

Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Angela Ellis <angela@ncbon.com>

Sent: Monday, June 3, 2024 11:18 AM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Meredith Parris <mparris@ncbon.com>

Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: Re: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Good morning!

Just wanted to follow up regarding 21 NCAC 36 .0807 and the Med Board's Companion Rule. Will we be scheduled for the June 26th RRC meeting? Thanks!

Angela Ellis

Chief Administrative Officer

Office: (984)-238-7644

Fax: (919) 781-9461

4516 Lake Boone Trail Raleigh, NC 27607

P.O. Box 2129 Raleigh, NC 27602

Pronouns: She/Her/Hers



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Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107
Attachments: 21 NCAC 36 .0807 Continuing Education (CE).docx

From: Angela Ellis <angela@ncbon.com>
Sent: Wednesday, May 29, 2024 2:45 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>
Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Attached is the NCBON's companion NP Rule with the additional language submitted by the Medical Board. Please let me know if you need anything further.

Angela Ellis

Chief Administrative Officer

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1 21 NCAC 36 .0807 is amended, **with changes**, as published in NCR38:14, page 935, as follows:

2
3 **21 NCAC 36 .0807 CONTINUING EDUCATION (CE)**

4 (a) In order to maintain nurse practitioner approval to practice, the nurse practitioner shall earn 50 contact hours of
5 continuing education activity every two years, beginning with the first renewal after initial approval to practice has
6 been granted. A minimum of 20 hours of the required 50 hours must be **in the advanced practice nursing population**
7 **focus of the NP role, within the nurse practitioner's national certification.** The 20 hours must have approval **granted**
8 **by the American Nurses Credentialing Center (ANCC) from a national credentialing body** or Accreditation Council
9 on Continuing Medical Education (**ACCME**), or by a **national accredited provider of nursing continuing professional**
10 **development, or nurse practice relevant courses in an institution of higher learning, (ACCME).** A nurse practitioner
11 who possesses a current national certification by a national credentialing body shall be deemed in compliance with
12 the requirement of Paragraph (a) of this Rule.

13 (b) Prior to prescribing controlled substances as the same are defined in 21 NCAC 36 .0809(2), nurse practitioners
14 shall have completed a minimum of one CE hour within the preceding 12 months on 1 or more of the following topics:

- 15 (1) Controlled substances prescription practices;
- 16 (2) Prescribing controlled substances for chronic pain management;
- 17 (3) Recognizing signs of controlled substance abuse or misuse; or
- 18 (4) Non-opioid treatment options as an alternative to controlled substances.

19 (c) Nurse practitioners who complete the federally required training under the Medication Access and Training
20 Expansion Act ~~(MATE)~~ (MATE), 21 U.S.C. 823(l), shall be deemed in compliance with the controlled substance
21 prescribing requirements of this Rule for the two-year CE period in which the MATE training was completed.

22 ~~(d)~~ Documentation of all CE completed within the previous five years shall be maintained by the nurse practitioner
23 and made available upon request to either Board.

24
25 *History Note: Authority G.S. 90-8.2; 90-14(a)(15); 90-18(c)(14); 90-171.23(b)(14); 90-171.42; S.L. 2015-241, s*
26 *12F;*
27 *Recodified from 21 NCAC 36 .0227(f) Eff. August 1, 2004;*
28 *Amended Eff. March 1, 2017; December 1, 2009; April 1, 2008; August 1, 2004;*
29 *Readopted Eff. January 1, 2019;*
30 *Amended Eff. July 1, 2024; June 1, 2023; June 1, 2021.*

Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Wednesday, May 29, 2024 9:10 AM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Angela Ellis <angela@ncbon.com>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

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Thank you, Bill. I will talk to Angie and Meredith and let you know what we decide.

Thanks again,

Marcus

Marcus Jimison

Deputy General Counsel

P 919.277.1844 E marcus.jimison@ncmedboard.org

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Wednesday, May 29, 2024 9:08 AM

To: Angela Ellis <angela@ncbon.com>; Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

Good morning,

I'll let y'all talk and decide what you want to do.

Thanks

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

Office of Administrative Hearings

1711 New Hope Church Road

Raleigh NC, 27609

(984) 236-1939

Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Angela Ellis <angela@ncbon.com>

Sent: Wednesday, May 29, 2024 8:32 AM

To: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Peaslee, William W <bill.peaslee@oah.nc.gov>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: Re: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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We agree with Marcus regarding the rules being identical.

Please let me know if I need to make any changes to the Board of Nursing's Rule based on the additional language by the Med Board. Thanks!

Angela Ellis

Chief Administrative Officer

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Fax: (919) 781-9461

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Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Tuesday, May 28, 2024 7:44 PM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

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Bill,

Hi. I agree the two nurse practitioner rules should be identical. In the med board submission, we did include a citation to the MATE legislation (which differs from the nursing board rule) because that was a comment we received as to the physician and physician assistant rules. We'll be happy to take out the citation if you like.

However, I do agree that the two nurse practitioner rules should be identical.

Thanks,

Marcus

Marcus Jimison

Deputy General Counsel

P 919.277.1844 E marcus.jimison@ncmedboard.org

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Tuesday, May 28, 2024 4:19 PM

To: Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

With regard to the rule which both boards have joint jurisdiction, it appears to me that the rules from both boards must be identical. If either board disagrees, please explain why.

