GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 578
SENATE BILL 742

AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD OF PHARMACY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-85.3(e) reads as rewritten:

"(e) 'Device' means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article including any component part or accessory, ~~that is required by law to be dispensed only pursuant to a prescription order.~~ whose label or labeling bears the statement 'Caution: federal law requires dispensing by or on the order of a physician.' The term does not include:

(1) Devices used in the normal course of treating patients by health care facilities and agencies licensed under Chapter 131E or Article 2 of Chapter 122C of the General Statutes;

(2) Devices used or provided in the treatment of patients by medical doctors, dentists, physical therapists, occupational therapists, speech pathologists, optometrists, chiropractors, podiatrists, and nurses licensed under Chapter 90 of the General Statutes, provided they do not dispense devices used to administer or dispense drugs."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of July, 1991.

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James C. Gardner
President of the Senate

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Daniel Blue, Jr.
Speaker of the House of Representatives