

1 21 NCAC 32S .0212 is proposed to be amended as follows:

2
3 **21 NCAC 32S .0212 PRESCRIPTIVE AUTHORITY**

4 A physician assistant may prescribe, order, procure, ~~dispense~~ dispense, and administer drugs and medical devices
5 subject to the following conditions:

- 6 (1) The physician assistant complies with all state and federal laws regarding prescribing including
7 G.S. 90-18.1(b);
- 8 (2) Each supervising physician and physician assistant incorporates within his or her written
9 supervisory arrangements, as defined in Rule ~~.0201(8)~~ .0201(9) of this Subchapter, instructions for
10 prescribing, ordering, and administering drugs and medical devices and a policy for periodic
11 review by the physician of these instructions and policy;
- 12 (3) In order to compound and dispense drugs, the physician assistant complies with G.S. 90-18.1(c);
- 13 (4) In order to prescribe controlled substances,
- 14 (a) the physician assistant must have a valid Drug Enforcement Administration (DEA)
15 registration and prescribe in accordance with DEA rules;
- 16 (b) all prescriptions for substances falling within schedules II, IIN, III, and IIIN, as defined in
17 the federal Controlled Substances Act, shall not exceed a legitimate 30 day supply; and
- 18 (c) the supervising physician ~~must~~ shall possess the same schedule(s) of controlled
19 substances as the physician assistant's DEA registration;
- 20 (5) Each prescription issued by the physician assistant contains, in addition to other information
21 required by law, the following:
- 22 (a) the physician assistant's name, practice ~~address~~ address, and telephone number;
- 23 (b) the physician assistant's license number and, if applicable, the physician assistant's DEA
24 number for controlled substances prescriptions; and
- 25 (c) the ~~responsible~~ authorizing supervising physician's, either primary or back-up,
26 physician's (primary or back-up) name and telephone number;
- 27 (6) The physician assistant documents prescriptions in writing on the patient's record, including the
28 medication name and dosage, amount prescribed, directions for use, and number of refills;
- 29 (7) A physician assistant who requests, receives, and dispenses medication samples to patients
30 complies with all applicable state and federal regulations; and
- 31 (8) A physician assistant shall not prescribe controlled substances, as defined by the state and federal
32 controlled substances acts for:
- 33 (a) the physician assistant's own use;
- 34 (b) the use of the physician assistant's supervising physician;
- 35 (c) the use of the physician assistant's immediate family;
- 36 (d) the use of any person living in the same residence as the physician assistant; or
- 37 (e) the use of any anyone with whom the physician assistant is having a sexual relationship.

1 As used in this Paragraph, "immediate family" means a spouse, parent, child, sibling, parent-in-law, son-in-
2 law or daughter-in-law, brother-in-law or sister-in-law, step-parent, step-child, or step-sibling.

3

4 *History Note:* *Authority G.S. 90-18(c)(13); 90-18.1; 90-18.2A; 90-171.23(14); 21 C.F.R. 301;*
5 *Eff. September 1, 2009;*
6 *Amended Eff. August 1, 2012.*

7