MISSISSIPPI BOARD OF PHARMACY
MINUTES
May 30, 2024

The Mississippi Board of Pharmacy (Board) met at 9:00 a.m. on Thursday, May 30, 2024, at the Board offices, 6311 Ridgewood Road, Suite E 401, Jackson, MS 39211. The following members were present: Ronnie Bagwell – President, Tony Waits – Vice-President, Jillian Foster – Secretary, Ryan Harper, David Hudson, and Michael Gilbow. Craig Sartin was absent.

****

CONSENT AGENDA

Motion by Board Member Tony Waits, 2nd by David Hudson to approve the Consent Agenda for this meeting and for the Consent Agenda and the Website Declaration of this meeting to be placed in the minutes. All in favor. See attached. The following items were reviewed by Board members and approved without objection. See attached.

- Minutes for the March 30, 2024 and April 9, 2024, Meeting of the Mississippi Board of Pharmacy.

- APPROVE ISSUANCE OF PHARMACIST LICENSES

- REQUESTS FOR APPROVAL OF THE FOLLOWING PHARMACY CONTINUING EDUCATION PROGRAMS:
  - PROGRAM NUMBER L004-001-024-001, **"Beta-lactam Allergy Primer for the Pharmacist"**, as requested by Andrew Watkins for 1 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER L004-005-024-001, **"Current Status of Legislative Session & Other Government Affairs"**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER L004-005-024-002, **"Mississippi Medicaid Updates for Pharmacy Providers"**, as requested by Robert Dozier for 2 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER L004-005-024-003, **"What is the Status of Provider Status"**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER L004-005-024-004, **"Medicare, CMS, Billing for Medical Benefits"**, as requested by Robert Dozier for 2 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER L004-011-024-001, **"Pharmacists eCare Plan for Patients!"**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.

- PROGRAM NUMBER L004-011-024-002, **"Gastrointestinal Peptide Therapeutics"**, as requested by Robert Dozier for 1 clock hour of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L004-018-024-001, **"Endocarditis Management"**, as requested by Emily Goforth for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L004-024-024-001, **"2024 Annual Conference- The Plans at the Point"**, as requested by Beckie Feldman for 7.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L004-030-024-001, **"Management of Calciphylaxis and the Role of Vitamin K"**, as requested by Lauren Puzz for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L004-030-024-002, **"Plotting the Nonclotting Future: What's Next in Anticoagulation"**, as requested by Hallie Austin for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L005-007-024-001, **"Therapeutic Drug Monitoring of Beta-Lactem Antibiotics"**, as requested by Conner Dowling for 1 clock hour of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L005-013-024-001, **"Epilepsy"**, as requested by Victoria Wright for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER L005-017-024-001, **"Bias, Diversity, Equity and Inclusion in Pharmacy Residency"**, as requested by Ketreuna Bingham for 0.5 clock hours of LIVE pharmacist continuing education credit.

❖ CONSULTANT WAIVER REQUESTS

- Nathan Schwab
- Dhorajia Dhruvati
- Phoebe Nix

❖ SURRENDERS AND REVOCATION ORDERS

- Davida Hughes, Pharmacy Technician Registration Number PT-227580

Upon review of the Notice of Hearing, Complaint and Affidavit, the attached Order was adopted by the Board.

- Takela Simmons, Pharmacy Technician Registration Number PT-224211

Upon review of the Notice of Hearing, Complaint and Affidavit, the attached Order was adopted by the Board.

- Courtney Weatherspoon, Pharmacy Technician Registration Number PT-228104

Upon review of the Notice of Hearing, Complaint and Affidavit, the attached Order was adopted by the Board.

❖ Travel Requests

- APhA Institute on Substance Use Disorders, May 29-June 1, 2024, Salt Lake City, Utah
- Magnolia State Pharmaceutical Society, June 27-30, 2024, Philadelphia, MS

****

EXECUTIVE DIRECTOR REPORT

Susan McCoy, Executive Director, reported to the Board concerning day-to-day activities of the agency.

****

REGULATION WORKING GROUP

Todd Dear, Associate Director, presented the following regulations:

- **Article XXXII Final Rule**
- **Article XV Issuance of Prescription Copies Proposed Rule**
- **Article XLVII Physician Dispensing Permit Proposed Rule**

Upon recommendation by staff, the Board adopted Article XXXII as a final regulation and Article XV and Article XLVII as proposed regulations without objection.

****

GENERAL BUSINESS

- **Election of Officers for FY 2025**

Upon a motion by Board Member Mike Gilbow, 2nd by Board Member Tony Waits, the Board voted unanimously to elect Ronnie Bagwell as President of the Board. Upon a motion by Board Member Ronnie Bagwell, 2nd by Board Member Jillian Foster, the Board voted unanimously to elect Tony Waits as Vice President of the Board. Upon a motion by Board Member Ryan Harper, 2nd by Jillian Foster, the Board voted unanimously to elect Craig Sartin as Secretary of the Board.

- **North MS Health Services-Follow Up on Pilot Program**

Upon a motion by Board Member Ronnie Bagwell, 2nd by Board Member Jillian Foster, the Board voted unanimously to extend the pilot program an additional 6 month and to expand the drug formulary.

- **South Central Regional Medical Center – Waiver Request**

Board Member Ronnie Bagwell moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Ryan Harper, 2nd by Board Member Tony Waits, the Board voted unanimously to go into executive session in accordance with Section 25-41-7(4)(b) for the purposes of discussing potential litigation. On a motion by Board Member Tony Waits, 2nd by Board Member David Hudson, the Board voted unanimously to rise from executive session and enter open session. It was reported that no action was taken during the executive session.

Upon a motion by Board Member Tony Waits, 2nd by Board Member Ryan Harper, the Board unanimously voted to deny the waiver request, but to allow South Central Regional Medical Center six months to come into compliance with Board regulations by obtaining a second pharmacy

permit and physically separating the existing pharmacy and its business from the new pharmacy permit.

Board Member Ronnie Bagwell moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Tony Waits, 2nd by Board Member Ryan Harper, the Board voted unanimously to go into executive session in accordance with Section 25-41-7(4)(b) and (d) for the purposes of discussing potential litigation stemming from the adoption of a rule and to discuss investigative proceedings by the Board regarding an allegation of violations of the law. On a motion by Board Member Tony Waits, 2nd by Board Member David Hudson, the Board voted unanimously to rise from executive session and enter open session. It was reported that no action was taken during the executive session.

Upon a motion by Board Member Ryan Harper, 2nd by Board Member David Hudson, the Board voted unanimously to increase the salary of the Executive Director by 2.75% ($5,038) of the current annual salary to be effective June 1, 2024.

****

RESPONDENTS

Cristina Celdran, License to Practice Pharmacy Number T-13646
After an administrative hearing on this matter, the Board issued the attached Order.

****

PETITIONERS

Upon motion by Board Member Ronnie Bagwell, 2nd by Board Member Tony Waits, the Board voted unanimously to amend the agenda to the following order for petitioners.

Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number F-05113/2.1
After an administrative hearing on this matter, the Board issued the attached Order.

Rachel Young
After an administrative hearing on this matter, the Board issued the attached Order.

Delorah Nichols, Pharmacy Technician Registration Number PT-224827
Petitioner failed to appear before the Board. No action was taken. Upon a motion by Board Member Ronnie Bagwell, 2nd by Board Member David Hudson, the Board voted unanimously that the Petitioner would not be placed on the agenda as a petitioner until a year from the date of the Board meeting.

Kayla Massey, License to Practice Pharmacy, Permit Number E-15480
After an administrative hearing on this matter, the Board issued the attached Order.

Vanessa Duran
The Petitioner withdrew her request to the Board.

Andrew Van Acker, License to Practice Pharmacy Number E-11817
Upon a motion by Board Member Ronnie Bagwell, 2nd by Craig Sartin, the Board voted unanimously to remand the matter to the Internal Review Committee for further review and consideration.

Adrianne Barton, Intern/Extern Registration IE-99997
After an administrative hearing on this matter, the Board issued the attached Order.

Martia Kidd, Intern/Extern Registration IE-8643
After an administrative hearing on this matter, the Board issued the attached Order.

Mikiyala Wells, Intern/Extern Registration IE-8842
After an administrative hearing on this matter, the Board issued the attached Order.

Terrance Burks, Intern/Extern Registration IE-9151
After an administrative hearing on this matter, the Board issued the attached Order.

Rickeia Selmon, Intern/Extern Registration IE-100563
After an administrative hearing on this matter, the Board issued the attached Order.

Gloria Rawls, Intern/Extern Registration IE-8655
After an administrative hearing on this matter, the Board issued the attached Order.

Casey Holloway
After an administrative hearing on this matter, the Board issued the attached Order.

Kaitlyn Dye, Intern/Extern Registration IE-8883
After an administrative hearing on this matter, the Board issued the attached Order.

The Board adjourned at 3:21 p.m.

These May 30, 2024, MINUTES of the Board are hereby approved this the 5 th day of June, 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Ryan Harper

Craig Sartin

David Hudson

Michael Gilbow

Mississippi Board of Pharmacy
May 30, 2024

AGENDA

I. CALL TO ORDER/ESTABLISH A QUORUM

- **PRAYER AND PLEDGE**
- **WELCOME AND SPECIAL INTRODUCTIONS**

II. CONSENT AGENDA & WEBSITE DECLARATION

- **APPROVE AND SIGN MINUTES**
- **CONTINUING EDUCATION REQUEST**
- **APPROVE ISSUANCE OF PHARMACIST LICENSES**
- **CONSULTANT WAIVER REQUESTS**
    - **Nathan Schwab**
    - **Dhorajia Dhruvati**
    - **Phoebe Nix**
- **TRAVEL REQUESTS**
    - **APhA Institute on Substance Use Disorders, May 29-June 1, 2024, Salt Lake City, Utah**
    - **Magnolia State Pharmaceutical Society, June 27-30, 2024, Philadelphia, MS**
- **SURRENDERS**
    - **Davida Hughes, Pharmacy Technician**
    - **Takela Simmons, Pharmacy Technician**
    - **Courtney Weatherspoon, Pharmacy Technician**
- **APPROVE JULY BOARD MEETING DATE**
- **SHANNON HARKWICK DISMISSAL ORDER**

III. EXECUTIVE DIRECTOR REPORT

IV. REGULATION WORKING GROUP

- **Article XXXII-Final Rule with amendments**
- **Article XV Issuance of Prescription Copies**
- **Article XLVII Physician Dispensing Permit**

V. GENERAL BUSINESS

- **Election of Officers for FY 2025**
- **North MS Health Services-Follow Up on Pilot Program**
- **South Central Regional Medical Center – Waiver Request**

VI. RESPONDENTS

- **Cristina Celdran** **Respondent**

VII. PETITIONERS

- **Adrianne Barton** **Petitioner**
- **Martia Kidd** **Petitioner**
- **Mikiyala Wells** **Petitioner**
- **Terrance Burks** **Petitioner**
- **Rickeia Selmon** **Petitioner**
- **Burnham's Vital Care** **Petitioner**
- **Rachel Young** **Petitioner**
- **Delorah Nichols** **Petitioner**
- **Kayla Massey** **Petitioner**
- **Vanessa Duran** **Petitioner**
- **Andrew Van Acker** **Petitioner**
- **Gloria Rawls** **Petitioner**
- **Casey Holloway** **Petitioner**
- **Kaitlyn Dye** **Petitioner**

Came on May 30, 2024, the matter of Davida Hughes, Pharmacy Technician Registration Number PT-227580, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Craig Sartin and Tony Waits served on the Investigative Review Committee and did not participate in this hearing.

