

Important DME Procedure Information

21 NCAC 46 .1608 DEVICE AND MEDICAL EQUIPMENT PERMITS

(b) Device and medical equipment permits, whether original or renewal, shall be issued to the person in charge of the facility pursuant to a joint application of the owner and person in charge. The issuance of said permit shall not be complete and the permit shall not be valid until it has been countersigned by the person in charge as represented in the application. The permit so issued is valid only so long as the person in charge to whom it was issued assumes his duties and responsibilities. Permits may be reissued at any time to a successor person in charge pursuant to the proper amendment of the application for the permit. The hours of operation shall be posted conspicuously at the facility for public viewing. The person in charge or the designee of the person in charge shall be present at the facility during the hours of operation of the facility. The person in charge shall notify the Board in writing of a change in the facility address within 30 days from the date of the change.

Instructions for Change of Person in Charge: New Person in Charge (PIC) sign the top of the yearly (renewal) certificate and send to the Board. Changes to the permit are required to be submitted to the Board within 30 days. Once the change has been updated the PIC can go to the Board's website at www.ncbop.org and print an updated certificate. Look under DME Suppliers then pharmacy login, enter login information then select certificates. Normally allow 7 to 10 business days for updates.

§ 90-85.23. License and permit to be displayed.

Every pharmacist-manager's license, every permit, and every current renewal shall be conspicuously posted in the place of business owned by or employing the person to whom it is issued. The licenses and every last renewal of all other pharmacists employed in the pharmacy must be readily available for inspection by agents of the Board. Failure to display any license or permit and the most recent renewal shall be a violation of this Article and each day that the license or permit or renewal is not displayed shall be a separate and distinct offense.

Updates can be done on the Board's website as well. You can update your **Email address** and **Phone numbers** under DME Suppliers then DME login. To print a **duplicate or updated certificate** go to the Board's website at www.ncbop.org look under DME Suppliers then DME login, enter login information then select certificates.

§ 90-85.22. Device and medical equipment permits.

(a) Devices. – Each place, whether located in this State or out-of-state, where devices are dispensed or delivered to the user in this State shall register annually with the Board on a form provided by the Board and obtain a device permit. A business that has a current pharmacy permit does not have to register and obtain a device permit. Records of devices dispensed in pharmacies or other places shall be kept in accordance with rules adopted by the Board.

(b) Medical Equipment. – Each place, whether located in this State or out-of-state, that delivers medical equipment to the user of the equipment in this State shall register annually with the Board on a form provided by the Board and obtain a medical equipment permit. A business that has a current pharmacy permit or a current device permit does not have to register and obtain a medical equipment permit. Medical equipment shall be delivered only in accordance with requirements established by rules adopted by the Board.

(c) This section shall not apply to either of the following:

- (1) A pharmaceutical manufacturer registered with the Food and Drug Administration.
- (2) A wholly owned subsidiary of a pharmaceutical manufacturer registered with the Food and Drug Administration. (1981 (Reg. Sess., 1982), c. 1188, s. 1; 1993 (Reg. Sess., 1994), c. 692, s. 1; 2001-339, s. 1.)

Renewal of the Permit

21 NCAC 46 .1609 PERMIT RENEWAL

Permits issued by the Board expire on December 31 and become invalid 60 days following expiration.

21 NCAC 46 .1612 REINSTATEMENT OF LICENSES AND PERMITS

(a) All licenses and registrations issued to individuals that are not renewed by March 1 of the succeeding year, lapse and are subject to the maximum reinstatement and renewal fees set out in G.S. 90-85.24 in order to be reinstated. All permits and registrations issued to locations that are reinstated after March 1 and prior to April 1 of the succeeding year are subject to the maximum reinstatement and renewal fees set out in G.S. 90-85.21A and 90-85.24. After March 31, permits and registrations issued to locations shall submit new applications and are subject to the maximum original registration fees. This Rule also applies to licenses, registrations, and permits reinstated following voluntary surrender or disciplinary action by the Board.

Instructions for renewal: Beginning November 1st of each calendar year the online renewal becomes available. You are required to renew online with a major credit card (Visa, MasterCard, and Discover). No paper renewals are mailed. Email reminders will be sent as well as reminders posted on the Board's website www.ncbop.org during the renewal time. Make sure to keep your email address current (email changes/updates can be done on the board's website as well). If the permit is not renewed by March 1st the DME permit will enter the reinstatement phase and late penalties will apply. You will no longer have access to online renewal. After March 1st you must complete the DME application (available on the website at www.ncbop.org under DME suppliers then forms, applications and instructions), select late renewal and submit to the Board's office with the late fee. All late renewal applications must be received in the Board's office or postmarked no later than March 31st. If the permit is not renewed it will be closed effective April 1st and the permit will no longer be valid. You will be required to start the application process over (original application) and will be assigned a new permit number if approved. You are required to cease and desist from doing any business or dispensing until you have a valid permit.

Closing the DME Facility

21 NCAC 46 .1608 DEVICE AND MEDICAL EQUIPMENT PERMITS

(c) When a device and medical equipment dispensing facility is to be closed permanently, the person in charge shall inform the Board of the closing and arrange for the proper disposition of devices and medical equipment and return the permit to the Board's offices within 10 days of the closing date. The person in charge, jointly with the owner (if the owner is someone other than the person in charge), shall provide for the orderly transfer of records to another permit holder for maintenance of patient therapy and inform the public of such transfer by posted notice or otherwise.

Instructions for Closing the permit: Send written notice to the Board's office include the permit number, name of business, effective date of closing and name and location of where the patients files and records are or have been transferred to. Make sure to return the permit (certificate) as referred to in above Rule.

Address changes will require a new application and application fee. See more information on the Board's website under DME Suppliers then forms, applications and instructions.

Transfer of Ownership

21 NCAC 46 .1603 WHEN NEW PERMIT REQUIRED

A new pharmacy, device, or medical equipment permit is required for a new location, a change to a different or successor business entity, or a change resulting in a different person or entity owning more than 50 percent interest in the permit holder or any entity in the chain of ownership above the permit holder, except as provided in 21 NCAC 46 .1604 of this Section. A new permit is required if there is a change in the authority to control or designate a majority of the members or board of directors of a nonprofit corporation holding a pharmacy permit or any nonprofit corporation in the chain of ownership above the permit holder.

Instructions for Transfer of Ownership: In order to do a transfer of ownership you need to do the following: Submit the completed application to the Board (found on the Board's website under DME suppliers), make sure to complete the entire application including Item #6 and #7. Send in prior to transfer (at least two weeks) so the application can be reviewed and processed on the transfer date. The Board does not post date or pre-date transfer of ownership.

Make sure to familiarize yourself with all rules and regulations concerning the DME permit. It is your responsibility to be in compliance. These are examples of a few laws and rules to refer to below.

21 NCAC 46 .1913 APPLICATION FOR DEVICE DISPENSING PERMIT

21 NCAC 46 .1317 DEFINITIONS

SECTION .1600 - LICENSES AND PERMITS

SECTION .2600 – DEVICES

§ 90-85.3. Definitions. (Law section- General Statue)

§ 90-85.22. Device and medical equipment permits.

§ 90-85.23. License and permit to be displayed.