

## Procedure Information for Pharmacy

### Pharmacy Manager Change

#### 21 NCAC 46.2502 RESPONSIBILITIES OF PHARMACIST-MANAGER

(b) The pharmacist-manager employed or otherwise engaged to supply pharmaceutical services may have a flexible schedule of attendance but shall be present for at least one-half the hours the pharmacy is open or 32 hours a week, whichever is less. A pharmacist employee not meeting this requirement may serve as pharmacist-manager of the permit holder temporarily for a period not to exceed 90 days from the departure date of the previous pharmacist-manager, if the pharmacist employee is present at least 20 hours per week in the pharmacy.

(c) Whenever a change of ownership or change of pharmacist-manager occurs, the successor pharmacist-manager shall **complete an inventory of all controlled substances in the pharmacy within 10 days**. A written record of such inventory, signed and dated by the successor pharmacist-manager, shall be maintained in the pharmacy with other controlled substances records for a period of three years.

(e) Permits to operate pharmacies, whether original or renewal, shall be issued to the pharmacist-manager of such pharmacy pursuant to a joint application of the owner and pharmacist-manager for the conduct and management of said pharmacy. **The issuance of said permit shall not be complete and the permit shall not be valid until it has been countersigned by the pharmacist-manager as represented in the application.** The permit so issued is valid only so long as the pharmacist-manager to whom it was issued assumes the duties and responsibilities of pharmacist-manager. Permits may be reissued at any time to a successor pharmacist-manager pursuant to the proper amendment of the application for the permit.

**Instructions:** New Pharmacist Manager (PM) Sign the top of the yearly (renewal) certificate and send to the Board with the \$35.00 fee (Out of State pharmacies must submit the Pharmacy/Pharmacist Certification form in addition to the certificate and fee, found under PM Change instructions on the website). **CREDIT CARD Authorization form is required to be completed** and sent with certificate (**NO checks accepted**). Changes to the permit are required to be submitted to the Board within 30 days. Once the change has been updated the PM can go to the Board's website at [www.ncbop.org](http://www.ncbop.org) and print an updated certificate. Look under Pharmacies then pharmacy login, enter login information then select certificates. Normally allow 7 to 10 business days for updates. PM Change instructions are on the Board's website under Pharmacies, then forms, applications and instructions.

### **§ 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. There is an Employment Change Form (under Pharmacist). You can update your email address and phone numbers under Pharmacies then pharmacy login.

**Duplicates:** To print a duplicate or updated certificate go to the Board's website at [www.ncbop.org](http://www.ncbop.org) look under Pharmacies then pharmacy login, enter login information then select certificates.

### **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.

#### § 90-85.21. Pharmacy Permit.

(a) In accordance with Board regulations, each pharmacy in North Carolina shall annually register with the Board on a form provided by the Board. The application shall identify the pharmacist-manager of the pharmacy and all pharmacy personnel employed in the pharmacy. All pharmacist-managers shall notify the Board of any change in pharmacy personnel within 30 days of the change.

#### 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:** November 1<sup>st</sup> 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](http://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 1<sup>st</sup> the pharmacy permit will enter the reinstatement phase and late penalties will apply. You will no longer have access to online renewal. After March 1<sup>st</sup> you must complete the pharmacy application (available on the website at [www.ncbop.org](http://www.ncbop.org) under pharmacies then forms, applications and instructions), select late renewal and submit to the Board's office with the late fee. Late renewal applications are processed online no later than March 31<sup>st</sup>. If the permit is not renewed it will be closed out effective April 1<sup>st</sup> and the permit will no longer be valid. The application process is required and will start over (original application) and will be assigned a new permit number if approved. You are required to cease & desist from doing any business or dispensing until you have a valid permit.

### **Closing the Pharmacy**

#### **21 NCAC 46.2502 RESPONSIBILITIES OF PHARMACIST-MANAGER**

(h) **When a pharmacy is to be closed permanently, the pharmacist-manager shall inform the Board** and the United States Drug Enforcement Administration of the closing, arrange for the proper disposition of the pharmaceuticals and **return the pharmacy permit to the Board's offices within 10 days of the closing date.** If possible, notice of the closing shall be given to the public by posted notice at the pharmacy at least 30 days prior to the closing date and 15 days after the closing date. Such notice shall notify the public that prescription files may be transferred to a pharmacy of the patient's or customer's choice during the 30 day period prior to the closing date. During the 30 day period prior to the closing date, the pharmacist manager, and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer prescription files to another pharmacy chosen by the patient or customer, upon request. Absent specific instructions from the patient or customer, the pharmacist-manager, and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer prescription files to another pharmacy for maintenance of patient therapy and shall inform the public of such transfer by posted notice at the pharmacy for 15 days after the closing date, if possible. Controlled substance records shall be retained for the period of time required by law.

(i) If possible, the pharmacist-manager shall ensure that notice of the temporary closing of any pharmacy for more than 14 consecutive days is given to the public by posted notice at the pharmacy at least 30 days prior to the closing date, and 15 days after the closing date. Such notice shall notify the public that prescription files may be transferred to a pharmacy of the patient's or customer's choice during the 30 day period prior to the closing date. During the 30 day period prior to the closing date, the pharmacist-manager, and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer prescription files to another pharmacy chosen by the patient or customer, upon request.

**Instructions for Closing the permit: Complete the Closing Form on Board's website.**

**Address Changes will require a new application and application fee. See Board's website for more information under Pharmacies then forms, applications and instructions. This is a Reregistration.**

### **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:** 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 Pharmacy), make sure to **complete the entire application** including Item #3 and #8 (Ownership Table). Send in prior to transfer (at least four 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 permit. It is your responsibility to be in compliance. You can visit the Board's FAQ section for answers to a lot of frequently asked questions.**