

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Nursing

RULE CITATION: 21 NCAC 36 .0815

DEADLINE FOR RECEIPT: Wednesday, March 9, 2016

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:

Please change the Introductory Statement to reflect that the rule was adopted, not "proposed for adoption"

In Subparagraphs (a)(1) and (2), so that I understand - it appears that the reporting criteria in (a)(1) will capture the same individuals in (a)(2). Are you trying to ensure through Subparagraph (a)(2) that the Department issues two reports, one for each Subparagraph?

In (c), is the intent that the Board will always trigger the reporting by asking for it?

In the History Note, please change the semicolon after "2016" to a period.

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: February 24, 2016

1 21 NCAC 36. 0815 is proposed for adoption as published in NCR 30:10, page 1160, 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
5 Board of Nursing (“Board”) information regarding the prescribing practices of those nurse practitioners
6 (“prescribers”) whose prescribing:

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

9 (2) falls within the top one 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
11 controlled substance prescribers by volume.

12 (b) In addition, the Department may report to the Board information regarding prescribers who have had
13 two or more patient deaths in the preceding 12 months due to opioid poisoning.

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

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

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19 *History Note: Authority G.S. 90-113.74;*

20 *Eff. April 1, 2016;*