

Assembly Bill No. 251–Assemblymen Nguyen, Mosca, González,
Brittney Miller; D’Silva and Torres

Joint Sponsor: Senator Nguyen

CHAPTER.....

AN ACT relating to pharmacy; revising requirements governing the language in which certain information relating to a prescription must be provided to a patient; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a prescription be dispensed in a container with a label or other device that provides certain information about the prescription, including the specific directions for use given by the prescribing practitioner. (NRS 639.2801) Existing law requires a pharmacy, other than an institutional pharmacy, to provide the directions for use in English and, upon the request of the prescribing practitioner, a second language. Existing law requires the State Board of Pharmacy to adopt regulations prescribing every language, other than English, in which a pharmacy must provide such information, based on demographic trends and projections. (NRS 639.28013) This bill removes the requirement for the Board to adopt such regulations and instead requires each pharmacy to provide the information in the 10 languages mostly commonly spoken at home in this State, as determined by the most recent decennial census. This bill also authorizes a pharmacy to provide the required information in a separate document if it is impractical to include the information in English on the label or other device affixed to the container of the prescription.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 639.28013 is hereby amended to read as follows:

639.28013 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}~~ *Each pharmacy* shall ~~{adopt regulations prescribing every language in which a pharmacy is required to}~~ provide *the* information required by *subsection 6 of NRS 639.2801* ~~[-The]~~ *in any of the 10* 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.}~~ *most commonly spoken at home in this State, as determined by the most recent decennial census conducted by the Bureau of the Census of the United States Department of Commerce. If it is impractical to include the information required by subsection 6 of NRS 639.2801 on the label or other device which is affixed to the container of the prescription in English only, a pharmacy may provide the information in English and the other language in a separate document. If it is practical to include the information in English on such a label or other device, the pharmacy must also include the information in the other language on the label or other device.*

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.

