

1 21 NCAC 46 .1505 is amended **with changes** as published in 31:12 NCR 1247 as follows:

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3 **21 NCAC 46 .1505 EXAMINATION**

4 (a) The applicant shall pass the following examinations:

- 5 (1) the North American Pharmacist Licensure Examination (“NAPLEX”); and a national examination;
6 (2) the North Carolina version of the Multistate Pharmacy Jurisprudence Examination (“MPJE”).
7 [(“MPJE”); a jurisprudence examination; and
8 (3) — a practical examination which includes an error and omission section.

9 (b) In order to pass either the NAPLEX or the MPJE, the applicant shall achieve the passing score set by the National
10 Association of Boards of Pharmacy (or any organization designated by the National Association of Boards of
11 Pharmacy to administer the NAPLEX or the MPJE). For the purpose of grading or rating, the answers, which shall
12 be legible, shall be valued by marks or points based on their importance, as determined by the judgment of the
13 examiners.

14 (c) An applicant who achieves a passing score on one examination must achieve a passing score on the remaining
15 examination within a two calendar year period starting from the date of the first passing score. Failure to achieve
16 passing scores on both examinations in this two calendar year period shall result in the applicant’s application for
17 licensure being denied. The applicant may, subject to the testing attempt limitations of paragraph (d) of this Rule,
18 reapply for licensure and restart the examination process. In order to pass, a score of 75 or more is required on each
19 examination. Candidates who obtain a score of 75 or more on each examination are deemed to have passed the
20 respective examination provided that the candidate obtains a passing score on the remaining examinations within the
21 next following two calendar years. If the examination is taken outside of North Carolina, the examination score shall
22 be properly transferred to North Carolina. A candidate who fails to pass all three examinations in the two calendar
23 year period must retake and pass all three examinations within a two calendar year period.

24 (d) The applicant shall be afforded a total of five attempts to achieve a passing score on each examination. Failure to
25 achieve a passing score on each examination within five attempts shall result in the applicant being ineligible for
26 licensure. At the time of the examination, the Board may designate certain questions which, if missed, shall require
27 the candidate to obtain continuing education. The continuing education required will be specified by the Board and
28 must be obtained by the candidate prior to issuance of a pharmacist license.

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30 *History Note: Authority G.S. 90-85.15; 90-85.16;*

31 *Eff. April 1, 1983;*

32 *Amended Eff. May 1, 2017; April 1, 2004; April 1, 2003; July 1, 1996; December 31, 1985.*

1 21 NCAC 46 .2105 is amended **with changes** as published in 31:12 NCR 1246 as follows:

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3 **21 NCAC 46 .2105 NOMINATION BY PETITION**

4 Nominations may also be made by the petition of 10 eligible voters from a geographic area as specified in Rule .2103 of this
5 **Section.** ~~Section, such document to~~ **Any petition shall** be filed in the Board office or postmarked before October 1 ~~March 10~~
6 for the next election. ~~Nominations shall be closed on March 15th.~~

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8 *History Note: Legislative Objection Lodged Eff. March 29, 1983;*

9 *Authority G.S. 90-85.7;*

10 *Eff. April 1, 1983;*

11 *Curative Eff. April 1, 1983;*

12 *Amended Eff. May 1, 2017; May 1, 1989.*

1 21 NCAC 46 .2107 is amended **with changes** as published in 31:12 NCR 1246 as follows:

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3 **21 NCAC 46 .2107 BALLOTS: CASTING AND COUNTING**

4 (a) The ballot casting period for each election for a Board position shall begin on **the** November 1 six months prior to the
5 expiration of a Board member's five-year term of office and shall conclude the March 1 after the ballot casting period begins.

6 ~~(a) (b) The Board shall provide a access to an electronic ballot to all eligible voters on November 1 in April of each year that~~
7 ~~there is an election for Board position(s) begins. position(s). The Board shall employ the following method for balloting:~~

8 ~~(1) The Board shall provide access to an electronic ballot to all eligible voters; and~~

9 ~~(2) A paper ballot shall be mailed, with return envelope, to any eligible voter who makes a written request for a~~
10 ~~paper ballot in lieu of access to an electronic ballot and whose request is actually received by the Board on~~
11 ~~or before April 20.~~

12 ~~(b) (c) A description of a nominee's qualifications shall be accessible to all eligible voters. voters casting their ballots~~
13 ~~electronically. The same description of the nominee's qualifications shall accompany each paper ballot sent pursuant to~~
14 ~~Subparagraph (a)(2) of this Rule.~~

15 ~~(c) (d) On or before the March 1 that the ballot casting period ends, May 15, all ballots shall be cast electronically.~~
16 ~~electronically, physically delivered to the Board office or postmarked, if the ballot is sent by U.S. mail.~~

17 ~~(d) (e) Ballots received shall be counted and certified by the Board of Pharmacy at the next regularly scheduled Board~~
18 ~~meeting following an election or at a special Board meeting [properly] called and noticed for the purpose of counting and~~
19 ~~certifying the ballots cast. election. The Board of Pharmacy shall determine the validity of any challenged ballot, and~~
20 ~~electronic or mechanical devices may be used in compiling election results. No person running standing for election ~~or~~~~
21 ~~reelection may participate in the counting and certification of ballots for the election ~~or re-election~~ involving that person.~~

22 ~~(f) If, by operation of Rule .2108 of this Section, a candidate is eligible to request a run-off election, that candidate must~~
23 ~~provide a request for a run-off, in writing to the Board's Executive Director within one week of the date that the Board~~
24 ~~certifies the election results. The run-off election shall begin one week from the date that the eligible candidate requests the~~
25 ~~run-off election and the ballot casting period shall be open for two weeks. With the exception of ballot casting period dates, a~~
26 ~~run-off election shall follow the same procedures described in this Rule.~~

27 ~~(e) (g) The Executive Director shall convey the certified election results to the Governor.~~

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29 *History Note: Authority G.S. 90-85.7;*

30 *Eff. April 1, 1983;*

31 *Amended Eff. May 1, 2017; January 1, 2009; April 1, 2003.*

1 21 NCAC 46 .2108 is amended **with changes** as published in 31:12 NCR 1246 as follows:

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3 **21 NCAC 46 .2108 DETERMINATION OF ELECTION RESULTS**

4 The determination of election results **under this Section** shall be in accordance with G.S. ~~163-111~~, 163-111(a)(1) and (b)(1).
5 ~~[(b)(1)]~~ which is adopted ~~[are incorporated]~~ herein by reference and include subsequent amendments and editions. A copy of
6 G.S. 163-111 is available at www.ncleg.net. for inspection at the Board office and may be obtained from the Board office for
7 a cost of 25 cents (\$.25) per page.

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9 *History Note: Authority G.S. 90-85.7;*

10 *Eff. March 1, 1991;*

11 *Amended Eff. May 1, 2017; December 1, 2001.*