

NORTH CAROLINA BOARD OF PHARMACY

EMERGENCY SERVICES WAIVER

If the Governor of the State of North Carolina or any county or municipality has declared a state of emergency in any geographic area in the State of North Carolina, pursuant to North Carolina General Statutes Section 90-85.25(a), the North Carolina Board of Pharmacy authorizes the following waivers of the Pharmacy Practice Act and its regulations:

1. Only for the duration and only in the location of the state of emergency, any pharmacist or nationally-certified pharmacy technician who has a license and registration in good standing in another state may practice in the location of the state of emergency without being licensed or registered by this Board provided that, before performing any services in this State, the pharmacist or pharmacy technician informs the Board of the particular pharmacy permit or permits for which the services will be provided. Prior notification must be provided to the Board at emergency@ncbop.org. This waiver ends immediately upon the end of the state of emergency in the location in which the person is providing services. The pharmacist or pharmacy technician will be required to comply with all laws governing the practice of pharmacy in the State of North Carolina and, by practicing in the State, the pharmacist or pharmacy technician will be submitting to the jurisdiction of the Board.
2. Only for the duration and only in the location of the state of emergency, if a permit holder becomes unable to operate in a permitted location, the permit holder may operate in a temporary location within 10 miles of the permitted location, so long as the permit holder can ensure that the drugs, devices and medical equipment are safe and secure in the temporary pharmacy, that adequate records are kept to enable the permit holder (promptly upon the conclusion of the state of emergency) to make and keep all required records and reports, and that the pharmacists, pharmacy technicians and other personnel comply with all laws governing the distribution of drugs, devices and medical equipment. In the event that a temporary location may not be located within 10 miles of the permitted location, the Executive Director has the discretion to authorize a more distant temporary location if reasonable to service the permit holder's existing patients. Prior notification must be provided to the Board at emergency@ncbop.org that specifies the permit holder that is moving into a temporary location and the address and GPS coordinates of the temporary location. This waiver ends immediately upon the end of the state of emergency in the location in which the permit holder is providing services. However, in the event that the permitted location remains inoperable following the state of emergency, the permit holder should immediately contact Board staff.

In addition to these waivers, pursuant to his statutory authority as prosecutor for the Board under North Carolina General Statutes Section 90-85.12, the Executive Director is authorized to waive prosecution of other violations, on a case-by-case basis, if necessary to preserve the public safety, health and welfare during a state of emergency under North Carolina General Statutes Section 90-85.25(a). Any waiver of prosecution shall be granted only for the duration and in the location of the state of emergency, and only to the extent necessary to preserve the public safety, health and welfare. Any such case-by-case waiver must be requested in advance at emergency@ncbop.org, and must be confirmed in advance by the Executive Director by written response from that e-mail address. No waiver is effective until it is granted by the Executive Director in writing.