Thank you.

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

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Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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From: Ashley D. White <ashley.white@ncmedboard.org>
Sent: Tuesday, May 28, 2024 1:51 PM
To: Rules, Oah <oah.rules@oah.nc.gov>; Peaslee, William W <bill.peaslee@oah.nc.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Meredith Parris <mparris@ncbon.com>
Subject: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Good Afternoon!

Attached please find a Submission for Permanent Rule for 21 NCAC 32R .0101; 21 NCAC 32S .0216; and 21 NCAC 32M .0107 which were approved by the NC Medical Board on May 17, 2024.

In response to Seth's question about MATE being defined or cited somewhere, that has been addressed and included as part of the technical changes in these rules.

If anything else is needed, please let us know.

Ashley D. White, NCCP

Senior Paralegal

North Carolina Medical Board

P 919.326.1109 x437 **E** ashley.white@ncmedboard.org

F 919.326.1131 **A** 3127 Smoketree Court, Raleigh, NC 27604

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Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Thursday, May 23, 2024 1:26 PM

To: Angela Ellis <angela@ncbon.com>; Ashley D. White <ashley.white@ncmedboard.org>; Jessica H. Glendenning <Jessica.Glendenning@NCMEDBOARD.ORG>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Hey Bill,

There is no impasse. I was unsure of the steps, but the medical board will revise its rule to mirror the nursing board's revised version consistent with your suggestions and technical changes.

Leigh Anne is out on maternity leave and Ashley White, copied on this email, will be acting her stead.

Angie and Meredith, if you could please share with Ashley and me your revisions and responses to Bill's technical changes, then Ashley and I will revise our rule accordingly.

Thanks again for all your help and patience.

Marcus

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Thursday, May 23, 2024 10:45 AM

To: Angela Ellis <angela@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Jessica H. Glendenning <Jessica.Glendenning@NCMEDBOARD.ORG>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

I have added Jessica Glendenning to the email conversation as it appears Leigh Anne is out of the office.

William W. Peaslee

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Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Thursday, May 23, 2024 10:41 AM

To: Angela Ellis <angela@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

Good morning,

It appears to me that the BON rule and the Medical Board rule need to be identical as they have joint jurisdiction. On April 29, 2024 the BON revised its rule in response to the Request for Changes. On May 17, 2024 the Medical Board adopted the unrevised version of the BON rule.

Is this just a failure to communicate or are the agencies at an impasse?

Please respond no later than June 6, 2024.

Thank you.

William W. Peaslee
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Attached are the responses to the Request for Technical Change along with 21 NCAC 36 .0807 for the North Carolina Board of Nursing. Please let me know if you need anything further.

Angela Ellis

Chief Administrative Officer

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Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107
Attachments: 05.2024 Board of Nursing Request for Changes 21 NCAC 36 .0807.docx; 21 NCAC 36 .0807 Continuing Education (CE).docx

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7 ~~focus of the NP role, within the nurse practitioner's national certification.~~ The 20 hours must have approval ~~granted~~
8 ~~by the American Nurses Credentialing Center (ANCC) from a national credentialing body~~ or Accreditation Council
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10 ~~development, or nurse practice relevant courses in an institution of higher learning, (ACCME).~~ A nurse practitioner
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25 *History Note: Authority G.S. 90-8.2; 90-14(a)(15); 90-18(c)(14); 90-171.23(b)(14); 90-171.42; S.L. 2015-241, s*
26 *12F;*

27 *Recodified from 21 NCAC 36 .0227(f) Eff. August 1, 2004;*

28 *Amended Eff. March 1, 2017; December 1, 2009; April 1, 2008; August 1, 2004;*

29 *Readopted Eff. January 1, 2019;*

30 *Amended Eff. June 1, 2024; June 1, 2023; June 1, 2021.*

Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

From: Meredith Parris <mparris@ncbon.com>
Sent: Thursday, May 2, 2024 10:00 AM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Angela Ellis <angela@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>
Subject: Re: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Thank you, Bill.

We appreciate you working with us.

Best,
Meredith

Meredith Parris JD

Chief Legal Officer

Office: (984) 238-7627

Fax: (919) 781-9461

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From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Wednesday, May 1, 2024 4:04 PM
To: Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Angela Ellis <angela@ncbon.com>; Meredith Parris <mparris@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>
Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

Good afternoon,

It is my intention to recommend approval of the revised rule at the May RRC meeting.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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From: Angela Ellis <angela@ncbon.com>
Sent: Monday, April 29, 2024 10:19 AM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Meredith Parris <mparris@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>
Subject: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Attached are the responses to the Request for Technical Change along with 21 NCAC 36 .0807 for the North Carolina Board of Nursing. Please let me know if you need anything further.

Angela Ellis
Chief Administrative Officer

Office: (984)-238-7644
Fax: (919) 781-9461

4516 Lake Boone Trail Raleigh, NC 27607
P.O. Box 2129 Raleigh, NC 27602

Pronouns: She/Her/Hers



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From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Friday, April 19, 2024 2:28 PM
To: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

Good afternoon,

Attached please find the request for changes on the above captioned rules. As the rules are mirrors of one another I have consolidate the RFC.

As always if you have any questions or concerns please feel free to contact me.

Thank you.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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