

**§13751. Registration**

**1. Licensure.** All pharmacies, manufacturers, wholesalers and mail order contact lens suppliers shall annually obtain a license from the board.

[PL 2007, c. 402, Pt. DD, §21 (AMD).]

**2. Classifications.** Pharmacies must be licensed in classifications set out in this subsection.

Each pharmacy must apply for a license in one of the following classifications:

A. Retail pharmacy; [PL 2007, c. 402, Pt. DD, §22 (AMD).]

B. Mail order prescription pharmacy; [PL 2007, c. 402, Pt. DD, §22 (AMD).]

C. Wholesale pharmacy; [PL 2007, c. 402, Pt. DD, §22 (AMD).]

D. Rural health center; [PL 2019, c. 454, §1 (AMD).]

E. Free clinic; or [PL 2019, c. 454, §1 (AMD).]

F. Vending machine outlet. [PL 2019, c. 454, §1 (NEW).]

[PL 2019, c. 454, §1 (AMD).]

**3. Rules.** The board shall establish by rule the criteria that each pharmacy must meet to qualify for licensure in each classification designated in subsection 2. The board may issue various types of licenses with varying restrictions to the pharmacies referred to in subsection 2, paragraph A when the board determines it necessary by reason of the type of pharmacy requesting a license.

[PL 2007, c. 402, Pt. DD, §23 (AMD).]

**3-A. Mail order contact lens suppliers.** In order to meet the board's minimum licensure requirements, a mail order contact lens supplier must:

A. Apply for a license, if filling contact lens prescriptions by mail or carrier for a patient that resides in this State; [PL 2005, c. 262, Pt. B, §11 (AMD).]

B. Pay a license fee, as set under section 13724; [PL 2005, c. 262, Pt. B, §11 (AMD).]

C. Provide the name and address of the owner, partners or corporation and its officers; [PL 1997, c. 117, §11 (NEW).]

D. Fill only written contact lens prescriptions containing expiration dates that do not exceed 24 months from the date of issue; [PL 1997, c. 117, §11 (NEW).]

E. Maintain a record of every contact lens prescription filled for a period of 5 years; and [PL 1997, c. 117, §11 (NEW).]

F. Supply, upon request, all information needed by the board to ensure compliance with this subchapter. [PL 1997, c. 117, §11 (NEW).]

The board may adopt rules establishing additional licensure requirements and disciplinary actions for violation of this subchapter and board rules. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

[PL 2005, c. 262, Pt. B, §11 (AMD).]

**4. Nonprescription drugs.** It shall be lawful for a person to sell and distribute nonprescription drugs. Any person engaging in the sale and distribution of those items shall not be deemed to be improperly engaged in the practice of pharmacy. No rule may be adopted by the board under this Act which requires the sale of nonprescription drugs by a licensed pharmacist or under the supervision of a licensed pharmacist or otherwise applies to or interferes with the sale and distribution of those medicines.

[PL 1987, c. 710, §5 (NEW).]

## SECTION HISTORY

PL 1987, c. 710, §5 (NEW). PL 1997, c. 117, §§10,11 (AMD). PL 1999, c. 42, §§4,5 (AMD). PL 2005, c. 262, §B11 (AMD). PL 2007, c. 402, Pt. DD, §§21-23 (AMD). PL 2019, c. 454, §1 (AMD).

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