



NORTH CAROLINA

State-Specific Controlled Substance Requirements

Updated 5/31/23

Biennial Inventory (DEA):	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your state biennial inventory. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p>NC follows DEA biennial inventory guidelines</p>
CE:	<p><u>Veterinarians</u>: 20 hours required each year - Ten (10) on-line hours of training will be accepted during each renewal, however, five (5) of those hours will need to be 'interactive'.</p> <p><u>Veterinary Technicians</u>: 12 hours required every two (2) years - Six (6) on-line hours of training will be accepted during each renewal, however, three (3) of those hours will need to be 'interactive'.</p> <p>CE's must be obtained prior to a license expiration date (12/31 annually).</p> <p>NOTE: Beginning in 2020, renewals require two (2) hours of CE on the 'abuse of controlled substances'; these 2 hours are included in the total number of CE hours. This includes both veterinarians and technicians. Opioid controlled substance CE should include one (1) of the following:</p> <ol style="list-style-type: none"> 1. Controlled substances prescribing practices 2. Recognizing signs of the abuse or misuse of controlled substances 3. Controlled substance prescribing for chronic pain management <p>https://www.ncvmb.org/professional.php?section=education</p> <p><u>CE Records</u>: Each veterinarian and veterinary technician shall keep a record (certificate of attendance) for the three (3) most recent renewal periods of the content of courses submitted to the Board for continuing education credit hours. CE records (certificate of attendance) must be provided to the Board upon request. If evidence of Board approved CE completion cannot be provided during an audit, the license cannot be renewed and faces revocation. Random CE audits will be conducted per renewal cycle.</p> <p>https://www.ncvmb.org/professional.php?section=licensing</p>
Compounding:	<p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes



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	<ul style="list-style-type: none"> • Mixing two solutions for instilling into the ear <p>NC Compounding: "Compounding" means taking two or more ingredients and combining them into a dosage form of a drug, exclusive of compounding by a drug manufacturer, distributor, or packer. NC Pharmacy practice Act § 90-85.3(c)</p> <p>21 NCAC 46 .2801 COMPOUNDING</p> <p>(a) A pharmacy may dispense a compounded drug preparation to a patient only pursuant to a prescription that is valid and complies with all requirements of the law, including 21 NCAC 46 .1801. In advance of dispensing the compounded drug preparation, a pharmacy shall prepare the compounded drug preparation only:</p> <ol style="list-style-type: none"> 1. (1) upon the pharmacy's receipt of a valid prescription order for an individual patient; or 2. (2) in anticipation of a prescription order based on an established history of receiving prescription orders for the compounded drug preparation. Any compounded drug preparation prepared in anticipation of a prescription order shall not be dispensed until the pharmacy receives a valid prescription order for an individual patient. <p>Board of Pharmacy Rule .2801(c) says "A pharmacy may supply compounded drug products to practitioners authorized by law to prescribe drugs for those practitioners' patients. Such compounding for office use shall comply with applicable federal law." As discussed above, federal law does not permit a pharmacy to compound, except pursuant to individual patient prescriptions.</p> <p>Veterinary products <u>may be compounded for in-office use</u>. Compounding drugs for a veterinarian to administer to a patient at the veterinarian's office must comport with FDA guidelines: http://www.fda.gov/animalveterinary/resourcesforyou/ucm268128.htm#Compounding_of_Animal_Drugs</p> <p>Both federal and North Carolina law prohibit the compounding of prescription drugs, human or animal, for resale.</p>
<p>Dispensing:</p>	<p>'Dispenser' means a practitioner who dispenses.</p> <p>In North Carolina, <u>a veterinarian is excluded from the definition of "dispenser"</u></p> <p>General Statute 90-113.70 (requires that the North Carolina Department of Health and Human Services (NC DHHS) establish and maintain a reporting system of prescriptions for all Schedule II - V controlled substances. This statute requires that all dispensers of controlled substances submit information in accordance with the transmission methods and frequency promulgated by the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services.</p> <p>If a veterinarian, based upon his/her medical opinion, is willing to dispense medication, then the veterinarian must also provide a prescription in place of said medication should the owner request a prescription. If a veterinarian, based upon his/her medical opinion, is not willing to dispense medication, then it would also be appropriate to deny a request for a prescription.</p>
<p>Diversion Reporting:</p>	<p>DEA: Any theft or significant loss of a controlled substance must be reported in writing to the field division office of the DEA within one business day of the discovery of such loss or theft. Completion of a DEA 106 form regarding the loss or theft is also required.</p>



