

NORTH CAROLINA BOARD OF PHARMACY

*Newsletter to Promote Pharmacy
and Drug Law Compliance.*

Item 2494 – Board Member Elections for Northeastern and Central Districts

The North Carolina Board of Pharmacy consists of six Board members (five actively licensed pharmacists and one public member). Pharmacist members of the Board are elected from five geographic areas of the state, and the public member is appointed and commissioned by the governor. Board members serve five-year terms and may serve no more than two consecutive five-year terms. Eligible voters include all pharmacists actively licensed and residing in North Carolina on October 31 of the year the election begins. More information can be found in [North Carolina General Statute §90-85.7](#).

The next Board elections are scheduled to begin on November 1, 2024. Two district seats will be up for election this year: the Northeastern District position presently held by Wallace Nelson and

the Central District position presently held by Ashley Duggins. The winners of this election will begin their terms on May 1, 2025.

All actively licensed pharmacists living in North Carolina at the time of the election are eligible to vote, regardless of the district in which they reside. However, only the candidate and the pharmacists signing the candidate's petition are limited by district.

Board member elections occur in conjunction with the annual license renewal period, which begins on November 1. When pharmacists log in to their profile through the Licensure Gateway during the renewal period, they will be presented with a link to candidate information and an electronic ballot.

Board staff will publish candidate biographies and detailed voting instructions in the coming days.

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Item 2495 – CMS Adopts SCRIPT Standard Version 2023011: Implications for EPCS Transfers

(Re)setting the Stage

On July 27, 2023, Drug Enforcement Administration (DEA) issued a final rule governing the transfer of electronic prescriptions for controlled substances (EPCS) prior to initial fill. Among other things, the DEA rule provides that for a valid transfer to occur: “The prescription must be transferred from one retail pharmacy to another retail pharmacy in its electronic form. At no time may an intermediary convert an electronic prescription to another form (eg, facsimile) for transmission.” Furthermore, the rule states: “The contents of the prescription required by this part must not be altered during transfer between retail pharmacies. Any change to the content during

transfer, including truncation or removal of data, will render the electronic prescription invalid.” Refer to [21 Code of Federal Regulations §1306.08\(f\)\(1\) and \(2\)](#).

DEA commentary accompanying the rule asserted that SCRIPT Standard Version 2017071 enables the transfer of controlled substance (CS) prescriptions between pharmacies in a way that satisfies these rule requirements. In a February 14, 2024 letter to stakeholders, Surescripts confirmed that SCRIPT Standard Version 2017071 does not do what DEA thinks that it does – and never has. Surescripts stated that SCRIPT Standard Version 2023011 is capable of transferring CS prescriptions in a way that complies with DEA’s rule, but the Centers for Medicare & Medicaid Services

(CMS) must finalize a rule allowing the industry to adopt this updated SCRIPT standard.

Update

On June 17, 2024, CMS issued a final rule for health information technology standards to adopt the SCRIPT Standard Version 2023011. The updated SCRIPT Standard Version will allow EPCS transfers between pharmacies in a way that complies with DEA’s rule. CMS’ adoption is found [here](#).

What Now? Pharmacies should communicate with their technology vendors to determine when and how their systems will be updated to incorporate SCRIPT Standard Version 2023011.



Item 2496 – Board Member Wallace Nelson Receives Bowl of Hygeia Award

The North Carolina Association of Pharmacists presented Wallace E. Nelson with the 2024 Bowl of Hygeia Award at its annual convention. Established in 1958, the Bowl of Hygeia Award is sponsored by the American Pharmacists Association Foundation and the National Alliance of State Pharmacy Associations. Participating state pharmacy associations recognize one pharmacist annually for an outstanding record of community

civic leadership. The North Carolina Association of Pharmacists Executive Director Penny Shelton praised Wallace, noting that he has “walked the talk his entire career finding ways to serve and give back at extraordinarily high levels.”

Wallace is a native of Hertford, NC. He began his post-secondary education at College of The Albemarle (COA) and is a 1976 graduate of the University of North

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Carolina School of Pharmacy. His professional career began in retail pharmacy before joining Chowan Hospital in Edenton, NC, and Bertie Hospital in Windsor, NC. He has served, and continues to serve, both hospitals at all levels for over 40 years with 36 as director of pharmacy.

The state’s pharmacists elected Wallace to serve on the North Carolina Board of Pharmacy in 2000. He served two five-year terms through 2010 and was again elected to the Board in 2020. Board members have selected him as president several times.

Wallace’s record of community service outside of pharmacy is

long and diverse. He is a member of the Perquimans County Board of Education and Board of County Commissioners, where he currently serves as chairman. He is actively involved in the North Carolina Association of County Commissioners and was installed as president-elect in August 2024 and will become president in 2025. Past appointments by Governors Martin, Hunt, McCrory, and Cooper include the COA Board of Trustees, North Carolina Marine Industrial Authority, and several governors’ councils, institutes, and legislative study commissions.

Wallace has been previously recognized for his community and

state service. In 2010, Governor Beverly Perdue named Wallace to the Order of the Long Leaf Pine, the state’s highest honor for those who have made significant contributions to the state and their communities through exemplary service and exceptional accomplishments. In 2011, the North Carolina School Boards Association tapped Wallace to receive the Raleigh Dingman Award, the highest honor bestowed on a school board member.

Wallace and his wife, Freda (a retired educator), are the parents of Ethan (a practicing dentist) and Lauren (a human resources manager) and the grandparents of Reagan and Harrison.



Item 2497 – Recent Rulemaking Activity

The Board recently completed rulemaking on several topics. A summary is provided below. More detailed information is available on the Board’s [website](http://www.ncbop.org) – www.ncbop.org.

Amendments to Rule 21 North Carolina Administrative Code (NCAC) 46.1401, Health-System Pharmacy Permits. These amendments clarify when a health-system, “satellite” pharmacy location must hold a separate permit. Before the amendments, regulated entities expressed significant confusion in making this determination. The

amendments make clear that separate dispensing areas for inpatient populations may operate under one permit as long as they are in the same building or a building on property contiguous with the principal permitted location.

Amendments to Rule 21 NCAC 46.1415, Emergency Department Dispensing. Rule .1415 has long allowed non-pharmacy personnel in an emergency room to dispense a 24-hour supply of medication to a patient at discharge when pharmacy services are not otherwise available at a health

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facility. The amendments extend the authorization to a seven-day supply and clarify that such dispensing is allowed when outpatient pharmacy services are unavailable.

Amendments to Rule 21

NCAC 46.2504, Patient Counseling.

Rule .2504 has been amended to clarify that technological advances may be used to provide patient counseling and education. The rule has also been reorganized so that its requirements are listed in a way that tracks the typical dispensing process, making understanding and compliance easier.

Amendment to Rule 21

NCAC 46.2201, Continuing

Education. Rule .2201 has been amended to bring back the carryover of a five-hour surplus of continuing education (CE) hours. A pharmacist who obtains more than the 15 required CE hours in a year may carry those surplus hours (up to five) forward to the following license year.

New Rule 21 NCAC 46.2516, Emergency Pharmacy Closures.

New Rule .2516 sets forth requirements governing an unexpected closure of a pharmacy projected to last more than two

hours. The pharmacy must provide notice to patients (and the Board) and instructions for accessing pharmacy services during the closure. This new rule responds to a significant increase in complaints to the Board from patients who find their pharmacy closed unexpectedly and are provided with no information as to why, when service will resume, or how pharmacy care may be obtained in the interim.

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