MISSISSIPPI BOARD OF PHARMACY
VOLUNTARY SURRENDER OF REGISTRATION

IN THE MATTER OF:

DAVIDA HUGHES
148 WHISPER RIDGE AVENUE
CANTON, MS 39046

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-227580

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Davida Hughes, Pharmacy Technician Registration Number PT-227580, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Davida Hughes, Pharmacy Technician Registration Number PT-227580, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O:

> **Theft or embezzlement of prescription drugs, controlled substances, medical devices or funds from a permitted facility.**

Specifically, Davida Hughes, Pharmacy Technician Registration Number PT-227580, admitted that while working as a pharmacy technician at CVS Pharmacy Permit No. 06208/1.2 in Madison, Mississippi, she took approximately 20 Alprazolam 1mg and 2mg tablets for her own personal use. Hughes surrendered her pharmacy technician registration on March 7, 2024.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-227580, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
(4) The Respondent did not appear for the hearing and the hearing was held in absentia.
(5) The Respondent committed the violation as charged.
(6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-227580.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-227580 is revoked.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement of this registration until at least one (1) year from the date of this Order.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Fifty Dollars and Fifty-Six Cents ($150.56). The total cost of investigation shall be paid by the Respondent prior to the reinstatement of her registration.
- The cost of investigation shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All members participating in the hearing affirmed this Order.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Takela Simmons, Pharmacy Technician Registration Number PT-224211, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Craig Sartin and Tony Waits served on the Investigative Review Committee and did not participate in this hearing.

MISSISSIPPI BOARD OF PHARMACY
VOLUNTARY SURRENDER OF REGISTRATION

IN THE MATTER OF:

TAKELA SIMMONS
248 EAST ASH STREET
JACKSON, MS 39202

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-224211

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Takela Simmons, Pharmacy Technician Registration Number PT-224211, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Takela Simmons, Pharmacy Technician Registration Number PT-224211, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O:

> **Theft or embezzlement of prescription drugs, controlled substances, medical devices or funds from a permitted facility.**

Specifically, Takela Simmons, Pharmacy Technician Registration Number PT-224211, admitted that while employed at Walgreens Pharmacy Permit No. 08028/1.2 in Brandon, Mississippi, she used the customer rewards program for her own personal purchases. Simmons surrendered her pharmacy technician registration on November 21, 2023.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-224211, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
(4) The Respondent did not appear for the hearing and the hearing was held in absentia.
(5) The Respondent committed the violation as charged.
(6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-224211.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-224211 is revoked.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement of this registration until at least one (1) year from the date of this Order.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Thirty-Six Dollars and Two Cents ($136.02).
- The total cost of investigation shall be paid by the Respondent prior to the reinstatement of her registration.
- The cost of investigation shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All members participating in the hearing affirmed this Order.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Courtney Weatherspoon, Pharmacy Technician Registration Number PT-228104, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Craig Sartin and Tony Waits served on the Investigative Review Committee and did not participate in this hearing.

MISSISSIPPI BOARD OF PHARMACY
VOLUNTARY SURRENDER OF REGISTRATION

IN THE MATTER OF:

COURTNEY WEATHERSPOON
3500 HARDY STREET
APT. 54
HATTIESBURG, MS 39402

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-228104

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Courtney Weatherspoon, Pharmacy Technician Registration Number PT-228104, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Courtney Weatherspoon, Pharmacy Technician Registration Number PT-228104, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O:

> **Theft or embezzlement of prescription drugs, controlled substances, medical devices or funds from a permitted facility.**