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	<p>NC: Any theft or significant loss must be reported to the NCBOP within 10 days of the drug loss/theft via the Drug Disaster and Loss Report (https://portal.ncbop.org) and click on the Facility Management tab. Log in with the pharmacy's permit number, scroll down to Reports, and select "Drug Loss Report".</p> <p>Police: If you believe that you have a forged, altered, or counterfeited prescription, contact local police.</p>
<p>Euthanasia:</p>	<p>Euthanasia may be performed by licensed veterinarians and certified Euthanasia Technicians.</p> <p>A Certified Euthanasia Technician may:</p> <ol style="list-style-type: none"> 1. Prepare animals for euthanasia; 2. Record the identification number of the animal, its species, sex, breed description and date, dosages for drugs that are administered and amounts for drugs wasted; 3. Order euthanasia supplies; 4. Maintain the security of all controlled substances and other drugs in accordance with applicable state and federal laws and regulations; 5. Directly supervise probationary Euthanasia Technicians; <p>Report to the appropriate government agencies violations or suspicions of a violation of the rules in this</p> <ol style="list-style-type: none"> 6. Subchapter or any abuse of drugs; 7. Euthanize animals; 8. Dispose of euthanized animals and expired or unwanted chemical agent(s) or the containers, instruments and equipment used in the administration of drugs in accordance with all applicable federal, state and local laws and regulations; and 9. Notify the Animal Welfare Section as required in this Section upon leaving employment or volunteer status at a covered facility. (02 NCAC 52J .0418).
<p>Facility Ownership:</p>	<p>Only a North Carolina licensed veterinarian can own and operate a veterinary practice facility and deliver services to the public.</p> <p>Administrative Code .0201 Welfare groups, humane societies or other entities cannot operate and are not able to own veterinary practice facilities in North Carolina. Any advertising or promotions suggesting that someone or entity owns a veterinary practice other than a North Carolina licensed veterinarian, would be considered in violation of the veterinary Practice Act.</p> <p>Welfare groups, humane societies or other entities are not authorized by law to engage in the delivery of veterinary medical services to the public. Please refer to Practice Facilities if interested in owning or purchasing a practice.</p> <p>http://www.ncvmb.org/professional.php?section=faq</p>
<p>NC Controlled Substances Reporting System (NC CSRS):</p>	<p>Veterinarians are specifically included as a dispenser required to report to the NC CSRS as of 6/3/19. You do not have to report what is prescribed and filled by a pharmacy, only what is dispensed.</p> <p>Only controlled substance drugs (Schedule II – V) in excess of a 48-hour supply that are dispensed for administration by the owner must be reported. Drugs administered in the hospital by veterinarians or their staff do NOT need to be reported.</p> <p>As per North Carolina General Statute, 90-113.73. Dispensers are required to report to the NC Controlled Substance Reporting System (CSRS) no later than the close of the next business day after the prescription is delivered; however, veterinary dispensers are encouraged to report the information at least weekly. General Statute 90.113-70 & 90.113-73</p>



