

In Re: Temporary Waivers in response to the State of Emergency declared by Governor Cooper following Hurricane Helene.

Amended October 18, 2024

The following waiver is amended to include Mecklenburg and Swain counties as indicated in the North Carolina Disaster Declaration Number FEMA-4827-DR published on October 15, 2024.

On September 25, 2024, Governor Roy Cooper declared a state of emergency due to the impact of Hurricane Helene. Pursuant to the North Carolina Disaster Declaration Number FEMA-4827-DR, the following counties or territories in Western North Carolina were identified:

Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, and Yancey Counties and the Eastern Band of Cherokee Indians.

On October 5, 2024, Governor Roy Cooper issued Executive Order No. 318 (2024) to increase the pool of professional healthcare workers and provide regulatory flexibility to expand the healthcare workforce.

The Board of Nursing and the Board of Medicine are granted authority under N.C. Gen. Stat. § 90-171.49 and N.C. Gen. Stat. § 90-12.5 respectively to take this action in order to permit the provision of emergency health services to the public for the benefit and protection of the people of North Carolina. The Nurse Practitioner Joint Subcommittee (the “Committee”) is composed of members of both the Board and Nursing and Board of Medicine pursuant to the authority under N.C. Gen. Stat. § 90-171.23(b)(14) and N.C. Gen. Stat. § 90-8.2. The Committee regulates the practice of Nurse Practitioners in accordance with N.C. Gen. Stat. § 90-18.2. Pursuant to the authority granted to the Committee under Executive Order 318 (2024), the Committee hereby waives the following:

Emergency Temporary Nurse Practitioner Practice During a Disaster

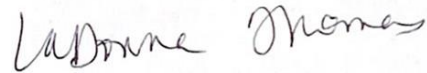
21 NCAC 36 .0814 Practicing During a Disaster.

- (a) A nurse practitioner approved to practice in this State or another state may perform medical acts, as a nurse practitioner under the supervision of a physician licensed to practice medicine in North Carolina during a disaster in a county in which a state of disaster has been declared or counties contiguous to a county in which a state of disaster has been declared.
- (b) The nurse practitioner shall notify the Board of Nursing in writing of the names, practice locations and telephone numbers for the nurse practitioner and each primary supervising physician within 15 days of the first performance of medical acts, as a nurse practitioner during the disaster, and the Board of Nursing shall notify the Medical Board.
- (c) Teams of physician(s) and nurse practitioner(s) practicing pursuant to this Rule shall not be required to maintain on-site documentation describing supervisory arrangements and plans for prescriptive authority as otherwise required pursuant to Rules .0809 and .0810 of this Section.

Waive the provisions requiring a supervising physician in a portion of .0814(a), (b), and (c) for nurse practitioners practicing in the above-named counties during the declared state of emergency. Nurse practitioners seeking to practice in the above-named counties without a supervising physician must submit an application to the Board of Nursing. The emergency provisions are temporary and shall expire on December 31, 2024, unless the waiver provisions are sooner amended, or rescinded by the Committee or further Executive Order.

This waiver does not waive other statutory requirements or limitations. This waiver is effective as of the date below and shall remain in full force and effect until December 31, 2024, or unless sooner amended, or rescinded by the Committee or further Executive Order.

This, the 18th day of October 2024.



LaDonna Thomas
DNP, ANP-C, VHA-CM, FFMRCISI, FCN
Chair, North Carolina Board of Nursing