

## **10A NCAC 26E .0110 EXEMPTION OF INDIVIDUAL PRACTITIONERS**

(a) The requirement of registration is waived for all physicians, dentists, podiatrists, pharmacists, optometrists and veterinarians practicing as individual practitioners and licensed in North Carolina by their respective boards to the extent authorized by their boards; except as noted in G.S. 90-101(a1).

(b) An individual practitioner (other than an intern, resident or foreign trained physician on the staff of a Veterans Administration facility or physician who is an agent or employee of the Health Bureau of the Canal Zone Government) who is an agent or employee of another practitioner registered to dispense controlled substances may, when acting in the usual course of employment, administer and dispense (other than by issuance of prescription) controlled substances if and to the extent that such individual practitioner is authorized or permitted to do so by the jurisdiction in which the individual practices under the registration of the employer or principal practitioner in lieu of being registered.

(c) An individual practitioner who is an intern, resident or foreign-trained physician or physician on the staff of a Veterans Administration facility or physician who is an agent or employee of the Health Bureau of the Canal Zone Government may dispense, administer and prescribe controlled substances under the registration of the hospital or other registered institution in which the individual is employed in lieu of being registered, provided that:

- (1) such dispensing, administering or prescribing is done in the usual course of professional practice;
- (2) such individual practitioner is authorized or permitted to do so by the jurisdiction in which the individual is practicing;
- (3) the hospital or other institution by whom the individual is employed has verified that the individual practitioner is so permitted to dispense, administer or prescribe drugs within the jurisdiction;
- (4) such individual practitioner is acting only within the scope of employment in the hospital or institution;
- (5) the hospital or other institution authorizes the intern, resident or foreign-trained physician to dispense or prescribe under the hospital registration and designates a specific internal code number for each intern, resident or foreign physician so authorized. The code number shall consist of numbers, letters or a combination thereof and shall be a suffix to the institution's Drug Enforcement Administration registration number preceded by a hyphen (e.g., AP0123456-10 or AP0123456-A12); and
- (6) current list of internal codes and the corresponding individual practitioner is kept by the hospital or other institution and is made available at all times to other registrants and law enforcement agencies upon request for the purpose of verifying the authority of the prescribing individual practitioner.

(d) An individual on the staff of a teaching or research institution may handle controlled substances under the registration of the institution in which the individual is employed in lieu of being registered, provided that:

- (1) the institution authorizes the staff member to handle under the institution registration and designates a specific internal code number for each staff member so authorized. The code number shall consist of numbers, letters or a combination thereof and shall be a suffix to the institution's Drug Enforcement Administration registration number preceded by a hyphen (e.g., AP0123456-10 or AP0123456-A12); and
- (2) a current list of internal codes and the corresponding staff members are kept by the institution and is made available at all times to other registrants and law enforcement agencies upon request for the purpose of verifying the authority of the individual staff member.

*History Note: Authority G.S. 90-100; 90-101; 143B-210(9);  
Eff. June 30, 1978;  
Amended Eff. July 1, 2004; September 30, 1978;  
Recodified from 10A NCAC 26E .0108 Eff. February 1, 2005;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.*