

1 21 NCAC 32Y .0101 is adopted, with changes, as published in 32:24 NCR pages 2723-2724 as follows:

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3 **21 NCAC 32Y .0101 REPORTING CRITERIA**

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

- 7 (1) falls within the top two percent of those prescribing 100 morphine milligrams equivalents
8 ("MME") per patient per day; or
9 (2) falls within the top two percent of those prescribing 100 MME's 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 twelve months due to opioid poisoning where the prescribers authorized more
14 than 30 tablets of an opioid to the decedent and the prescriptions were written within 60 days of the patient deaths.

15 (c) In addition, the Department may report to the Board information regarding prescribers who meet three or more
16 of the following criteria, if there are a minimum of five patients for each criterion:

- 17 (1) At least 25 percent of the prescriber's patients receiving opioids reside at least 100 miles or greater
18 from the prescriber's practice location;
19 (2) The prescriber had more than 25 percent of patients receiving the same opioids and
20 benzodiazepine combination;
21 (3) The prescriber had 75 percent of patients receiving opioids self-pay for the prescriptions;
22 (4) The prescriber had 90 percent or more of patients in a three-month period that received an opioid
23 prescription that overlapped with another opioid prescription for at least one week;
24 (5) More than 50 percent of the prescriber's patients received opioid doses of 100 MME or greater per
25 day excluding office based treatment medications; and
26 (6) The prescriber had at least 25 percent of patients who used three or more pharmacies within a
27 three-month period to obtain opioids regardless of the prescriber.

28 ~~(d)~~ The Department may submit these reports to the Board upon request and may include the information
29 described in G.S. 90-113.73(b).

30 ~~(e)~~ The reports and communications between the Department and the Board shall remain confidential pursuant to
31 G.S. 90-16 and G.S. 90-113.74.

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33 *History Note: Authority G.S. 90-5.1; 90-113.74;*
34 *Eff. May 1, 2015;*
35 *Amended Eff. December 1, 2018; July 1, 2017.*
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