



CHAPTER 90  
ARTICLE 4A - NORTH CAROLINA PHARMACY PRACTICE ACT

N.C.G.S. § 90-85.36.

Availability of pharmacy records.

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|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>S.L. 2011-314, s. 1 — sixth act in the lineage | RETRIEVED<br>21 September 2026, 05:36 UTC | SOURCE FINGERPRINT<br>443c3ee6225009330ebe5e31 - 5d8568cbfaded46fcfdcd77 - 24b6a203a984b2c7 |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------|

- § 90-85.36(a) Except as provided in subsections (b) and (c) below, written or electronic prescription orders on file in a pharmacy or other place where prescriptions are dispensed are not public records and any person having custody of or access to the prescription orders may divulge the contents or provide a copy only to the following persons:
- (1) An adult patient for whom the prescription was issued or a person who is legally appointed guardian of that person;
  - (2) An emancipated minor patient for whom the prescription order was issued or a person who is the legally appointed guardian of that patient;
  - (3) An unemancipated minor patient for whom the prescription order was issued when the minor's consent is sufficient to authorize treatment of the condition for which the prescription was issued;
  - (4) A parent or person in loco parentis of an unemancipated minor patient for whom the prescription order was issued when the minor's consent is not sufficient to authorize treatment for the condition for which the prescription is issued;
  - (5) The licensed practitioner who issued the prescription;
  - (6) The licensed practitioner who is treating the patient for whom the prescription was issued;
  - (7) A pharmacist who is providing pharmacy services to the patient for whom the prescription was issued;

- (8) Anyone who presents a written authorization for the release of pharmacy information signed by the patient or his legal representative;
- (9) Any person authorized by subpoena, court order or statute;
- (10) Any firm, association, partnership, business trust, corporation or company charged by law or by contract with the responsibility of providing for or paying for medical care for the patient for whom the prescription order was issued;
- (11) A member or designated employee of the Board;
- (12) The executor, administrator or spouse of a deceased patient for whom the prescription order was issued;
- (13) Researchers and surveyors who have approval from the Board. The Board shall issue this approval when it determines that there are adequate safeguards to protect the confidentiality of the information contained in the prescription orders and that the researchers or surveyors will not publicly disclose any information that identifies any person;
- (14) The person owning the pharmacy or his authorized agent; or
- (15) A HIPAA covered entity, or business associate described in 45 C.F.R. § 160.103, or a health care provider who is not a covered entity, for purposes of treatment, payment, or health care operations to the extent that disclosure is permitted or required by applicable State or federal law.

**§ 90-85.36(b)** A pharmacist may disclose any information to any person only when he reasonably determines that the disclosure is necessary to protect the life or health of any person.

**§ 90-85.36(c)** Records required to be kept by G.S. 90-93(d) (Schedule V) are not public records and shall be disclosed at the pharmacist's discretion.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
6 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



| Nº | YEAR | ACT                                    | CHARACTER  |
|----|------|----------------------------------------|------------|
| 01 | 1905 | c. 108, s. 21                          | ENACTED    |
| 02 | Rev. | s. 4490                                | RECODIFIED |
| 03 | C.S. | s. 6666                                | RECODIFIED |
| 04 | C.S. | 1981 (Reg. Sess., 1982), c. 1188, s. 1 | AMENDED    |
| 05 | 1991 | c. 125, s. 3                           | AMENDED    |
| 06 | 2011 | S.L. 2011-314, s. 1                    | AMENDED    |

APPARATUS II  
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE                  | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION |
|----------------------------|------------|------------------------------------|
| G.S. 90-93(d) (Schedule V) | (c)        | "Records required to be kept by"   |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90-85.36 (2011).

PINPOINT

N.C. Gen. Stat. § 90-85.36(a) (2011).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1905, c. 108, s. 21; Rev., s. 4490; C.S., s. 6666; 1981 (Reg. Sess., 1982), c. 1188, s. 1; 1991, c. 125, s. 3; 2011-314, s. 1.)

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