

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Board of Nursing

RULE CITATION: 21 NCAC 36 .0815

DEADLINE FOR RECEIPT: Monday, November 6, 2017

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 call our office to inquire concerning the staff recommendation.

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

On the "Submission for Permanent Rule" form, please complete box 8.

Line 21, consider adding general rulemaking authority for this Board. Is it G.S. 90-171.23? Please review and supplement.

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Tuesday, October 24, 2017

1 21 NCAC 36 .0815 is amended, with changes, as published in NCR 32:02, pages 73-74, as follows:

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3 **21 NCAC 36 .0815 REPORTING CRITERIA**

4 (a) The Department of Health and Human Services ("Department") may report to the North Carolina Board of
5 Nursing ("Board") information regarding the prescribing practices of those nurse practitioners ("prescribers") whose
6 prescribing:

7 (1) falls within the top ~~one~~ two percent of those prescribing 100 morphine milligrams ~~milligram~~ of
8 morphine equivalents ("MME") per patient per day; or

9 (2) falls within the top ~~one~~ two percent of those prescribing 100 MMEs per patient per day in
10 combination with any benzodiazepine and who are within the top one percent of all controlled
11 substance prescribers by volume.

12 (b) In addition, the Department may report to the Board information regarding prescribers who have had two or
13 more patient deaths in the preceding 12 months due to opioid ~~poisoning~~, poisoning where the prescribers authorized
14 more than 30 tablets of an opioid to the decedent and the prescriptions were written within 60 days of the patient
15 deaths.

16 (c) The Department may submit these reports to the Board upon request and may include the information described
17 in G.S. 90-113.73(b).

18 (d) The reports and communications between the Department and the Board shall remain confidential pursuant to
19 G.S. 90-113.74.

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21 *History Note:* Authority G.S. 90-113.74;
22 Eff. ~~April 1, 2016~~. April 1, 2016;
23 Amended Eff. ~~November 1,~~ December 1, 2017.