



CHAPTER 90

ARTICLE 4A - NORTH CAROLINA PHARMACY PRACTICE ACT

N.C.G.S. § 90-85.38.

Disciplinary authority.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-110, s. 7 — thirteenth act in the lineage	21 September 2026, 03:36 UTC	5935a01feb92020ca6f54a - 8b7300dd19bc8ab79d724013 - 662ca8a0ea29fb51

§ 90-85.38(a)

The Board may, in accordance with Chapter 150B of the General Statutes, issue a letter of reprimand or suspend, restrict, revoke, or refuse to grant or renew a license to practice pharmacy, or require licensees to successfully complete remedial education if the licensee has done any of the following:

- (1) Made false representations or withheld material information in connection with securing a license or permit.
- (2) Been found guilty of or plead guilty or nolo contendere to any felony in connection with the practice of pharmacy or the distribution of drugs.
- (3) Indulged in the use of drugs to an extent that renders the pharmacist unfit to practice pharmacy.
- (4) Made false representations in connection with the practice of pharmacy that endanger or are likely to endanger the health or safety of the public, or that defraud any person.
- (5) Developed a physical or mental disability that renders the pharmacist unfit to practice pharmacy with reasonable skill, competence and safety to the public.
- (6) Failed to comply with the laws governing the practice of pharmacy and the distribution of drugs.
- (7) Failed to comply with any provision of this Article or rules adopted by the Board.
- (8) Engaged in, or aided and abetted an individual to engage in, the practice of pharmacy without a license.

- (9) Been negligent in the practice of pharmacy.
- (10) Engaged in unprofessional conduct, including the departure from or failure to comply with the requirements of G.S. 90-85.15B(c1) and (d1), when dispensing, delivering, or administering medication for patients.

§ 90-85.38(b)

The Board, in accordance with Chapter 150B of the General Statutes, may suspend, revoke, or refuse to grant or renew any permit for the same conduct as stated in subsection (a). The administration of required lethal substances or any assistance whatsoever rendered with an execution under Article 19 of Chapter 15 of the General Statutes does not constitute the practice of pharmacy under this Article, and any assistance rendered with an execution under Article 19 of Chapter 15 of the General Statutes shall not be the cause for disciplinary action under this Article.

§ 90-85.38(c)

Any license or permit obtained through false representation or withholding of material information shall be void and of no effect.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 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.

1905

1963

2021

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1905	c. 108, ss. 17, 25	ENACTED
02	Rev.	s. 4483	RECODIFIED
03	C.S.	s. 6661	RECODIFIED
04	1967	c. 807	AMENDED
05	1973	c. 138	AMENDED
06	1981	c. 412, s. 4	AMENDED
07	1981	c. 717, s. 8	AMENDED
08	1981	c. 747, s. 66	AMENDED

09	1981	1981 (Reg. Sess., 1982), c. 1188, s. 1	AMENDED
10	1987	c. 827, s. 1	AMENDED
11	2001	S.L. 2001-375, s. 5	AMENDED
12	2013	S.L. 2013-154, s. 1(c)	AMENDED
13	2021	S.L. 2021-110, s. 7	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. 90-85.15B(c1) and (d1)	(a)(10)	<i>"to comply with the requirements of"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90-85.38 (2021).

PINPOINT

N.C. Gen. Stat. § 90-85.38(a) (2021).

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

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

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1905, c. 108, ss. 17, 25; Rev., s. 4483; C.S., s. 6661; 1967, c. 807; 1973, c. 138; 1981, c. 412, s. 4; c. 717, s. 8; c. 747, s. 66; 1981 (Reg. Sess., 1982), c. 1188, s. 1; 1987, c. 827, s. 1; 2001-375, s. 5; 2013-154, s. 1(c); 2021-110, s. 7.)

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