

1 *Senate* BILL NO. *331*
 2 INTRODUCED BY *Norman Boyer*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 54-316, R.C.M. 1947, TO REQUIRE THE BOARD OF PHARMACISTS TO
 6 WAIVE THE REQUIREMENT FOR REGISTRATION OF CERTAIN
 7 PRACTITIONERS TO DISPENSE DANGEROUS DRUGS."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 54-316, R.C.M. 1947, is amended to
 11 read as follows:

12 "54-316. Annual registration required for
 13 manufacturer, distributor or dispenser -- exceptions --
 14 inspection. (1) Every person who manufactures, distributes,
 15 or dispenses any dangerous drug within this state must, on
 16 and after January 1, 1974, obtain annually a registration
 17 issued by the department in accordance with board rules.

18 (2) Persons registered by the board under this act to
 19 manufacture, distribute, dispense, or conduct research with
 20 dangerous drugs may possess, manufacture, distribute,
 21 dispense, or conduct research with those drugs to the extent
 22 authorized by their registration and in conformity with the
 23 other provisions of this act.

24 (3) The following persons need not register and may
 25 lawfully possess dangerous drugs under this act:

1 (a) an agent or employee of any registered
 2 manufacturer, distributor, or dispenser of any dangerous
 3 drug if he is acting in the usual course of his business or
 4 employment;

5 (b) a common or contract carrier or warehouseman, or
 6 an employee thereof, whose possession of any dangerous drug
 7 is in the usual course of business or employment;

8 (c) an ultimate user or a person in possession of any
 9 dangerous drug pursuant to a lawful order of a practitioner
 10 or in lawful possession of a Schedule V drug;

11 (d) officers and employees of the state or a political
 12 subdivision of the state, while acting in the course of
 13 their official duties.

14 (4) The board of pharmacists shall waive the
 15 requirement for registration of practitioners who are
 16 registered or licensed by the federal government to dispense
 17 dangerous drugs.

18 ~~(4)~~ (5) The board may waive by rule the requirement
 19 for registration of certain manufacturers, distributors, or
 20 dispensers if it finds it consistent with the public health
 21 and safety.

22 ~~(5)~~ (6) A separate registration is required at each
 23 principal place of business or professional practice where
 24 the applicant manufactures, distributes, or dispenses
 25 dangerous drugs.

1 ~~(6)~~ (7) The board may have the establishment of a
2 registrant or applicant for registration inspected."

-End-

Approved by Committee
on Public Health, Welfare
& Safety

Senate BILL NO. 331
Norman Boylan

1 INTRODUCTION BY _____
2
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18 manufacture, distribute, dispense, or conduct research with
19 dangerous drugs may possess, manufacture, distribute,
20 dispense, or conduct research with those drugs to the extent
21 authorized by their registration and in conformity with the
22 other provisions of this act.

23 (3) The following persons need not register and may
24 lawfully possess dangerous drugs under this act:
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2 manufacturer, distributor, or dispenser of any dangerous
3 drug if he is acting in the usual course of his business or
4 employment;

5 (b) a common or contract carrier or warehouseman, or
6 an employee thereof, whose possession of any dangerous drug
7 is in the usual course of business or employment;

8 (c) an ultimate user or a person in possession of any
9 dangerous drug pursuant to a lawful order of a practitioner
10 or in lawful possession of a Schedule V drug;

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12 subdivision of the state, while acting in the course of
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18 ~~(4)~~ (5) The board may waive by rule the requirement
19 for registration of certain manufacturers, distributors, or
20 dispensers if it finds it consistent with the public health
21 and safety.

22 ~~(5)~~ (6) A separate registration is required at each
23 principal place of business or professional practice where
24 the applicant manufactures, distributes, or dispenses
25 dangerous drugs.

1 ~~(6)~~ (7) The board may have the establishment of a
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17 (2) Persons registered by the board under this act to
 18 manufacture, distribute, dispense, or conduct research with
 19 dangerous drugs may possess, manufacture, distribute,
 20 dispense, or conduct research with those drugs to the extent
 21 authorized by their registration and in conformity with the
 22 other provisions of this act.

23 (3) The following persons need not register and may
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1 (a) an agent or employee of any registered
 2 manufacturer, distributor, or dispenser of any dangerous
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 4 employment;

5 (b) a common or contract carrier or warehouseman, or
 6 an employee thereof, whose possession of any dangerous drug
 7 is in the usual course of business or employment;

8 (c) an ultimate user or a person in possession of any
 9 dangerous drug pursuant to a lawful order of a practitioner
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 12 subdivision of the state, while acting in the course of
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14 (4) The board of pharmacists shall waive the
 15 requirement for registration of practitioners who are
 16 registered or licensed by the federal government to dispense
 17 dangerous drugs.

18 ~~(4)~~ (5) The board may waive by rule the requirement
 19 for registration of certain manufacturers, distributors, or
 20 dispensers if it finds it consistent with the public health
 21 and safety.

22 ~~(5)~~ (6) A separate registration is required at each
 23 principal place of business or professional practice where
 24 the applicant manufactures, distributes, or dispenses
 25 dangerous drugs.

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- 1 ~~(6)~~ (7) The board may have the establishment of a
- 2 registrant or applicant for registration inspected."

-End-

HOUSE OF REPRESENTATIVES

March 20, 1975

Committee of the Whole Amendment to SENATE BILL NO. 331,
third reading copy, as follows:

1. Amend page 2, section 1, subsection (4), line 15.

Following: "practitioners"

Insert: ", other than pharmacies,"

AS SO AMENDED

BE CONCURRED IN

SENATE BILL NO. 331

INTRODUCED BY NORMAN, BOYLAN

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 54-316, R.C.M. 1947, TO REQUIRE THE BOARD OF PHARMACISTS TO WAIVE THE REQUIREMENT FOR REGISTRATION OF CERTAIN PRACTITIONERS TO DISPENSE DANGEROUS DRUGS."

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(2) Persons registered by the board under this act to manufacture, distribute, dispense, or conduct research with dangerous drugs may possess, manufacture, distribute, dispense, or conduct research with those drugs to the extent authorized by their registration and in conformity with the other provisions of this act.

(3) The following persons need not register and may lawfully possess dangerous drugs under this act:

(a) an agent or employee of any registered manufacturer, distributor, or dispenser of any dangerous drug if he is acting in the usual course of his business or employment;

(b) a common or contract carrier or warehouseman, or an employee thereof, whose possession of any dangerous drug is in the usual course of business or employment;

(c) an ultimate user or a person in possession of any dangerous drug pursuant to a lawful order of a practitioner or in lawful possession of a Schedule V drug;

(d) officers and employees of the state or a political subdivision of the state, while acting in the course of their official duties.

(4) The board of pharmacists shall waive the requirement for registration of practitioners, OTHER THAN PHARMACIES, who are registered or licensed by the federal government to dispense dangerous drugs.

~~(4)~~ (5) The board may waive by rule the requirement for registration of certain manufacturers, distributors, or dispensers if it finds it consistent with the public health and safety.

~~(5)~~ (6) A separate registration is required at each principal place of business or professional practice where the applicant manufactures, distributes, or dispenses dangerous drugs.

- 1 ~~464~~ (7) The board may have the establishment of a
- 2 registrant or applicant for registration inspected."

-End-