

1 21 NCAC 32M .0118 is adopted, **with changes**, as published in NCR 32:12, page 1218, as follows:

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3 **21 NCAC 32M .0118 DEFINITION OF CONSULTATION FOR PRESCRIBING CONTROLLED**  
4 **TARGETED** SUBSTANCES

5 For purposes of G.S. 90-18.2(b), the term “consult” shall mean a meaningful communication, **occurring** either in  
6 person or electronically, between the nurse practitioner and a supervising physician that is documented in the patient  
7 medical record. For the purposes of this Rule, ~~“meaningful”~~ **“meaningful communication”** shall mean an exchange  
8 of information sufficient for the supervising physician to make a determination that the prescription **for a targeted**  
9 **controlled substance** is medically indicated.

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11 *History Note: Authority G.S. 90-18.2;*  
12 *Eff. ~~April 1, 2018.~~ **May 1, 2018.***

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1 21 NCAC 32S .0212 is amended, **with changes**, as published in NCR 32:12, pages 1218-1219, as follows:  
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3 **21 NCAC 32S .0212 PRESCRIPTIVE AUTHORITY**

4 A physician assistant may prescribe, order, procure, dispense, and administer drugs and medical devices subject to  
5 the following conditions:

- 6 (1) The physician assistant complies with all **state State** and federal laws regarding prescribing,  
7 including G.S. 90-18.1(b);
- 8 (2) Each supervising physician and physician assistant incorporates within his or her written  
9 supervisory arrangements, as defined in Rule .0201(9) of this **Subchapter, Section**, instructions for  
10 prescribing, ordering, and administering drugs and medical devices and a policy for periodic  
11 review by the physician of these instructions and policy;
- 12 (3) In order to compound and dispense drugs, the physician assistant complies with G.S. 90-18.1(c);
- 13 (4) In order to prescribe controlled substances,
  - 14 (a) the physician assistant must have a valid Drug Enforcement Administration (DEA)  
15 registration and prescribe in accordance with DEA rules;
  - 16 (b) ~~all prescriptions for substances falling within schedules II, IIN, III, and IIN, as defined in~~  
17 ~~the federal Controlled Substances Act, 21 U.S.C. 812, which is hereby incorporated by~~  
18 ~~reference, including all subsequent amendments or editions, shall not exceed a legitimate~~  
19 ~~30 day supply. 21 U.S.C. 812 may be accessed at~~  
20 ~~<http://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm> free of charge; refills **[may]**~~  
21 **shall** be issued consistent with Controlled Substance Law and regulations; and
  - 22 (c) the supervising physician shall possess at least the same schedule(s) of controlled  
23 substances as the physician assistant's DEA registration;
- 24 (5) Each prescription issued by the physician assistant contains, in addition to other information  
25 required by law, the following:
  - 26 (a) the physician assistant's name, practice address, and telephone number;
  - 27 (b) the physician assistant's license number and, if applicable, the physician assistant's DEA  
28 number for controlled substances prescriptions; and
  - 29 (c) the authorizing supervising physician's, either primary or back-up, name and telephone  
30 number;
- 31 (6) The physician assistant documents prescriptions in writing on the patient's record, including the  
32 medication name and dosage, amount prescribed, directions for use, and number of refills;
- 33 (7) A physician assistant who requests, receives, and dispenses medication samples to patients  
34 complies with all applicable **state State** and federal regulations; and
- 35 (8) A physician assistant shall not prescribe controlled substances, as defined by the **state State** and  
36 federal controlled substances acts, for:
  - 37 (a) the physician assistant's own use;
  - 38 (b) the use of the physician assistant's supervising physician;

- 1 (c) the use of the physician assistant's immediate family;
- 2 (d) the use of any person living in the same residence as the physician assistant; or
- 3 (e) the use of any anyone with whom the physician assistant is having a sexual relationship.

4 As used in this Item, "immediate family" means a spouse, parent, child, sibling, parent-in-law, son-in-law or  
5 daughter-in-law, brother-in-law or sister-in-law, step-parent, step-child, or step-sibling.

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7 *History Note:* Authority G.S. ~~[90-18.2;]~~ 90-18.1; ~~90-18(e)(13); 90-18.1; 90-18.2A;~~  
8 *Eff. September 1, 2009;*  
9 *Amended Eff. ~~[April 1, 2018;]~~ May 1, 2018; May 1, 2015; August 1, 2012;*  
10 *Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,*  
11 *2016.*

1 21 NCAC 32S .0225 is adopted, with changes, as published in NCR 32:12, page 1219, as follows:

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3 **21 NCAC 32S .0225 DEFINITION OF CONSULTATION FOR PRESCRIBING TARGETED**  
4 **CONTROLLED SUBSTANCES**

5 For purposes of G.S. 90-18.1(b), the term “consult” shall mean a meaningful communication, occurring either in  
6 person or electronically, between the physician assistant and a supervising physician that is documented in the patient  
7 medical record. For the purposes of this Rule, ~~“meaningful”~~ “meaningful communication” shall mean an exchange  
8 of information sufficient for the supervising physician to make a determination that the prescription for a targeted  
9 controlled substance is medically indicated.

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11 *History Note:* Authority G.S. 90-18.1;  
12 Eff. ~~[April 1, 2018.] May 1, 2018.~~

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