

21 NCAC 46 .1317 DEFINITIONS

Terms used in this Chapter and G.S. 90, Article 4A, are defined as follows, unless otherwise defined in G.S. 90, Article 4A:

- (1) "Ambulation assistance equipment" means devices that aid in walking, excluding canes, crutches, and walkers.
- (2) "Approved school or college of pharmacy" means a school or college of pharmacy accredited by the Accreditation Council for Pharmacy Education ("ACPE") through its PharmD Program Accreditation Standards. It does not include any accreditation, certification, or other designation through the ACPE's International Services Program.
- (3) "Diagnostic equipment" means equipment used to record physiological information while a person goes about normal daily living or while asleep in order to document a disease process. Early pregnancy tests (EPTs), thermometers, glucose meters, and cholesterol equipment are not included as diagnostic equipment.
- (4) "Drug regimen review" or "drug use review" means a review of a patient's record by a licensed pharmacist that involves interpretation and evaluation of the drug therapy and other pharmaceutical care services to achieve intended medication outcomes and minimize negative effects of drug therapy.
- (5) "Employee" means a person who is or would be considered an employee under the North Carolina Workers' Compensation Act. This definition applies to locations, both within and outside of this State, holding pharmacy or device and medical equipment permits and without regard to the number of persons employed by the permit holder.
- (6) "Graduate of an approved school or college of pharmacy" means a person who has received an undergraduate professional degree in pharmacy from an approved school or college of pharmacy.
- (7) "Health Care Facility" means one of the following organizations whose primary purpose is to provide a physical environment for patients to obtain health care services:
 - (a) a hospital;
 - (b) a long-term care facility;
 - (c) a mental health facility;
 - (d) a drug abuse treatment center;
 - (e) an assisted living facility;
 - (f) an ambulatory surgical center;
 - (g) a penal institution; or
 - (h) a hospice.
- (8) "Health Care Facility Pharmacy" means a pharmacy permitted by the Board that provides services to patients of a Health Care Facility.
- (9) "Internet pharmacy" means:
 - (a) A pharmacy that maintains an Internet web site for the purpose of selling or distributing prescription drugs; or
 - (b) A pharmacy that uses the Internet, either itself, or through agreement with a third party, to communicate with or obtain information from patients; uses such communication or information, in whole or in part, to solicit, fill or refill prescriptions; or otherwise uses such communication or information, in whole or in part, to engage in the practice of pharmacy.

Notwithstanding Sub-items (a) and (b) above, a pharmacy shall not be deemed an Internet pharmacy if it maintains each Internet web site for the following purposes only:

 - (i) To post advertisements that do not attempt to facilitate, directly or through agreement with a third party, an actual transaction involving a prescription drug;
 - (ii) To allow a patient to communicate a request for a refill of a valid prescription originally filled by the pharmacy that maintains the Internet web site;
 - (iii) To allow a customer to research drug interactions and clinical pharmacology information; or
 - (iv) To allow a patient to send an electronic mail message to a pharmacist licensed in North Carolina.
- (10) "Medication Order" means an order for a drug, device, or medical equipment for a patient from a person authorized by law to prescribe them.

- (11) "Mobility equipment" means devices that aid a person in self-movement other than walking, including manual or power wheelchairs and scooters.
- (12) "North Carolina resident" or "resident of North Carolina" includes not just any patient who is domiciled in the State of North Carolina, but also any patient who is present in the State of North Carolina at the time a drug, device, or medical equipment is dispensed to that person.
- (13) "Oxygen and respiratory care equipment" means equipment or devices used to administer oxygen or other legend drugs, maintain viable airways, or monitor cardio-respiratory conditions or events, including the following:
 - (a) compressed medical gases;
 - (b) oxygen concentrators;
 - (c) liquid oxygen;
 - (d) nebulizers;
 - (e) compressors;
 - (f) aerosol therapy devices;
 - (g) portable suction machines;
 - (h) nasal continuous positive airway pressure (CPAP) machines;
 - (i) Bi-phasic positive pressure devices (BiPAP);
 - (j) infant monitors, such as apnea monitors and cardio-respiratory monitors;
 - (k) positive and negative pressure mechanical ventilators; and
 - (l) pulse oximeters.
- (14) "Patient medication profile," "patient profile," or "pharmacy profile" means a list of all medications prescribed for or dispensed to a patient.
- (15) "Pharmacist-Manager" means the person who accepts responsibility for the operation of a pharmacy in conformance with all statutes and rules pertinent to the practice of pharmacy and distribution of drugs by signing the permit application, its renewal, or addenda thereto.
- (16) "Pharmacy Intern" means any person who is registered with the Board under the internship program of the Board to acquire pharmacy experience or enrolled in approved academic internship programs. A pharmacy intern working under a pharmacist preceptor or supervising pharmacist may, while under supervision, perform all acts constituting the practice of pharmacy.
- (17) "Rehabilitation environmental control equipment" means equipment or devices that permit a person with disabilities to control his or her immediate surroundings.
- (18) "Undergraduate professional degree in pharmacy" means a Bachelor of Science in Pharmacy or a Doctor of Pharmacy degree.

History Note: Authority G.S. 90-85.3; 90-85.6; 90-85.13; 90-85.14; 90-85.15; 90-85.21; 90-85.21A; 90-85.22; 90-85.26; 90-85.32; 90-85.33; 90-85.34; 90-85.38; 90-85.40;
Eff. May 1, 1989;
Amended Eff. March 1, 2013; February 1, 2007; March 1, 2004; April 1, 1999; May 1, 1997;
September 1, 1995; September 1, 1993; October 1, 1990; January 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017;
Amended Eff. October 1, 2022; November 1, 2021.