

21 NCAC 33 .0117 PRESCRIBING AUTHORITY

(a) The prescribing stipulations contained in this rule apply to writing prescriptions and ordering the administration of medications by a CNM.

(b) A CNM shall possess a valid United States Drug Enforcement Administration ("DEA") registration in order to prescribe controlled substances.

(c) To act as a collaborating provider for a CNM, the DEA registration of the collaborating provider shall include the same schedule or schedules of controlled substances as the CNM practicing under a collaborative provider agreement.

(d) Prescribing and dispensing stipulations for the CNM authorized to practice under a collaborative provider agreement are as follows:

- (1) The collaborative provider agreement outlined in Rule .0116 of this Section shall include the drugs and devices that the CNM may prescribe.
- (2) The CNM has an assigned DEA number that is entered on each prescription for a controlled substance.
- (3) Refills shall be issued consistent with Controlled Substances (Schedules II, IIN, III, IIIN, IV, V) defined by the State and Federal Controlled Substances Act.
- (4) The collaborative provider shall possess a schedule(s) of controlled substances equal to or greater than the CNM's DEA registration.
- (5) The CNM may prescribe a drug or device not included in the collaborative provider agreement only as follows:
 - (A) Upon a specific written or verbal order obtained from the collaborating provider before the prescription or order is issued by the CNM; and
 - (B) The written or verbal order as described in Part (d)(5)(A) of this Rule shall be entered into the patient record by the CNM with a notation that it is issued on the specific order of a collaborating provider and signed by the CNM and the collaborating provider.

(e) All prescribing requirements shall be written in the patient's record and shall include the medication and dosage, the amount prescribed, the directions for use, the number of refills, and the signature of the CNM.

(f) The prescriptions issued by the CNM shall contain:

- (1) the name of the patient;
- (2) the CNM's name, approval to practice number issued by the Committee, and telephone number; and
- (3) the CNM's assigned DEA number shall be written on the prescription when a controlled substance is prescribed.

(g) A CNM shall not prescribe controlled substances for the CNM's own use, the use of the CNM's collaborating provider, the use of the CNM's immediate family, the use of any other person living in the same residence as the CNM, or for the use of any person with whom the CNM is having a sexual relationship. As used in this Paragraph, "immediate family" means a spouse, parent, child, sibling, parent-in-law, son-in-law or daughter-in-law, brother-in-law or sister-in-law, step-parent, step-child, or step-sibling.

*History Note: Authority G.S. 90-18.8; 90-178.3;
 Temporary Adoption Eff. October 1, 2023;
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