



PROPOSED TEMPORARY RULE FOR PUBLICATION ON THE OAH WEBSITE

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Proposed Temporary Rule [G.S. 150B-21.1(a3)]

Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: North Carolina Board of Pharmacy

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: 21 NCAC 46 .1819

AMENDMENT:

REPEAL:

3. Public Hearing:

Date: May 8, 2020

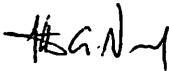
Time: 10:00 a.m.

Location: Teleconference line number 408-215-9377; access code 829 609 515#

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
 The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
 A recent change in federal or state budgetary policy.
Effective date of change:
 A recent federal regulation.
Cite:
Effective date:
 A recent court order.
Cite order:
 Other: Request of the Secretary of Health and Human Services and State Health Director

Explain: On March 10, 2020, the Governor of North Carolina, by issuing Executive Order No. 116, declared a state of emergency to coordinate a response and enact protective measures to help prevent the spread of COVID-19. COVID-19 is respiratory disease that can result in serious illness or death. COVID-19, previously unidentified in humans, spreads easily from person to person. Once an outbreak of COVID-19 begins, it is difficult to contain. The World Health Organization, the Center for Disease Control and Prevention, and the United States Department of Health and Human Services have declared COVID-19 a public health threat and emergency. The search for potential treatments for COVID-19 has caused shortages and threatens to cause further shortages in certain drugs. On March 24, 2020, the North Carolina Secretary of Health and Human Services and State Health Director requested that the Medical Board and the Board of Pharmacy adopt the COVID-19 Drug Preservation Rule in order to alleviate shortages and ensure that these drugs are available to patients who need them.

5. Comments from the public shall be directed to: Name: Jay Campbell Address: 6015 Farrington Road, Suite 201 Chapel Hill, NC 27517 Phone (optional): Fax (optional): (919) 246-1056 E-Mail (optional): jcampbell@ncbop.org	
6. Comment Period Starts: March 24, 2020	Comment Period Ends: May 1, 2020
7. Rule-making Coordinator: Clinton R. Pinyan Address: Brooks Pierce 230 N. Elm Street, Suite 2000 Greensboro, North Carolina 27401 Phone: (336) 373-8850 E-Mail: cpinyan@brookspierce.com Agency contact, if any: Jay Campbell Phone: (919) 246-1050 E-mail: jcampbell@ncbop.org	8. The Agency formally proposed the text of this rule(s) on Date: March 24, 2020
	9. Signature of Agency* Head or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Keith A. Vance Title: President