

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 437
Committee Substitute Favorable 5/15/01
Senate Health Care Committee Substitute Adopted 6/28/01

Short Title: Delivery of Devices/Medical Equipment.

(Public)

Sponsors:

Referred to:

March 1, 2001

A BILL TO BE ENTITLED

1
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 shall 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.