

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Pharmacy

RULE CITATION: 21 NCAC 46 .2612

**DEADLINE FOR RECEIPT: Thursday, October 1, 2015**

**NOTE WELL: This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (b), please delete or define "bona fide."

In (c), is there an applicable rule or statute available to cross-reference regarding inspections?

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

Amber Cronk May  
Commission Counsel  
Date submitted to agency: September 24, 2015

21 NCAC 46 .2612 is amended as published in 29:24 NCR 2802 as follows:

**21 NCAC 46 .2612            STORAGE OF DEVICES AND MEDICAL EQUIPMENT**

(a) Devices and medical equipment shall be stored at the location holding the pharmacy or device and medical equipment permit or a location that is within 50 miles of the permitted location. Devices and medical equipment shall not be stored on residential property.

(b) A device and medical equipment storage site not holding a pharmacy or device and medical equipment permit shall not provide any devices, medical equipment, or services directly to patients. A bona fide employee of a permitted location who has been trained as required by 21 NCAC 46 .2603 may travel from the permitted site to a storage site, retrieve devices or medical equipment from the storage site, and deliver devices or medical equipment to patients.

(c) Device and medical equipment storage sites shall be subject to inspection by the Board.

*History Note:    Authority G.S. 90-85.6; 90-85.22; 90-85.32;  
                      Eff. March 1, 2004;  
                      Amended Eff. November 1 2015; February 1, 2007.*