



**Pharmacists Authorized to Prescribe, Dispense, and Administer  
Drugs to Prevent the Acquisition of Human Immunodeficiency  
Virus (HIV) and to Perform Certain Tests**

1. Read the bill and Notice to Pharmacists and Technicians
  - [Senate Bill 325](#)
  - [Notice to Pharmacists and Technicians \(04/22/22\)](#)
2. Complete the training:

*A pharmacist may prescribe, dispense and administer drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus pursuant to section 1 of Senate Bill No. 325, chapter 492, Statutes of Nevada 2021, at page 3201 (NRS 639.28085), if the pharmacist has completed a course of training concerning the prescribing, dispensing and administering of such drugs. The course must be:*

*(a) Approved by the Accreditation Council for Pharmacy Education, or its successor organization; or*  
*(b) Offered by a college of pharmacy or department of pharmacy at a university accredited by the Accreditation Council for Pharmacy Education, or its successor organization.*

Options for approved training:

  - <https://www.powerpak.com/course/preamble/120951>
3. Maintain at least \$1,000,000 of professional liability insurance coverage. This may be through your employer and/or a personal policy.  
  
Option for liability insurance: <https://phmic.com/pharmacist-professional-liability/>
4. Maintain in an easily retrievable location a written or electronic record of his or her completion of the course:

*A pharmacist who prescribes, dispenses or administers drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus pursuant to section 1 of Senate Bill No. 325, chapter 492, Statutes of Nevada 2021, at page 3201 (NRS 639.28085), shall maintain and make readily available proof of completion of a course completed pursuant to subsection 1 while the pharmacist prescribes, dispenses or administers such drugs, as applicable, and for at least 2 years following that prescribing, dispensing or administering.*
5. Create a process that is outlined in [Approved Regulation of the State Board of Pharmacy \(R039-21\)](#) and utilize a treatment algorithm to determine whether it is safe to prescribe, dispense, and administer a drug to prevent the acquisition of human immunodeficiency virus.



6. Follow these Guidelines (or the most current version):  
*Preexposure Prophylaxis for the Prevention of HIV Infection in the United States—2017 Update—A Clinical Practice Guideline*  
<https://www.cdc.gov/hiv/pdf/risk/prep/cdc-hiv-prep-guidelines-2021.pdf>
  
7. Report cases of communicable diseases, drug overdoses, and attempted suicides to the correct health authority:  
*Failure by a pharmacist to comply with the provisions of chapter 441A of NRS and chapter 441A of NAC concerning the reporting of cases of communicable diseases, drug overdoses and attempted suicides.*

**This document is informational only. A pharmacist must comply with guidelines and all applicable federal and state laws when prescribing, dispensing and administering drugs approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus. Here are some additional documents to refer to:**

- [Senate Bill 325](#)
- [Approved Regulation of the State Board of Pharmacy \(R039-21\)](#)
- [Notice to Pharmacists and Technicians \(04/22/22\)](#)



# NEVADA STATE BOARD OF PHARMACY

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## Notice to Pharmacists and Technicians 04/22/2022

### **Pharmacist Authorized to Prescribe, Dispense, and Administer Drugs to Prevent the Acquisition of Human Immunodeficiency Virus (HIV) and to Perform Certain Tests**

The need for access to certain drugs to prevent the acquisition of human immunodeficiency virus (HIV) preexposure (PREP) and postexposure (PEP) was recognized, introduced, and passed as Senate Bill 325 (SB 325) during the 2021 Legislative Session. The language to the bill can be located here: <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7959/Text>. To accomplish this end, SB 325 required the Nevada State Board of Pharmacy to establish a protocol to permit a pharmacist to prescribe, dispense, and administer drugs to prevent the acquisition of HIV, and to perform certain laboratory tests. In summary, the regulation will require a pharmacist who wishes to prescribe, dispense and administer PREP and PEP drugs to:

1. Complete a course of training concerning the prescribing, dispensing and administering of drugs approved by the United States Food and Drug Administration for preventing the acquisition of HIV;
2. Maintain and keep readily available proof of completion of such course of training while the pharmacist prescribes, dispenses or administers such drugs and for at least two (2) years following that prescribing, dispensing and administering; and
3. Maintain professional liability insurance coverage of at least \$1,000,000.

Once a pharmacist has completed the aforementioned, the pharmacist must:

1. Complete an assessment of the patient, which includes
  - a. HIV test;
  - b. Renal function test;
  - c. Hepatitis B test; and
  - d. An evaluation for any signs and symptoms of acute HIV infection;
2. Counsel the patient and provide information about the drug dispensed or administered; and
3. Comply with the publications adopted by reference by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services, "Preexposure Prophylaxis for the Prevention of HIV Infection in the United States – 2017 Update – A Clinical Practice Guideline" and "Updated Guidelines for Antiretroviral Postexposure Prophylaxis After Sexual, Injection Drug Use, or Other Nonoccupational Exposure to HIV".

A pharmacist may prescribe, dispense, or administer up to a 30-day supply of a drug approved by the United States Food and Drug Administration for preventing the acquisition of HIV **to continue the patient's treatment** without completing the requirements of laboratory testing if the pharmacist:

1. Makes a good faith effort to obtain and review the laboratory history of the patient;
2. Completes an assessment of the patient;
3. Reviews potential side effects with the patient; and
4. Determines that continuing the treatment outweighs the risk of discontinuing treatment.

