

MARCH 17, 2020 ADDITION TO THE NORTH CAROLINA BOARD OF PHARMACY EMERGENCY SERVICES WAIVER

On March 10, 2020, Governor Cooper issued Executive Order No. 116 – a declaration of a state of emergency to coordinate response to the COVID-19 (coronavirus) outbreak. That declaration triggered operation of the Board of Pharmacy’s Emergency Services Waiver order: <http://www.ncbop.org/PDF/NCBOPEmergencyServicesWaiver.pdf>

Today, exercising its authority under North Carolina General Statutes Section 90-85.25(a), the Board of Pharmacy supplements the Emergency Services Waiver as follows:

1. To reduce the risk of person-to-person coronavirus transmission and to preserve pharmacists’ and pharmacies’ ability to provide patient care, the Board authorizes the use of remote work technology by pharmacists and pharmacy personnel for tasks such as prescription order entry, prescription data verification, LTC facility chart review, and dispensing PA/NP weekly review – notwithstanding any provision of the North Carolina Pharmacy Practice Act or rules to the contrary. Pharmacist-managers shall ensure that reasonable means of monitoring the safety and accuracy of remote processes, as well as ensuring confidentiality of protected health information (PHI), are implemented.

If ensuring continuity of patient care requires that pharmacies, pharmacists, or certified technicians not licensed in North Carolina be engaged to perform remote services as described above, the prior notification requirements set forth in Paragraph 1 of the Emergency Services Waiver must be followed.

2. The Board strongly supports efforts by pharmacies and pharmacists to adjust work flows and processes within a pharmacy to reduce the risk of person-to-person coronavirus transmission. Such efforts might include, but are not limited to: not physically handling patient identifications at the point of dispensing; not requiring a physical signature for pick-up of a prescription; increasing use of prescription delivery service; limiting the number of patients physically entering a pharmacy; enforcing social distancing within a pharmacy. The Board does not have authority to waive or modify terms of federal law, state law other than the Pharmacy Practice Act, or a pharmacy’s contracts. However, any entity – public or private – that purports to require that workflows include activities that unnecessarily increase the risk of person-to-person coronavirus transmission (e.g., requiring physical handling of a patient identification or requiring a physical signature) is advised in the strongest possible terms to prioritize public health and safety above other considerations.