

1 **21 NCAC 32M .0109 is proposed to be amended as follows:**

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3 **21 NCAC 32M .0109 PRESCRIBING AUTHORITY**

4 (a) The prescribing stipulations contained in this Rule apply to writing prescriptions and ordering the administration
5 of medications.

6 (b) Prescribing and dispensing stipulations are as follows:

7 (1) Drugs and devices that may be prescribed by the nurse practitioner in each practice site shall be
8 included in the collaborative practice agreement as outlined in Rule .0110(b) of this Section.

9 (2) Controlled Substances (Schedules II, IIN, III, IIIN, IV, V) defined by the State and Federal
10 Controlled Substances Acts may be procured, prescribed or ordered as established in the
11 collaborative practice agreement, providing all of the following requirements are met:

12 (A) the nurse practitioner has an assigned DEA number which is entered on each prescription
13 for a controlled substance;

14 (B) ~~dosage units for schedules II, IIN, III and IIIN are limited to a 30-day supply; refills may~~
15 be issued consistent with Controlled Substance Law and Regulation; and

16 (C) the supervising physician(s) possesses the same schedule(s) of controlled substances as
17 the nurse practitioner's DEA registration.

18 (3) The nurse practitioner may prescribe a drug or device not included in the collaborative practice
19 agreement only as follows:

20 (A) upon a specific written or verbal order obtained from a primary or back-up supervising
21 physician before the prescription or order is issued by the nurse practitioner; and

22 (B) the written or verbal order as described in Part (b)(3)(A) of this Rule shall be entered into
23 the patient record with a notation that it is issued on the specific order of a primary or
24 back-up supervising physician and signed by the nurse practitioner and the physician.

25 ~~(4) Refills may be issued for a period not to exceed one year.~~

26 ~~(5)~~(4) Each prescription shall be noted on the patient's chart and include the following information:

27 (A) medication and dosage;

28 (B) amount prescribed;

29 (C) directions for use;

30 (D) number of refills; and

31 (E) signature of nurse practitioner.

32 ~~(6)~~(5) Prescription Format:

33 (A) All prescriptions issued by the nurse practitioner shall contain the supervising
34 physician(s) name, the name of the patient, and the nurse practitioner's name, telephone
35 number, and approval number.

36 (B) The nurse practitioner's assigned DEA number shall be written on the prescription form
37 when a controlled substance is prescribed as defined in Subparagraph (b)(2) of this Rule.

1 ~~(7)~~(6) A nurse practitioner shall not prescribe controlled substances, as defined by the State and Federal
2 Controlled Substances Acts, for the nurse practitioner's own use or that of a nurse practitioner's
3 supervising physician; or that of a member of the nurse practitioner's immediate family, which
4 shall mean a spouse, parent, child, sibling, parent-in-law, son or daughter-in-law, brother or sister-
5 in-law, step-parent, step-child, step-siblings, or any other person living in the same residence as
6 the licensee; or anyone with whom the nurse practitioner is having a sexual relationship or has a
7 significant emotional relationship.

8 (c) The nurse practitioner may obtain approval to dispense the drugs and devices other than samples included in the
9 collaborative practice agreement for each practice site from the Board of Pharmacy, and dispense in accordance with
10 21 NCAC 46 .1703 that is hereby incorporated by reference including subsequent amendments of the referenced
11 materials.

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13 *History Note:* *Authority G.S. 90-18(14); 90-18.2; 90-171.23(14);*
14 *Eff. February 1, 1991;*
15 *Recodified from 21 NCAC 32M .0106 Eff. January 1, 1996;*
16 *Amended Eff. February 1, 2017; December 1, 2012; April 1, 2011; November 1, 2008; August 1,*
17 *2004; May 1, 1999; January 1, 1996; September 1, 1994; March 1, 1994;*
18 *Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,*
19 *2016.*