Specifically, Courtney Weatherspoon, Pharmacy Technician Registration Number PT-228104, admitted that while employed at Walgreens Pharmacy, Permit No. 07579/1.2 in Hattiesburg, Mississippi, she used the customer rewards program for her own personal purchases. Weatherspoon surrendered her pharmacy technician registration on January 12, 2024.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-228104, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
(4) The Respondent did not appear for the hearing and the hearing was held in absentia.
(5) The Respondent committed the violation as charged.
(6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-228104.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-228104 is revoked.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement of this registration until at least one (1) year from the date of this Order.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Two Hundred Fifty-Three Dollars and Sixty-Five Cents ($253.65).
- The total cost of investigation shall be paid by the Respondent prior to the reinstatement of her registration.
- The cost of investigation shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All members participating in the hearing affirmed this Order.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

TITLE 30: PROFESSIONS AND OCCUPATIONS
PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE XXXII PHARMACEUTICAL DRUG FACILITY PERMITS

1. For purposes of this Article the following definitions shall apply:

    A. "Wholesale Distribution" means distribution of prescription drugs or devices, to include active pharmaceutical ingredients (API's), to a person other than a consumer or patient, but does not include:
        (1) The sale, purchase, or trade of a specified drug or device or an offer to sell, purchase, or trade a specified drug or device for an immediate emergency medical reason including a public health emergency declaration pursuant to section 319 of the Public Service Act. Routine or temporary shortages do not constitute an immediate emergency medical reason;
        (2) The sale, purchase, or trade of a drug or device, an offer to sell, purchase, or trade a drug or device, or the dispensing of a drug or a device pursuant to a patient specific prescription;
        (3) The lawful distribution of drug samples by manufacturers' representatives or distributors' representatives;
        (4) The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device among pharmacies that are under common control; for purposes of these regulations, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract or otherwise. Common ownership transactions shall not include any upcharges or fees;
        (5) The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device by a charitable organization described in section 501(c)(3) of the U.S. Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;
        (6) The sale/purchase of a prescription drug or device by a 503a pharmacy to a licensed practitioner for office use, if the total annual dollar volume of these sales/purchases does not exceed five percent (5%) of that pharmacy's total annual prescription sales. In office use is defined as occurring in locations that are not serviced by a pharmacy permit;
        (7) Medication transfer from facilities/businesses to meet an immediate need for a specific patient in a quantity no greater than the prescribed amount;
        (8) Distribution of drugs or devices for research purposes in humans under an IND to an investigator.

2. Every facility/business that engages in the wholesale distribution of prescription drugs, API's, or devices as defined in § 73-21-71, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in or into this state, or distribution from or within this state, shall register annually with the Mississippi Board of Pharmacy by applying for a permit via the licensing portal. Every facility/business that engages in the distribution of prescription drugs or devices into this state to an affiliated or related company under common

ownership and control must register annually with the Board. Pharmaceutical Facility Permits issued by the Board may include, but are not limited to, the following pharmaceutical facilities/businesses:

A. Manufacturer
B. Virtual Manufacturer
C. Wholesaler
D. Virtual Wholesaler
E. Third Party Logistics (3PL)
F. Repackager
G. Reverse Distributor
H. Private Label Distributor
I. Veterinary Wholesaler

The Board may declare a pharmaceutical facility/business permit inactive due to the lack of legitimate business activity for sixty (60) consecutive days. Any permit declared inactive by the Board must petition the Board to be re-instated.

3. To obtain or renew a pharmaceutical facility/business permit, the applicant shall:
   A. Complete an application via the licensing portal which shall include, but not be limited to the following:
      (1) Name and address of the facility/business, including all trade or business names;
      (2) Detailed photo(s) of physical location that clearly display related signage and conveys business activity when requested;
      (3) Ownership information;
         (a) If a corporation: the State of incorporation and the name, telephone number, and address of all officers and directors;
         (b) If a partnership: the name, telephone number, and address of all partners;
         (c) If a sole proprietorship: the name, telephone number, and address of the sole proprietor.
      (4) Type of activities conducted by the facility/business;
      (5) Name, address, telephone number and signature of a designated representative;
      (6) Initial applications will be valid for up to 180 days from the date of filing within the application portal. A renewal application will remain active for no more than 120 days from the date of filing within the application portal. Renewal applications will be considered filed timely if they are received prior to 30 days of expiration of the permit and contain all of the requested documents necessary for permitting. If a renewal application is not approved prior to the expiration of the permit, the drug facility must cease all Mississippi focused operations until application approval is obtained
   B. Provide evidence of a surety bond in the amount of $100,000 (or $25,000 for a facility/business whose annual gross receipts total $10,000,000 or less for the previous tax year) or other equivalent means of security acceptable to the State.
   C. Complete a criminal background check for the designated representative, including fingerprinting.
   D. Provide the most recent inspection report for the physical facilities including facilities maintaining oversight of product label codes. Inspection reports may be required for contracted partners providing services for the permitted location. All facilities/businesses

