

**CHAPTER 61-04-15**  
**LIMITED PRESCRIPTIVE AUTHORITY FOR TOBACCO CESSATION THERAPIES**

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**61-04-15-01. Definitions.**

For purposes of this chapter:

1. "Authorized pharmacist" means a pharmacist who has successfully completed an appropriate study or training to meet the requirements in this rule.
2. "Statewide protocol" refers to protocols developed by the board for the purpose of an authorized pharmacist ordering tobacco cessation therapies for patients utilizing tobacco, electronic nicotine delivery systems, or alternative nicotine products.

**History:** Effective January 1, 2022.

**General Authority:** NDCC 28-32-02, 43-15-10

**Law Implemented:** NDCC 23-01-42, 43-15-10(24)

**61-04-15-02. Ordering of tobacco cessation therapies.**

1. Statewide protocol.
  - a. Prescriptive authority for tobacco cessation therapy must be exercised solely in accordance with the statewide protocol approved by the board.
  - b. An authorized pharmacist exercising prescriptive authority shall maintain and have readily available a current copy of the statewide protocol approved by the board.
2. Education and training.
  - a. An authorized pharmacist shall successfully complete a course of training approved by the board in the subject area of tobacco cessation drug therapy.
  - b. Training must include study and instruction in the following content areas:
    - (1) Mechanisms of action for contraindications, drug interactions, and monitoring cessation.
    - (2) Current standards for prescribing tobacco cessation therapies.
    - (3) Identifying indications for the use of tobacco cessation therapies.
    - (4) Interviewing a patient to establish need for tobacco cessation therapy.
    - (5) Counseling a patient regarding the safety, efficacy, and potential adverse effects of drug products for tobacco cessation.
    - (6) Evaluating a patient's medical profile for drug interactions.
    - (7) Referring patient followup care with a primary health care provider.
    - (8) Informed consent.
    - (9) Record management.

- (10) Management of adverse events, including identification, appropriate response, documentation, and reporting.
3. Authorized drugs. Prescriptive authority is limited to those drugs delineated in the statewide protocol approved by the board which include prescription and nonprescription therapies.
4. Labeling. Tobacco cessation therapies ordered and dispensed must be labeled in accordance with chapter 61-04-06.
5. Reporting. As soon as reasonably possible, the authorized pharmacist shall notify the patient's primary health care provider of the tobacco cessation therapy provided to the patient. If the patient does not have a primary health care provider, the pharmacist may provide the patient with a record of the tobacco cessation therapy provided.
6. Records. An authorized pharmacist shall maintain records of the care provided and any tobacco cessation products ordered and dispensed pursuant to the statewide protocol. Informed consent must be documented in accordance with the statewide protocol. All records should be maintained for five years.

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