

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 437  
Committee Substitute Favorable 5/15/01

Short Title: Delivery of Devices/Medical Equipment.

(Public)

Sponsors:

Referred to:

March 1, 2001

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS  
3 STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR  
4 MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH  
5 THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 90-85.22 reads as rewritten:

8 "§ 90-85.22. Device and medical equipment permits.

9 (a) Devices. – Each ~~place~~place, whether located in this State or out-of-state,  
10 where devices are dispensed or delivered to the user in this State shall register annually  
11 with the Board on a form provided by the Board and obtain a device permit. A business  
12 that has a current pharmacy permit does not have to register and obtain a device permit.  
13 Records of devices dispensed in pharmacies or other places shall be kept in accordance  
14 with rules adopted by the Board.

15 (b) Medical Equipment. – Each ~~place~~place, whether located in this State or out-  
16 of-state, that delivers medical equipment to the user of the equipment in this State shall  
17 register annually with the Board on a form provided by the Board and obtain a medical  
18 equipment permit. A business that has a current pharmacy permit or a current device  
19 permit does not have to register and obtain a medical equipment permit. Medical  
20 equipment shall be delivered only in accordance with requirements established by rules  
21 adopted by the Board.

22 (c) This section does not apply to either of the following:

23 (1) A pharmaceutical manufacturer registered with the Food and Drug  
24 Administration.

25 (2) A wholly owned subsidiary of a pharmaceutical manufacturer  
26 registered with the Food and Drug Administration."

27 SECTION 2. This act is effective when it becomes law.