



## NOTICE OF TEXT

### [Authority G.S. 150B-21.2(c)]

**OAH USE ONLY**

VOLUME: 40

ISSUE: 20

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 - 14. If a hearing is scheduled, complete block 5.  
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Pharmacy](#)

---

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

---

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

ADOPTION:

AMENDMENT: [21 NCAC 46 .1806](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

---

4. Proposed effective date: [08/01/2026](#)

---

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
<a href="#">05/19/2026</a>	<a href="#">9:00 a.m.</a>	<a href="#">North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517</a>

---

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

**7. Explain Reason For Proposed Rule(s):**

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.

**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 email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Rule(s) is automatically subject to legislative review. Cite statutory reference:**

**9. The person to whom written comments may be submitted on the proposed rule(s):**

Name: Jay Campbell  
Address: North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201  
Chapel Hill, NC 27517  
Phone (optional):  
Fax (optional):  
EMail (optional) ncboprulemaking@ncbop.org

**10. Comment Period Ends: 06/15/2026**

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

No fiscal note required

**12. Rule-making Coordinator:**

Name: Clinton R. Pinyan  
336-271-3157  
cpinyan@brookspierce.com

**Agency contact, if any:**

Name:  
Phone:  
Email:

**13. The Agency formally proposed the text of this rule(s) on**

**Date: 03/17/2026**

1 21 NCAC 46 .1806 is proposed for amendment as follows:

2  
3 **21 NCAC 46 .1806 TRANSFER OF PRESCRIPTIONS ~~PRESCRIPTION INFORMATION~~**

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

6 (1) the transfer is communicated directly from either a pharmacist or certified technician to either a  
7 pharmacist or certified technician and not by only one pharmacist or certified technician gaining  
8 access to an information file containing data for ~~several locations~~, another pharmacy, unless all  
9 ~~locations accessed~~ both pharmacies are under common ownership or ~~accessed~~ the transfer is  
10 performed pursuant to contractual agreement of the pharmacies;

11 (2) the transferring pharmacist or certified technician deactivates the original prescription; ~~invalidates~~  
12 ~~the prescription and any remaining refills at the transferring pharmacy by marking the word "void"~~  
13 ~~on the face of the prescription or its equivalent~~;

14 (3) the transferring pharmacist or certified technician records; ~~records the name and address of the~~  
15 ~~pharmacy to which it was transferred and the name of the pharmacist or certified technician~~  
16 ~~receiving the prescription information on the reverse of the invalidated prescription~~;

17 (A) the date of the transfer;

18 (B) the identity of the pharmacist or certified technician transferring the prescription; and

19 (C) the identity of the pharmacy to which the prescription was transferred and the identity of  
20 the pharmacist or certified technician receiving it; and

21 (4) ~~the transferring pharmacist or certified technician records the date of the transfer and the name of~~  
22 ~~the pharmacist or certified technician transferring the information~~. the pharmacist or certified  
23 technician receiving the transferred prescription records:

24 (A) the date of the original prescription, and the original prescription number;

25 (B) the number of refills authorized and remaining on the prescription;

26 (C) the date of the last fill or refill (if any);

27 (D) the manufacturer or brand of the drug previously dispensed, if the drug is a narrow  
28 therapeutic index drug under G.S. 90-85.27;

29 (E) the date of the transfer; and

30 (F) the identity of the pharmacy from which the prescription information was transferred, and  
31 the identity of the pharmacist or certified technician transferring the prescription.

32 (b) ~~The pharmacist or certified technician receiving the transferred prescription information shall reduce to writing~~  
33 ~~the following~~:

34 (1) ~~The word "transfer" on the face of the transferred prescription~~;

35 (2) ~~All information required to be on a prescription, including~~:

36 (A) ~~Date of issuance of original prescription~~;

37 (B) ~~Number of refills authorized on original prescription~~;

1 (C) — Date and time of transfer;

2 (D) — Number of valid refills remaining and date of last refill;

3 (E) — Pharmacy's name, address and original prescription number from which the prescription  
4 information was transferred;

5 (F) — Name of transferring pharmacist or certified technician; and

6 (G) — Manufacturer or brand of drug dispensed.

7 ~~(e) The transferred prescription, as well as the original, must be maintained for a period of three years from the date  
8 of last refill.~~

9 ~~(d) Dispensing is permitted only within the original authorization for refills and no dispensing on such transfer shall  
10 occur beyond that authorized on the original prescription. Any dispensing beyond that originally authorized or one  
11 year, whichever is less, may occur only on a new prescription.~~

12 ~~(e) The requirements of Paragraphs (a) and (b) of this Rule may be facilitated by use of a computer or data system  
13 without reference to an original prescription document. The system must be able to identify transferred prescriptions  
14 and prevent subsequent prescription refills at that pharmacy.~~

15 ~~(f) This Rule applies to the transfer of prescriptions issued by prescribers in other states, provided that the  
16 pharmacist or certified technician receiving the prescription actually knows or reasonably should know that a  
17 physician-patient relationship exists and dispensing the drug is in the patient's best interests.~~

18 ~~(g) All records pertinent to this Rule shall be readily retrievable.~~

19 ~~(h) A system must be in place that will allow only authorized access by a pharmacist or certified technician to all  
20 records pertinent to this Rule and will indicate on the prescription record when and by whom such access was made.~~

21 ~~(i) The transfer of original prescription information for the purpose of refill dispensing. Transferring prescriptions  
22 between device and medical equipment permit holders is permissible ~~between device and medical equipment permit~~  
23 ~~holders~~ so long as the transferring permit holder provides all records and documentation necessary for dispensing  
24 and does not interfere with the service and claims processing procedures of the receiving permit holder.~~

25  
26 *History Note: Authority G.S. 90-85.6(a); 90-85.32;*

27 *Eff. December 31, 1985;*

28 *Amended Eff. June 1, 2004; September 1, 1995; July 1, 1992; May 1, 1989;*

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
30 *2017. 2017;*

31 *Amended Eff. August 1, 2026.*