A pharmacist may prescribe, dispense, or administer **PEP** drug approved by the United States Food and Drug Administration for preventing the acquisition of HIV **immediately upon the request of a patient who has recently been exposed to HIV**. Before continuation of treatment using such drugs beyond the initial prescribing, dispensing, or administering, complete an assessment of the patient which includes, without limitation:

1. A test for HIV;
2. A pregnancy test if the patient is a woman of child-bearing age;
3. a test for liver function;
4. A test for renal function;
5. A test and screening for sexually transmitted infections;
6. A test for hepatitis B; and
7. A test for hepatitis C.

Pharmacists are required to comply with the provisions of chapter 441A of NRS and chapter 441A of NAC concerning the reporting of cases of communicable diseases. The regulation implementing SB325 can be found here: <https://www.leg.state.nv.us/Register/2021Register/R039-21AP.pdf>.



**Pharmacist**

**Overview**

A licensed Pharmacist is a health care professional licensed to engage in pharmacy duties including dispensing prescription drugs, monitoring drug interactions, and counseling patients regarding the effects and proper usage of drugs and dietary supplements.

**Policy**

Pharmacist services must be related to the dispensing of self-administered hormonal contraceptives or the prescribing, dispensing and/or administering of drugs to prevent the acquisition of human immunodeficiency virus (HIV) and the ordering of certain laboratory HIV tests.

Nevada Medicaid’s policies can be found on the Division of Health Care Financing and Policy DHCFP website, <http://dhcftp.nv.gov>, under Medicaid Services Manual (MSM) Chapter 600 – Physician Services.

**Covered Services**

Procedure Code	Procedure Code Description
99202	New patient outpatient visit, total time 15-29 minutes
99203	New patient office or other outpatient visit, 30-44 minutes
99204	New patient office or other outpatient visit, 45-59 minutes
99205	New patient office or other outpatient visit, 60-74 minutes
99211	Office or other outpatient visit for the evaluation and management of established patient that may not require presence of healthcare professional
99212	Established patient office or other outpatient visit, 10-19 minutes
99213	Established patient office or other outpatient visit, 20-29 minutes
99214	Established patient office or other outpatient visit, 30-39 minutes
99215	Established patient office or other outpatient visit, 40-54 minutes
99401	Preventative medicine counseling, typically 15 minutes
99402	Preventative medicine counseling, typically 30 minutes
99403	Preventative medicine counseling, typically 45 minutes
99404	Preventative medicine counseling, typically 1 hour
99411	Group preventative medicine counseling, typically 30 minutes
99412	Group preventative medicine counseling, typically 1 hour
G0433	Infectious agent antibody detection by enzyme-linked immunosorbent assay (ELISA) technique, HIV-1 and/or HIV-2, screening
80053	Blood Test, Comprehensive group of blood chemicals
82565	Blood Creatinine Level
82570	Creatinine level to test for kidney function or muscle injury
86701	Analysis for antibody to HIV-1 virus
86780	Analysis for antibody, treponema pallidum



## Provider Type 91 Billing Guide

### Pharmacist

86803	Hepatitis C Antibody Measurement
87389	Detection test by immunoassay technique for HIV-1 antigen and HIV-1 and HIV-2 antibodies
87806	Detection test by immunoassay with direct visual observation for HIV-1 antigen, with HIV-1 and HIV-2 antibodies

### Non-covered Services

For a list of non-covered services, refer to [MSM Chapter 600 – Physician Services](#).

Claims that reimburse in error are subject to recoupment.

### Prior Authorization (PA)

A PA is not required for rendered licensed Pharmacist services.

### Billing Requirements or Instructions

Use Direct Data Entry (DDE) or the 837P electronic transaction to submit claims to Nevada Medicaid. See [Electronic Verification System \(EVS\) Chapter 3 Claims](#) located on the [EVS User Manual](#) webpage and the 837P Companion Guide located on the [Electronic Claims/EDI](#) webpage for billing instructions.



## Provider Enrollment Checklist for Provider Type 91

### Pharmacist

The following is a list of required enrollment documents for this provider type. This checklist and a copy of each document listed below must be included with your provider enrollment or revalidation.

If you have any questions, please contact Provider Customer Service at (877) 638-3472 from 8:00 a.m. to 5:00 p.m. Monday through Friday.

Enrollment for out-of-state and out-of-catchment is not allowed. Refer to the Provider Enrollment Information Booklet for catchment areas.

- ◇ Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9)
- ◇ State Board of Pharmacy License for Pharmacist
- ◇ Nevada Secretary of State Business License

Please select the service(s) you will be prescribing/dispensing (at least one service must be selected):

- ◇ If prescribing/dispensing self-administered hormonal contraceptives, include the following Certificate **and** Notification:
  - Certificate of completion of an educational course approved by Accreditation Council for Pharmacy Education (ACPE) or American College of Obstetricians and Gynecologists (ACOG) regarding self-administered contraceptives, including risk assessment, and contraindications.
  - Copy of Notification to State Board of Pharmacy of the intention to dispense self-administered hormonal contraceptives.
- ◇ If prescribing/dispensing drugs for the prevention of Human Immunodeficiency Virus (HIV), include the following Certificate:
  - Certificate of completion of a training course approved by the Accreditation Council for Pharmacy Education or offered by a college of pharmacy or department of pharmacy at a University accredited by the Accreditation Council for Pharmacy Education concerning the prescribing, dispensing, and administering of HIV drugs.

Resources:

The [Provider Enrollment](#) webpage provides instruction materials that will assist providers with enrolling in Nevada Medicaid.