

**NOTICE OF TEXT
[Authority G.S. 150B-21.2(c)]**

OAH USE ONLY


VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
 - Notice without a scheduled hearing
 - Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.
- Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: North Carolina Board of Pharmacy
2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncbop.org/rulemakings.htm
3. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION: <input type="checkbox"/> READoption <u>with</u> substantive changes: <input type="checkbox"/> READoption <u>without</u> substantive changes: <input checked="" type="checkbox"/> AMENDMENT: 21 NCAC 46 .2102, 21 NCAC 46. 2104, 21 NCAC 46 .2105, 21 NCAC 46 .2107, and 21 NCAC 46 .2108 <input type="checkbox"/> REPEAL:
4. Proposed effective date: May 1, 2017
5. Is a public hearing planned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes: Public Hearing date: February 21, 2017 Public Hearing time: 9:00 a.m. Public Hearing Location: North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

<p>7. Explain Reason For Proposed Rule(s): The Board has proposed the amendment of several of its Board member election rules in order to shift the voting period to coincide with the pharmacist licensing renewal period. The Board proposes to provide an opportunity for pharmacists to vote by electronic ballot at the same time that they perform their on-line license renewal. The Board believes that aligning voting with license renewal is likely to increase pharmacist participation in voting. The Board further proposes to eliminate the option for voting by paper ballots, as no pharmacist has voted by paper ballot since 2011, and elimination of this option will conserve Board resources by allowing it to cease production of paper ballots. The Board further proposes to amend the rules to codify run-off procedures, as run-offs have often become necessary.</p>	
<p>8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.</p> <p><input type="checkbox"/> Rule(s) is automatically subject to legislative review. Cite statutory reference:</p>	
<p>9. The person to whom written comments may be submitted on the proposed rule(s): Name: Jay Campbell Address: 6015 Farrington Road, Suite 201 Chapel Hill, NC 27517</p> <p>Phone (optional): Fax (optional): (919) 246-1056 E-Mail (optional): jcampbell@ncbop.org</p>	
<p>10. Comment Period Ends: 9:00 a.m., February 21, 2017</p>	
<p>11. Fiscal impact (check all that apply). If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.</p> <p> <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected Analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required by G.S. 150B-21.4 <input checked="" type="checkbox"/> No fiscal note required by G.S. 150B-21.3A(d)(2) </p>	
<p>12. Rule-making Coordinator: Clinton R. Pinyan</p> <p>Address: Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, PO Box 26000, Greensboro, NC 27420</p> <p>Phone: (336) 373-8850 E-Mail: cpinyan@brookspierce.com</p> <p>Agency contact, if any: Jay Campbell</p> <p>Phone: (919) 246-1050 E-mail: jcampbell@ncbop.org</p>	<p>13. The Agency formally proposed the text of this rule(s) on Date: November 15, 2016</p> <p>14. Signature of Agency Head* or Rule-making Coordinator:</p> <p style="text-align: center;"></p> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Clinton R. Pinyan Title: General Counsel and Rulemaking Coordinator</p>