



NORTH CAROLINA RESPIRATORY CARE BOARD
125 Edinburgh South Drive, Suite 100
Cary, NC 27511

April 9, 2015

Myra Stearns, RCP
Director of Respiratory Care Services
Carolinas Medical Center-Pineville
10628 Park Road
Charlotte, NC 28210

Dear Ms. Stearns,

This letter is sent on behalf of the North Carolina Respiratory Care Board in response to your email of February 19, 2015. As you know, the Board is the North Carolina agency that was authorized to regulate the practice of respiratory care in our state by the enactment of the Respiratory Care Practice Act ("the Act"). You have requested confirmation of the Board's prior interpretation of provisions in the Act and in its rules relating to access to medications in an automated pharmacy dispensing device by Respiratory Care Practitioners (RCPs). We understand that an issue has arisen about this as part of an accreditation survey by the Joint Commission in the Respiratory Department located at one of the facilities owned by Carolinas HealthCare System.

The Board recognizes that neither the Act nor its rules mandates that RCPs be given access to controlled substances; but over the past several years, the Board has issued declaratory rulings and several interpretative letters concerning advanced practice procedures, in which it has confirmed that RCPs may administer controlled substances under certain conditions. The Board recognizes that in order to administer medications associated with those advanced practice procedures ("Respiratory Medications") the RCPs must have access to those Respiratory Medications.

Accordingly, and in response to your request of February 19, 2015, this letter confirms that the Board has determined that an RCP is not acting outside the Scope of Practice of Respiratory Care in accessing Respiratory Medications stored in automated pharmacy dispensing devices that contain controlled substance medications, in order to administer the Respiratory Medications, and so long as a facility has: 1) adopted policies which define the circumstances when an RCP may access the dispensing device; 2) established procedures to monitor the persons who access the dispensing device and the precise quantities of each controlled substance removed on each occasion; and 3) established training and annual competency reviews required to have access to the dispensing device.

Please advise if you have any other questions about this issue.

Regards,

William L. Croft, PhD, RRT, RCP
Executive Director