must provide a recent, detailed inspection (within the last 3 years) whether their home state licensing authority conducts inspections or not. If deficiencies are noted in the inspection, the Board reserves the right to require a follow-up inspection. The most recent FDA inspection is not subject to time limitations.

E. Provide a copy of each state license/permit held by the applicant.
F. All Pharmaceutical Facility permit applicants including Third Party Logistics Providers and Virtual Entities must provide a list of all trading partners.
G. A permit granted by the Board to a pharmaceutical facility will be based on its stated and actual business activity(s). Such activity may take precedence over licensure type in home state. A pharmaceutical facility with multiple permitted business activities at a single location must have separate business operations and records.
H. A fee of five hundred dollars ($500.00) will be required to be submitted by the applicant for the initial registration and each annual license renewal period as noted by the online system. Newly issued permits which do not coincide with the normal annual registration period shall be valid from the date issued until the end of the current registration period only.
I. Pharmaceutical facility permits shall not be issued for the same location occupied by a Pharmacy Permit. One exception is that a manufacturer may be co-located with a 503b Outsourcer. However, separate business records shall be maintained by each permit.

4. Each pharmaceutical facility that maintains or distributes controlled substances in or into Mississippi shall apply for and obtain a controlled substance registration issued by the Board. To obtain a controlled substance registration or renew a controlled substance registration the applicant shall:
   A. Submit an application via the licensing portal.
   B. Submit a fee of Fifty dollars ($50.00) for each registration period and each annual registration period thereafter.

   Any loss or suspected loss of controlled substances shall be reported directly to the Mississippi Board of Pharmacy immediately upon discovery and a written report made to the Mississippi Board of Pharmacy within fifteen (15) days.

5. The Mississippi Board of Pharmacy will consider the following factors in determining eligibility for issuing or renewing a permit for persons who engage in the wholesale distribution of prescription drugs, API's, or devices:
   A. Any convictions of the applicant, principal owners, officers, directors and/or partners under any federal, state, or local laws relating to drug samples, wholesale or retail drug or device distribution, or distribution of controlled substances;
   B. Any felony convictions of the applicant under federal, state or local laws;
   C. The past experience of the applicant, principal owners, officers, directors and/or partners in the distribution of prescription drugs or devices,including controlled substances;
   D. The furnishing by the applicant of false or fraudulent information in any application made in connection with drug or device distribution;
   E. Suspension or revocation by federal, state, or local government of any permit currently or previously held by the applicant for the distribution of any drugs or devices,including controlled substances;

F. Compliance with requirements under previously granted permits or registrations, if any;
G. Compliance with the requirements to maintain and/or make available to state and federal regulatory authorities those records required to be maintained by wholesale distributors; and
H. Any other factors or qualifications the Mississippi Board of Pharmacy considers relevant to and consistent with the public health and safety.

The Mississippi Board of Pharmacy reserves the right to deny a permit or a registration to an applicant if it determines that the granting of such a permit or registration would not be in the public interest.

6. The Designated Representative shall attest to the permit application or the permit renewaland shall be the operations manager for that facility and shall be responsible for all activities in the permitted facility which are subject to regulation by the Board.

