

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 455  
HOUSE BILL 862

AN ACT TO REQUIRE THE REGISTRATION OF OUT-OF-STATE PHARMACIES THAT REGULARLY DISTRIBUTE PRESCRIPTION MEDICINES TO CITIZENS OF THE STATE THROUGH THE MAIL OR OTHER COMMON CARRIERS.

The General Assembly of North Carolina enacts:

Section 1. Article 4A of Chapter 90 of the General Statutes is amended by adding a new section to read:

**"§ 90-85.21A. Applicability to out-of-state operations.**

(a) Any pharmacy operating outside the State which ships, mails, or delivers in any manner a dispensed legend drug into this State shall annually register with the Board on a form provided by the Board.

(b) Any pharmacy subject to this section shall at all times maintain a valid unexpired license, permit, or registration necessary to conduct such pharmacy in compliance with the laws of the state in which such pharmacy is located. No pharmacy operating outside the State may ship, mail, or deliver in any manner a dispensed legend drug into this State unless such drug is lawfully dispensed by a licensed pharmacist in the state where the pharmacy is located.

(c) The Board shall be entitled to charge and collect not more than two hundred fifty dollars (\$250.00) for original registration of a pharmacy under this section, and for renewal thereof, not more than one hundred twenty-five dollars (\$125.00).

(d) The Board may deny a nonresident pharmacy registration upon a determination that the pharmacy has a record of being formally disciplined in its home state for violations that relate to the compounding or dispensing of legend drugs and presents a threat to the public health and safety.

(e) The Board may adopt rules to protect the public health and safety that are needed to implement this section. A pharmacy required to register under this section shall comply with these rules.

(f) The Board may deny, revoke, or suspend a nonresident pharmacy registration for failure to comply with any requirement of this section."

Sec. 2. This act becomes effective October 1, 1993.

In the General Assembly read three times and ratified this the 23rd day of July, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives