

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Nursing and N.C. Medical Board

RULE CITATION: 21 NCAC 36 .0807 & 21 NCAC 32M .0107

DEADLINE FOR RECEIPT: May 3, 2023

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6: What is the “advanced practice nursing population focus?” This needs to be re-written for clarity.

If it meets the Board’s intentions, consider: “A minimum of 20 hours of the required 50 hours must be on the role of nurse practitioners in the practice of advanced-practice nursing.”

Line 7-9: This sentence is unclear. How can “20 hours” have “nurse practice-relevant courses in an institution of higher learning?”

Line 9: What are “nurse practice-relevant courses”? Who makes the determination that the courses are “practice-relevant” and what criteria is used?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: April 19, 2024

1 21 NCAC 36 .0807 is adopted as published in NCR38:14, page 935, as follows:

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3 **21 NCAC 36 .0807 CONTINUING EDUCATION (CE)**

4 (a) In order to maintain nurse practitioner approval to practice, the nurse practitioner shall earn 50 contact hours of
5 continuing education activity every two years, beginning with the first renewal after initial approval to practice has
6 been granted. A minimum of 20 hours of the required 50 hours must be in the advanced practice nursing population
7 focus of the NP role. The 20 hours must have approval granted by the American Nurses Credentialing Center (ANCC)
8 or Accreditation Council on Continuing Medical Education (ACCME), or by a national accredited provider of nursing
9 continuing professional development, or nurse practice-relevant courses in an institution of higher learning. A nurse
10 practitioner who possesses a current national certification by a national credentialing body shall be deemed in
11 compliance with the requirement of Paragraph (a) of this Rule.

12 (b) Prior to prescribing controlled substances as the same are defined in 21 NCAC 36 .0809(2), nurse practitioners
13 shall have completed a minimum of one CE hour within the preceding 12 months on 1 or more of the following topics:

- 14 (1) Controlled substances prescription practices;
15 (2) Prescribing controlled substances for chronic pain management;
16 (3) Recognizing signs of controlled substance abuse or misuse; or
17 (4) Non-opioid treatment options as an alternative to controlled substances.

18 (c) Nurse practitioners who complete the federally required training under the Medication Access and Training
19 Expansion Act (MATE) shall be deemed in compliance with the controlled substance prescribing requirements of this
20 Rule for the two-year CE period in which the MATE training was completed.

21 ~~(d)~~ Documentation of all CE completed within the previous five years shall be maintained by the nurse practitioner
22 and made available upon request to either Board.

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24 *History Note: Authority G.S. 90-8.2; 90-14(a)(15); 90-18(c)(14); 90-171.23(b)(14); 90-171.42; S.L. 2015-241, s*
25 *12F;*
26 *Recodified from 21 NCAC 36 .0227(f) Eff. August 1, 2004;*
27 *Amended Eff. March 1, 2017; December 1, 2009; April 1, 2008; August 1, 2004;*
28 *Readopted Eff. January 1, 2019;*
29 *Amended Eff. June 1, 2024; June 1, 2023; June 1, 2021.*