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	<p>NC Dispenser Guide</p> <p>Veterinarian dispensers of controlled substances are required to collect and report the following information to the data repository:</p> <ul style="list-style-type: none"> ▪ Dispenser's DEA number ▪ Prescriber's DEA number ▪ Prescriber's State License and NPI (if available) ▪ Owner's name ▪ Owner's full address, including city, state, and ZIP code ▪ Owner's telephone number ▪ Owner's Date of Birth (this is required to aid in identification of drug diversion) ▪ Animal's Name ▪ Date the prescription was written ▪ Date the prescription was filled ▪ Prescription number ▪ Indication of whether the prescription was new or refill ▪ Metric quantity dispensed ▪ Estimated days' supply, if provided ▪ NDC number of the drug dispensed ▪ Method of payment <p>https://www.ncvmb.org/content/professional/documents/Report%20Controlled%20Drugs_2019.pdf</p>
<p>North Carolina Department of Health and Human Services, Drug Control Unit (NC-DCU) Registration:</p>	<p>All controlled substance users shall <u>register</u> with the North Carolina Department of Health and Human Services, NC-Drug Control Unit (NC-DCU).</p> <p><u>Veterinarians must register with the NC DCH annually.</u></p> <p>Registration and authority to use controlled substances is not transferable and new registration with NC-DCU is required when there is a physical location change, change in ownership, or addition of either Schedule I or VI drug type.</p> <p><u>NC DCU Inspections:</u> NC-DCU performs an inspection (to ensure proper storage security) and a background check before granting registration approval. NC-DCU might also perform routine inspections of facilities to ensure proper storage, use, and documentation.</p>
<p>NC Veterinary Medical Professional License:</p>	<p>The North Carolina Veterinary Practice Act prohibits an individual from practicing veterinary medicine in NC without first having obtained a license or temporary permit from the NCVMB. The law provides that if an individual practices, or attempts to practice veterinary medicine without being licensed by the NC Board, constitutes a Class-I criminal law misdemeanor. The penalty for the unauthorized practice of veterinary medicine is set forth in General Statute 90-187.12. Further, such act of unlicensed practice can provide the basis for the Board to file a lawsuit seeking civil injunction against the person(s) in the Superior Court of this State.</p> <p><u>Veterinary License:</u> Annually - \$170</p> <p><u>Veterinary Technician License:</u> biennially - \$50 (every 2 years based on the initial year of registration)</p> <p><u>Renewal Status:</u> Veterinary Licenses & Vet Technician Registrations are ACTIVE until December 31st; ACTIVE/PENDING from January 1st - January 31st; ACTIVE/LATE February 1st - February 28/29th; REVOKED on March 1st</p>



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NC CS License:	North Carolina <u>does not</u> require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical Professional License to practice in North Carolina.
Ownership:	Non-veterinarian practice ownership is restricted.
Permits:	<p><u>Temporary permits</u> allow a qualified applicant to practice veterinary medicine in this state under the supervision of a NC licensed veterinarian for a specific period of time. G.S. 90-187.4</p> <p>TYPE-1 <u>Exam Temporary Permit:</u> For those scheduled to take the NC State Exam This permit allows an individual who has applied for the NC State Exam to obtain a certificate to practice veterinary medicine under the supervision of a NC licensed veterinarian while awaiting their scheduled test date. To apply for a Temporary Permit, you must first apply for the State Exam. If you've already done so, log in to the Licensure Gateway and select the Temporary Permit application for those taking the exam and submit. However, with the new on-line exam process, Exam Temporary Permits are seldom needed. ATTENTION: The Temporary Permit CANNOT be processed until your exam application and all the required documents for the State Exam have been received.</p> <p>TYPE-2 <u>60-Day Temporary Permit:</u> For a Non-Resident Veterinarian Another type of temporary permit is also available to a non-resident veterinarian validly licensed in another state, territory or district of the United States or a foreign country, provided that such temporary permit shall be issued for a period of no more than sixty (60) days. G.S. 90-187.4 For those seeking a 60-Day Temporary Permit, you must first create an account (register) via the Licensure Gateway. Once registered, you will log back in and select the 60-Day Temporary Permit application to submit.</p>
Power of Attorney Notarization:	(1) 18 yrs. old; (2) understanding and capacity to make and communicate health care decisions; (3) in writing; (4) signed in presence of 2 witnesses and acknowledged before a notary (suggested form §32A-25)
Prescriptions:	<p>"<u>Prescription order</u>" means a written or verbal order for a prescription drug, prescription device, or pharmaceutical service from a person authorized by law to prescribe such drug, device, or service. A prescription order includes an order entered in a chart or other medical record of a patient.</p> <p>In March, 1996, NC Assistant Attorney General, Kip D. Sturgis, contacted the Board as a result of complaints received by the Attorney General's office concerning veterinarians and prescriptions. Mr. Sturgis summarized his office concerns as follows: The first concern is on medically unjustified restraint of competition in the market for veterinary medicine. The second is directed to the ethics of these anticompetitive practices that not only place the veterinarian's commercial interest in direct conflict with the animal's owner, but may also undermine the veterinarian's professional purpose to promote animal health by foreseeably leading some owner to delay or forego veterinary treatment of their animals. The third is re-lected by complaints both agencies have received and focuses on the damage these practices have on the public's perception of veterinarians' professionalism. Assistant Attorney General K.D. Sturgis' letter</p> <p>If a veterinarian, based upon his/her medical opinion, is willing to dispense medication, then the veterinarian must also provide a prescription in place of said medication should the owner request a prescription. If a veterinarian, based upon his/her medical opinion, is not willing to dispense medication, then it would also be appropriate to deny a request for a prescription.</p>



