

1 21 NCAC 46 .2401 is amended with changes as published in 28:18 NCR 2213 as follows:

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3 **21 NCAC 46 .2401 MEDICATION IN HEALTH DEPARTMENTS**

4 A registered nurse employed by a local health department may dispense prescription drugs or devices under
5 the following conditions:

6 (1) Drugs or devices may be dispensed only to health department ~~patients;~~ patients, with the
7 exception of opioid antagonists, which may be dispensed either to health department
8 patients or to others as permitted by G.S. 90-106.2;

9 (2) No drugs or devices may be dispensed except at health department clinics;

10 (3) The health department shall secure the services of a pharmacist-manager who shall be
11 responsible for compliance with all statutes, rules, and regulations governing the practice
12 of pharmacy and dispensing of drugs at the health department; developing and
13 supervising a system of control and accountability of all drugs dispensed from the health
14 department;

15 (4) Only the general categories of drugs or devices listed in Rule .2403 may be dispensed by
16 a health department registered nurse;

17 (5) All drugs or devices dispensed pursuant to G.S. 90-85.34A and these rules shall
18 be packaged in suitable safety closure containers, where appropriate, and shall be
19 properly labelled (including necessary auxiliary labels) so as to provide information
20 necessary for use and all other information required by state and federal law; packaged,
21 labeled, and otherwise dispensed in compliance with state and federal law, and records of
22 dispensing shall be kept in compliance with state and federal law.

23 ~~(6)~~ A suitable and perpetual record of drugs or devices dispensed shall be maintained in the
24 health department. The pharmacist-manager shall verify the accuracy of the records at
25 least weekly, and where health department personnel dispense to 30 or more patients in a
26 24-hour period per dispensing site, the pharmacist-manager shall verify the accuracy of
27 the records within 24 hours after dispensing occurs, occurs;

28 ~~(7)~~ The duties of the pharmacist manager set out in Paragraphs (1) through (6) in this Rule
29 may be delegated to a pharmacist licensed by the Board. The pharmacist manager shall
30 remain personally responsible for compliance with all statutes, rules, and regulations
31 governing the practice of pharmacy and dispensing of drugs.

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33 *History Note:* Authority G.S. 90-85.6; 90-85.34A; 90-106.2;
34 Eff. March 1, 1987;
35 Amended Eff. August 1, 2014; May 1, 1989.

1 21 NCAC 46 .2403 is amended with changes as published in 28:18 NCR 2213 as follows:

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3 **21 NCAC 46 .2403 DRUGS AND DEVICES TO BE DISPENSED**

4 (a) Pursuant to the provisions of G.S. 90-85.34A(a)(3), prescription drugs and devices included in the
5 following general categories may be dispensed by registered nurses in local health department clinics when
6 prescribed for the indicated conditions:

- 7 (1) Anti-tuberculosis drugs, ~~as defined by the latest edition of Drug Facts and Comparisons,~~
8 ~~as published by Facts and Comparison Div., J.B. Lippincott Co., or~~ as recommended by
9 the ~~Tuberculosis Control Branch of the~~ North Carolina ~~Division~~ Department of Health
10 and ~~Services,~~ Human Services in the North Carolina Tuberculosis Policy Manual
11 (available at www.ncdhhs.gov), when used for the treatment and control of tuberculosis;
12 (2) Anti-infective agents used in the control of sexually-transmitted diseases as
13 recommended by the United States Centers for Disease Control in the Sexually
14 Transmitted Diseases Treatment Guidelines (available at www.cdc.gov); ~~Control;~~
15 (3) Natural or synthetic hormones and contraceptive devices when used for the prevention of
16 pregnancy;
17 (4) Topical preparations for the treatment of lice, scabies, impetigo, diaper rash, vaginitis,
18 and related skin conditions; ~~and~~
19 (5) Vitamin and mineral ~~supplements; and supplements.~~
20 (6) Opioid antagonists prescribed pursuant to G.S. 90-106.2.

21 (b) Regardless of the provisions set out in this Rule, no drug defined as a controlled substance by the
22 United States Controlled Substances Act, 21 U.S. Code 801 through 904, or regulations enacted pursuant to
23 that Act, 21 CFR 1300 through 1308, or by the North Carolina Controlled Substances Act, G.S. 90-86
24 through 90-113.8, may be dispensed by registered nurses pursuant to G.S. 90-85.34A.

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26 *History Note: Authority G.S. 90-85.6; 90-85.34A; 90-106.2;*
27 *Eff. March 1, 1987;*
28 *Amended Eff. August 1, 2014; May 1, 1989.*