21 NCAC 42E .0103   PRESCRIPTIONS; DISPENSING

(a) All prescription forms shall conform to 21 NCAC 46 .2301 and shall include the name, address, state licensure number, and the Drug Enforcement Administration number of the prescriber, if applicable. The provisions of 16 C.F.R. 315.2 and 16 C.F.R. 456.1(g) are hereby incorporated by reference, including subsequent amendments and editions. The provisions of the Code of Federal Regulations (C.F.R.) cited in this rule may be accessed at no charge at https://www.ecfr.gov/current/title-16. The optometrist shall be responsible for implementing appropriate safeguards, including but not limited to the optometrist keeping a physical prescription pad in his or her personal possession or under lock and key at all times and password-protecting his or her electronic prescription form, within his or her practice to prevent the unauthorized use of his or her prescription forms, and shall immediately notify the Board upon determining that prescription blanks might be missing or misused.

(b) Any optometrist licensed by the Board who wishes to dispense drugs pursuant to G.S. 90-127.4 must first register with the North Carolina Board of Pharmacy pursuant to G.S. 90-85.26B.

(c) Any optometrist licensed by the Board shall provide their patients a copy of his or her eyeglass prescription, once such prescription is determined and finalized, consistent with Federal Trade Commission regulations. The provisions of 16 C.F.R. 456.2(a) are hereby incorporated by reference, including subsequent amendments and editions. An expiration date of not less than one year from the date of the prescribing examination shall appear on every such prescription. The prescription may show a statement of caution or a disclaimer if such a statement or disclaimer is supported by documented patient records.

(d) Any optometrist licensed by the Board shall provide their patients a copy of his or her contact lens prescription, once determined and finalized, consistent with Federal Trade Commission regulations. The provisions of 16 C.F.R. 315.4 are hereby incorporated by reference, including subsequent amendments and edition. A prescription for contact lenses shall explicitly state that it is for contact lenses and specify the lens type and all specifications necessary for the ordering and fabrication of the lenses. Words or phrases such as "OK for contact lenses", "fit with contact lenses", "contact lenses may be worn", or similar wording do not constitute a contact lens prescription. The prescriber cannot write the contact lens prescription until all the requirements of a satisfactory fit of contact lenses have been determined by the prescriber. All contact lenses used in the determination of a contact lens prescription are considered to be diagnostic lenses. An expiration date of not less than one year from the date of the prescribing examination shall appear on every such prescription unless there is a medical justification for a shorter duration. If the prescriber has such a medical justification, the prescriber must document the medical reason for the shorter expiration date in the patient's medical record consistent with Federal Trade Commission regulations. The provisions of 16 C.F.R. 315.6(a)(3) and (b)(1) are hereby incorporated by reference, including subsequent amendments and editions. If a patient is not adhering to appropriate regimens of care and follow-up with regard to the continuing use of contact lenses, the prescribing optometrist may terminate optometric care for that patient and notify the patient that he or she is terminating such relationship and the reasons for doing so.

(e) An optometrist shall provide a copy of a requesting patient's eyeglass prescription or contact lens prescription so long as the requested prescription has not expired.

History Note: Authority G.S. 90-114; 90-117.5; 90-127.2; 90-127.3; 90-127.4;
Eff. June 1, 1989;
Amended Eff. April 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;
Amended Eff. June 1, 2024.