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	<p>Federal legislation directly involving veterinary prescriptions is the Fairness to Pet Owners Act. The House version is HR 3174. The Senate version is S1200.</p> <p>NC Board of Pharmacy Quick guide to Controlled Substances & Prescriptions</p>
<p>Recordkeeping:</p>	<p><u>CS Records:</u> must be maintained onsite at the registered location for <u>two years</u> per DEA requirements.</p> <p><u>Patient Records:</u> Veterinarians must maintain patient records for a period of three (3) years per Administrative Code .0207b(12)(B). These records would include written notations, computerized or digital data, radiographs, communication logs and laboratory reports. The veterinarian or practice to which a request for copies is made should respond within a reasonable time and may charge a reasonable cost relating to time and expense of reproduction of those copies.</p> <p>Veterinarians are ethically responsible to provide an owner the medical records of a patient.</p>
<p>State Scheduled CS's:</p>	<p>Cannabinoids are a schedule IV Marinol is a schedule III</p>
<p>Supervision:</p>	<p>(b) The services of a technician, intern, or staff <u>shall be limited to services under the direction and supervision of a veterinarian</u>, and the technician, intern, or staff may participate in the operation of a branch office, clinic, or allied establishment only to the extent allowable under and as defined by this Article or by rules issued by the Board.</p> <p>(c) Staff under the supervision of a veterinarian may perform such duties as are required in the physical care of animals and in carrying out medical orders as prescribed by the veterinarian, requiring an understanding of animal science but not requiring the professional services as set forth in G.S. 90-181(6)a. In addition, a veterinary technician may assist veterinarians in diagnosis, laboratory analysis, anesthesia, and surgical procedures. Neither the staff nor the veterinary technician may perform any act producing an irreversible change in the animal. Staff other than a veterinary technician or intern, may, under the direct supervision of a veterinarian, perform duties including collection of specimen; testing for intestinal parasites; collecting blood; testing for heartworms and conducting other laboratory tests; taking radiographs; and cleaning and polishing teeth, provided that the staff has had sufficient on-the-job training by a veterinarian to perform these specified duties in a competent manner. It shall be the responsibility of the veterinarian supervising the staff to ascertain that the staff performs these specified duties assigned to the staff in a competent manner. <u>These specified duties shall be performed under the direct supervision of the veterinarian in charge of administering care to the patient.</u></p> <p>(d) Veterinary student interns, in addition to all of the services permitted to veterinary technicians, may, <u>under the direct personal supervision of a veterinarian</u>, perform surgery and administer therapeutic or prophylactic drugs.</p> <p>G.S. 90-187.6</p>
<p>Telemedicine:</p>	<p>Where telemedicine occurs is not defined.</p> <p>(a) "<u>Veterinary Telemedicine</u>" or "telemedicine" means the use of electronic or telecommunication technologies to remotely provide medical information regarding a patient's clinical health status and to deliver veterinary medical services to a patient that resides in or is located in the State. The delivery of veterinary medical services through telemedicine is the practice of veterinary medicine.</p> <p>(b) A veterinarian may provide veterinary medical services via telemedicine to a patient only after establishing a Veterinarian-Client-Patient-Relationship (VCPR). No person shall practice veterinary telemedicine except a veterinarian within the context of a VCPR. A VCPR cannot be established by any electronic means or telecommunication technologies.</p> <p>(c) "<u>Veterinary telemonitoring</u>" occurs when any person, licensed or unlicensed, utilizes a medical device, smart phone, monitoring sensor, or other technology, in combination with an Internet</p>



