

GUIDANCE TO REVISED BOARD RULE GOVERNING INTRA-PHARMACY REMOTE MEDICATION ORDER PROCESSING

The Board of Pharmacy has completed a rulemaking to create new Rule. 2515, “Remote Work By Pharmacy Personnel.” The new rule provides:

21 NCAC 46 .2515 REMOTE WORK BY PHARMACY PERSONNEL

(a) Pharmacy personnel may perform pharmacy practice remotely with respect to drugs, devices, or medical equipment dispensed by the permitted pharmacy location by which they are employed. Pharmacy personnel may not engage in physical acts in the dispensing process in remote locations outside the permitted pharmacy location. The pharmacist-manager must ensure that pharmacy personnel are able to perform at the same level of competence, attention, and proficiency as if the personnel were physically present in the pharmacy, including having secure access to the pharmacy's information system, and that all applicable state and federal laws, rules, and regulations are followed.

(b) Out-of-state permit holders may permit remote pharmacy practice by their own employees with respect to drugs, devices, or medical equipment dispensed by those pharmacy locations into the State of North Carolina only to the extent permitted by the laws of the states in which they are located.

(c) This Rule does not include services provided by someone who is not an employee of the permitted pharmacy location that is dispensing the drug, device, or medical equipment. Any such remote medication order entry services are governed by Rule .1816 of this Chapter.

New Rule .2515 is effective May 1, 2022. The Board’s Expanded Emergency Services Waiver, issued on March 17, 2020 as a result of the COVID-19 public health emergency, authorized remote work by pharmacy personnel. Because new Rule .2515 does not differ from the waiver provisions concerning intra-pharmacy remote operations in any material way, the Board will enforce the rule provisions effective May 1, 2022.

NOTE This guidance document only concerns intra-pharmacy remote operations. A separate provision, Rule .1816, governs inter-pharmacy remote medication order processing arrangements. Detailed guidance on Rule .1816 is found here: [Inter-Pharmacy RMOP Guidance](#)

1. What is “remote work”?

“Remote work” involves tasks that are the practice of pharmacy except for “physical acts in the dispensing process.” In other words, tasks such as: receiving, interpreting, and clarifying medical orders; entering data and transferring medication order information; performing DUR; interpreting patient clinical data to ensure proper prescription drug therapy; performing therapeutic interventions. It does not include any physical acts in the dispensing process – *e.g.*, storing prescription drugs; packaging prescription drugs; labeling prescription drugs; dispensing prescription drugs.

Note Rule .2515 does not enlarge the allowable scope of practice for pharmacy technicians. Pharmacy technicians engaged in remote work may only perform those tasks allowed under the North Carolina Pharmacy Practice Act.

2. Who are “pharmacy personnel”?

“Pharmacy personnel” are employees of a North Carolina-permitted pharmacy location who are authorized to engage in acts constituting the practice of pharmacy – pharmacists and pharmacy technicians. Pharmacy interns are considered “pharmacy personnel” if they are employees of the pharmacy.

3. I am a pharmacist/pharmacy technician employed by a company with multiple pharmacy locations. Where am I considered an “employee” for purposes of Rule .2515?

For purposes of Rule .2515, a pharmacist or pharmacy technician is an employee of the North Carolina-permitted pharmacy location where the pharmacist or pharmacy technician is primarily assigned and practices the majority of their time.

This is the “employer” that should be indicated in the pharmacist’s or pharmacy technician’s Licensure Gateway profile: <https://portal.ncbop.org/> Pharmacists and pharmacy technicians should ensure that their current employer pharmacy is listed in their profile and updated as necessary. Pharmacist-managers are also responsible for ensuring that all employees are listed, as staff, under the permit. This information can be viewed/updated by logging in to the permit under Facility Management via the Licensure Gateway -- <https://portal.ncbop.org/>

A pharmacy that wishes to engage pharmacists employed at a different North Carolina permitted pharmacy location to perform remote medication order processing functions must follow the requirements of Rule .1816. See question #6 below.

4. From what remote locations are pharmacy personnel allowed to practice?

Employee pharmacy personnel are allowed to perform remote work in a remote location outside of the pharmacy that is equipped with secure access to the pharmacy's information system. Moreover, the pharmacist-manager is responsible for ensuring that the pharmacy personnel are in a location that allows them to "perform at the same level of competence, attention, and proficiency as if the personnel were physically present in the pharmacy." A remote site does not include a site outside of the United States.

If a North Carolina pharmacy employee is at a remote location in another state – *e.g.*, a Charlotte pharmacy employee works from a home office in Fort Mill, South Carolina; a Yanceyville pharmacy employee works from a home office in Danville, Virginia – the pharmacist-manager and pharmacy personnel should inquire whether doing so requires licensure or registration in the other state as well. The pharmacist-manager must also be attentive to the requirement that distance not be such that appropriate supervision and assurance of "the same level of competence, attention, and proficiency as if the personnel were physically present in the pharmacy" becomes impractical or impossible.

In any scenario, all pharmacy personnel employees of North Carolina pharmacies must be licensed or registered in North Carolina.

5. Is remote work allowed for out-of-state pharmacies permitted by the North Carolina Board of Pharmacy?

Yes. An out-of-state permit holder may allow its pharmacy personnel employees to perform remote pharmacy operations to the extent permitted by the laws of the state in which the pharmacy is located.

6. Under Rule .2515, may I reach an agreement with pharmacy personnel employed by another pharmacy to perform remote work?

No. A pharmacy that wishes to engage in a remote services arrangement with pharmacy personnel who are not employed by the pharmacy must comply with the inter-pharmacy remote medication order processing rules. Detailed guidance is found here: [Inter-Pharmacy RMOP Guidance](#)