

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 46 - PHARMACY

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Pharmacy intends to amend the rule cited as 21 NCAC 46 .1806.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncbop.org/rulemakings.htm>

Proposed Effective Date: August 1, 2026

Public Hearing:

Date: May 19, 2026

Time: 9:00 a.m.

Location: North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517

Reason for Proposed Action: *The Board has proposed revisions of the requirements for transferring prescriptions from one pharmacy to another. The rule was last revised when paper prescriptions predominated, and the requirements were written in that framework. The Board has proposed to update those requirements. The proposed amendment further streamlines the requirements, removing ones that are no longer necessary to protect the public health, safety and welfare.*

Comments may be submitted to: Jay Campbell, North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517; email ncboprulemaking@ncbop.org

Comment period ends: June 15, 2026

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 a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule 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 letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

SECTION .1800 - PRESCRIPTIONS

21 NCAC 46 .1806 TRANSFER OF PRESCRIPTIONS PRESCRIPTION INFORMATION

(a) ~~The transfer of original prescription information for the purpose of refill dispensing~~ Transferring prescriptions between pharmacies is permissible ~~between pharmacies~~ subject to the following requirements:

- (1) the transfer is communicated directly from either a pharmacist or certified technician to either a pharmacist or certified technician and not by only one pharmacist or certified technician gaining access to an information file containing data for ~~several locations, another pharmacy, unless all locations accessed~~ both pharmacies are under common ownership or ~~accessed~~ the transfer is performed pursuant to contractual agreement of the pharmacies;
- (2) the transferring pharmacist or certified technician ~~deactivates the original prescription; invalidates the prescription and any remaining refills at the transferring pharmacy by marking the word "void" on the face of the prescription or its equivalent;~~
- (3) the transferring pharmacist or certified technician ~~records; records the name and address of the pharmacy to which it was transferred and the name of the pharmacist or certified technician receiving the prescription information on the reverse of the invalidated prescription;~~
 - (A) the date of the transfer;
 - (B) the identity of the pharmacist or certified technician transferring the prescription; and
 - (C) the identity of the pharmacy to which the prescription was transferred and the identity of the pharmacist or certified technician receiving it.
- (4) ~~the transferring pharmacist or certified technician records the date of the transfer and the name of the pharmacist or certified technician transferring the information.~~ the pharmacist or certified technician receiving the transferred prescription records;

- (A) the date of the original prescription, and the original prescription number;
 - (B) the number of refills authorized and remaining on the prescription;
 - (C) the date of the last fill or refill (if any);
 - (D) the manufacturer or brand of the drug previously dispensed, if the drug is a narrow therapeutic index drug under G.S. 90-85.27;
 - (E) the date of the transfer; and
 - (F) the identity of the pharmacy from which the prescription information was transferred, and the identity of the pharmacist or certified technician transferring the prescription.
- (b) ~~The pharmacist or certified technician receiving the transferred prescription information shall reduce to writing the following:~~
- (1) ~~The word "transfer" on the face of the transferred prescription;~~
 - (2) ~~All information required to be on a prescription, including:~~
 - (A) ~~Date of issuance of original prescription;~~
 - (B) ~~Number of refills authorized on original prescription;~~
 - (C) ~~Date and time of transfer;~~
 - (D) ~~Number of valid refills remaining and date of last refill;~~
 - (E) ~~Pharmacy's name, address and original prescription number from which the prescription information was transferred;~~
 - (F) ~~Name of transferring pharmacist or certified technician; and~~
 - (G) ~~Manufacturer or brand of drug dispensed.~~
- (c) ~~The transferred prescription, as well as the original, must be maintained for a period of three years from the date of last refill.~~
- (d) ~~Dispensing is permitted only within the original authorization for refills and no dispensing on such transfer shall occur beyond that authorized on the original prescription. Any dispensing beyond that originally authorized or one year, whichever is less, may occur only on a new prescription.~~
- (e) ~~The requirements of Paragraphs (a) and (b) of this Rule may be facilitated by use of a computer or data system without reference to an original prescription document. The system must be able to identify transferred prescriptions and prevent subsequent prescription refills at that pharmacy.~~
- (f) ~~This Rule applies to the transfer of prescriptions issued by prescribers in other states, provided that the pharmacist or certified technician receiving the prescription actually knows or reasonably should know that a physician patient relationship exists and dispensing the drug is in the patient's best interests.~~
- (g) ~~All records pertinent to this Rule shall be readily retrievable.~~
- (h) ~~A system must be in place that will allow only authorized access by a pharmacist or certified technician to all records pertinent to this Rule and will indicate on the prescription record when and by whom such access was made.~~
- (i) ~~The transfer of original prescription information for the purpose of refill dispensing~~ Transferring prescriptions between device and medical equipment permit holders ~~is permissible between device and medical equipment permit holders~~ so long as the transferring permit holder provides all records and documentation necessary for dispensing and does not interfere with the service and claims processing procedures of the receiving permit holder.

History Note: Authority G.S. 90-85.6(a); 90-85.32;
Eff. December 31, 1985;
Amended Eff. June 1, 2004; September 1, 1995; July 1, 1992; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, ~~2017~~ 2017;
Amended Eff. August 1, 2026.