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	<p>connection, to collect and store health information for a patient of the veterinarian and to transmit it to a veterinarian, as directed or requested by a veterinarian.</p> <p>(d) “<u>Veterinary Teleconsulting</u>” occurs when any person, licensed or unlicensed, whose expertise the veterinarian believes would benefit the veterinarian’s patient, provides advice or other information by any method of communication to a veterinarian at the veterinarian’s direction or request.</p> <p>(e) Veterinarians practicing telemedicine shall be held to the same standard of care as veterinarians providing in-person medical care. Veterinarians shall use their professional judgement to determine whether telemedicine is appropriate and in the best interest of the patient. Veterinarians shall maintain a medical record of the telemedicine patient(s) as required by 21 NCAC 66.0207(b)(12).</p>
<p>Veterinary Client Patient Relationship (VCPR):</p>	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>NC General Statute 90-181(7a) defines the VCPR as follows:</p> <ul style="list-style-type: none"> a. The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client (owner or other caretaker) has agreed to follow the instruction of the veterinarian. b. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept. c. The practicing veterinarian is readily available or provides for follow-up in case of adverse reactions or failure of the regimen of therapy. <p>NCGS 90-187.8 Discipline of licensees</p> <p><u>Penalties:</u> (b) The Board may impose and collect from a licensee a civil monetary penalty of up to five thousand dollars (\$5,000) for each violation of this Article or a rule adopted under this Article. The amount of the civil penalty, up to the maximum, shall be determined upon a finding of one or more of the following factors:</p> <p>(18) Selling, dispensing, prescribing, allowing the sale, dispensing, prescription of biologics, controlled substances, drugs or medicines without a veterinarian-client-patient relationship with respect to the sale, dispensing or prescription.</p>

Information and Resources

FEDERAL:

Drug Enforcement Administration, Atlanta Division
 75 Ted Turner Drive, SW
 Room 800
 Atlanta, GA 30303
 Phone: (404) 893-7000

Drug Enforcement Administration, Greensboro Office
 1801 Stanley Road
 Greensboro, NC 27407



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Phone: (336) 547-4219

Federal Law: www.deadiversion.usdoj.gov

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>

STATE:

North Carolina Veterinary Medical Board: <https://www.ncvmb.org>

North Carolina Board of Pharmacy: <http://www.ncbop.org>

North Carolina Controlled Substances Regulatory: <https://www.ncdhhs.gov/divisions/mental-health-developmental-disabilities-and-substance-abuse/north-carolina-drug-control-unit/nc-controlled-substances-regulatory>

North Carolina Controlled Substances Act: <https://www.ncdhhs.gov/divisions/mental-health-developmental-disabilities-and-substance-abuse/north-carolina-drug-control-unit/north-carolina-controlled-substances-act>