined under NRS 454.201, must not be dispensed without a written or oral prescription of a practitioner. The prescription must not be filled or refilled more than 6 months after the date thereof or be refilled more than five times, unless renewed by the practitioner. NRS 453.256</p>
Diversion Reporting:	<p>Nevada requires "all loss or theft" to be reported to the Board within 10 days of discovery of the theft or loss. This is in addition to the reporting of "theft or significant loss" to the DEA Diversion Local Field Office within one business day of discovery. Nevada Revised Statutes (NRS) 453.568</p>
Euthanasia:	<p>Licensed veterinarians and Veterinarian Technician under the direction and supervision of the veterinarian may perform euthanasia.</p>
Ownership:	<p>Non-veterinarian ownership is allowed but a licensed veterinarian is required to be on the clinic/hospital premises permit as the licensee responsible for the clinic.</p>
Power of Attorney:	<p>While Nevada does not technically require you to get your POA notarized, notarization is strongly recommended. Under Nevada law, when you sign your POA in the presence of a notary public, your signature is presumed to be genuine—meaning your POA is more ironclad.</p>
Prescribing:	<p>A veterinarian shall not prescribe, dispense, deliver or order another person to deliver any prescription drug, including, without limitation, any controlled substance in schedules I to V, inclusive, and any dangerous drug unless he first:</p> <ol style="list-style-type: none"> a. Establishes a veterinarian-client- patient relationship; and b. Makes a medical determination that the prescription drug is therapeutically indicated for the health and well-being of the animal (NAC 638.048). <p><u>Fax prescriptions:</u> A prescription transmitted by a facsimile machine pursuant to this paragraph must be printed on paper which is capable of being retained for at least 2 years. For the purposes of this section, such a prescription constitutes a written prescription. The pharmacy shall keep prescriptions in conformity with the requirements of NRS 453.246. A prescription for a substance included in schedule II must not be refilled.</p> <p><u>E-prescribing:</u> January 1, 2021 e-prescribing was mandated. NRS 639.23535(1)(a) provides an exception to the e-prescribing mandate for a controlled substance prescription issued by a veterinarian. E-prescriptions for Schedule II controlled substances are not permitted. The pharmacy regulations permit e-prescriptions for "dangerous drugs" or controlled substances listed in Schedules III–V. A prescription for a controlled substance may not be given by electronic transmission unless authorized by federal law. Nev. Rev. Stat. Ann. § 639.2353(5)</p>
PMP:	<p>NV veterinarians are exempt. A practitioner, other than a veterinarian, shall, before issuing an initial prescription for a controlled substance listed in schedule II, III or IV, or an opioid that is a controlled substance listed in schedule V, and at least once every 90 days thereafter for the duration of the course of treatment using the controlled substance, obtain a patient utilization report (Patient Report) regarding the patient from PMP .</p>
Premises Permit:	<p>NAC 638.0605 Permit to operate: Expiration date; renewal; fee; effect of failure to renew. (NRS 638.070, 638.132)</p> <ol style="list-style-type: none"> 1. Each permit to operate a veterinary facility expires on January 1 of each year. 2. An application to renew the permit must be: <ol style="list-style-type: none"> (a) Submitted in the form established by the Board. (b) Signed by the veterinarian in charge of the facility. (c) Notarized.



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	<p>(d) Accompanied by the fee required pursuant to NAC 638.035.</p> <p>3. A facility which fails to renew its permit in a timely manner is subject to disciplinary action pursuant to NRS 638.140.</p> <p>(Added to NAC by Bd. of Veterinary Med. Exam'rs, eff. 5-29-97; A by R072-09, 4-20-2010)</p>
Recordkeeping:	<p><u>Patient records:</u> Each licensed veterinarian shall maintain in this State for at least 4 years a separate medical record of each animal receiving veterinary services, including, without limitation, an examination conducted pursuant to NAC 638.610, from the licensed veterinarian or under his or her supervision.</p> <p>7. In addition to the requirements of subsection 2, if a licensed veterinarian is not associated with a veterinary facility, and any controlled substances or prescription drugs are administered to the animal, the medical record required by this section must include the same information that a veterinary facility which:</p> <p>(a) Maintains a stock of controlled substances for administration and dispensing is required to ensure is contained in a log for the veterinary facility pursuant to paragraphs (d) and (e) of subsection 3 of NAC 638.0628; and</p> <p>(b) Dispenses prescription drugs is required to ensure is contained in the medical records of the animal pursuant to paragraph (e) of subsection 1 of NAC 638.0629.</p> <p>Nev. Admin. Code § 638.0475</p> <p><u>Controlled substance records</u> include prescription records which must be kept for four years</p>
State-Scheduled CS's:	N/A
State CS License:	Nevada does require DEA registrant practitioners to obtain a second state controlled substance license, prior to a DEA registration and an active Veterinary Medical Professional License to practice in Nevada.
Supervision:	<p>NAC 638.006 (NRS 638.070) "<u>Direct supervision</u>" means that the supervising veterinarian or licensed veterinary technician is on the premises with or in the same area as the animal and the person treating the animal and is quickly and easily available.</p> <p>NAC 638.009 (NRS 638.070) "<u>Immediate supervision</u>" means the supervising veterinarian or licensed veterinary technician is in the immediate area and within visual and audible range of the animal and the person treating the animal.</p> <p>(NRS 638.070) "<u>Indirect supervision</u>" means the supervising veterinarian is not on the premises with the animal and the person treating the animal, but has given written or oral instructions for treatment of the animal.</p>
Telemedicine:	Not defined.
Veterinary Professional License:	<p>Each renewal period is annual.</p> <p>A licensed veterinarian may renew his/her inactive license annually by submitting an application for renewal along with a fee of \$130 to the board.</p> <p>A licensee shall display his license in a conspicuous manner within his place of employment.</p>
VCPR:	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>A veterinarian shall be deemed to have a "<u>veterinarian-client-patient relationship</u>" concerning a nonhuman animal if the veterinarian satisfies all of the following conditions:</p> <p>a. The veterinarian assumes the responsibility for making medical judgments concerning the health of the animal and the need for medical treatment of the animal.</p>



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	<p>b. The veterinarian has knowledge of the present care and health of the animal sufficient to provide at least a general or preliminary diagnosis of the medical condition of the animal. This knowledge must be acquired by:</p> <ul style="list-style-type: none">(1) Conducting a physical examination of the animal; or(2) Visiting the premises where the animal is kept in a timely manner that is appropriate to the medical condition of the animal. <p>c. The veterinarian obtains the informed consent of the client for medical treatment of the animal.</p> <p>d. The veterinarian obtains the agreement of the client to follow the instructions provided by the veterinarian for the care and medical treatment of the animal.</p>
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Information and Resources

FEDERAL:

Drug Enforcement Administration, Las Vegas Division
550 South Main Street, a
Las Vegas, Nevada, 89101
Phone: (702) 759-8000

DEA Reno Division

8790 Double Diamond Pkwy
Reno, NV 89521
Phone: (571) 387-6282

Federal Law: www.deadiversion.usdoj.gov

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>

STATE:

Nevada Veterinary Board website: <https://nvvetboard.nv.gov>

Nevada State Board of Pharmacy website: <https://bop.nv.gov>