7. The Designated Representative shall be required to be physically onsite at the facility a minimum of twenty (20) hours per work week or fifty per cent (50%) of the hours of operation of the facility, whichever is less. A record of the onsite hours of the designated representative shall be produced upon request by the Board or an agent of the Board. Exceptions will be recognized for practical reasons, i.e., vacation, sick time, etc.

8. If the employment of a designated representative is terminated, or if for any other reason he/she wishes to be relieved of the responsibilities of the permit holder,he/she must notify the MS Board of Pharmacy via the online portal. Application for a new designated representative must be made by within fifteen (15) days.

9. Any facility/business licensed by the State of Mississippi shall notify the Board of Pharmacy within fifteen (15) days, via the license portal, of any changes that might affect permitting status. This includes a closing, change of name, location, ownership, or legal matters involving the facility/business or its leadership.
   A. If a permitted facility has a change in ownership, a new online application must be made to the board within fifteen (15) days.
   B. If a permitted facility has a change in name or location, a facility amendment must occur within 15 days of the change.

10. All pharmaceutical supply chain facilities permitted by the Mississippi Board of Pharmacy shall comply with the following:
    A. Storage Conditions;
       (1) Each facility where legend drugs or devices are repackaged, wholesaled, manufactured, distributed, stored, held, sold, or offered for sale, shall provide storage areas that assure proper lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions. All legend drugs, chemicals, or devices shall be stored at appropriate temperatures and under appropriate conditions per label requirements or official compendium requirements to assure that the identity, strength, quality, and purity of the products are not affected. If no storage requirements are established for a prescription drug, they may be stored at controlled room temperature as defined in an

official compendium such as the United States Pharmacopeia/National Formulary. Appropriate manual, electro-mechanical, or electronic temperature and humidity recording equipment, devices, and/or logs shall be utilized to document proper storage of prescription drugs. This data shall be recorded at least daily.

(2) A separate storage section shall be provided for legend drugs or devices that are deteriorated, outdated, misbranded, or otherwise adulterated.

(3) Controlled substances should be isolated from non-controlled substances and stored in a secure area in accordance with Drug Enforcement Administration security requirements and standards.

B. Labeling:

(1) All Federal labeling requirements must be met to include but not limited to:

(a) Changes to product labeling must be submitted to the FDA annually.

(b) Labels must include product identifiers in a 2-dimensional data matrix barcode both on the package and homogeneous case, unless it is a product required to have a standardized numerical id.

(c) Distributors and 3PLs shall only accept products with proper labeling.

(2) Facilities/businesses shall have systems in place to verify productat the package level, including standard numerical identifiers and must be in full compliance with the Drug Supply Chain & Security Act (DSCSA).

C. Facilities:

(1) All buildings in which legend drugs or devices are wholesaled, repackaged, manufactured, distributed, stored, held, sold, or offered for sale, shall be of suitable size, construction, and location to facilitate cleaning, maintenance, and proper operations. Buildings shall meet all applicable federal, state, and local standards and shall be maintained in a clean and orderly condition and be free from infestation by insects, rodents, birds, or vermin of any kind.

(2) Each facility shall have a quarantine area for storage of prescription drugs or devices that are outdated, damaged, deteriorated, non-compliant with DSCSA requirements, misbranded, or adulterated, or that are in immediate or sealed outer or sealed secondary container that have been opened. All suspect products should be quarantined until investigation is complete.

(3) A facility shall not be located in a residence.

D. Security:

(1) All facilities shall be equipped with an electronic security system that will provide suitable protection against theft and diversion and meets all applicable federal, state, and local standards. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

(2) All facilities shall ensure that access from outside their premises is reduced to a minimum and be well controlled. This includes, but is not limited to, the installation of adequate lighting at the outside perimeter of the premises. Entry into areas where prescription drugs are stored or held shall be limited to authorized personnel.

(3) All facilities/businesses shall maintain written internal security policies which provide protection against theft and diversion by personnel. These policies shall provide protection against computer theft and crimes.

E. Recordkeeping:

(1) All facilities/businesses shall establish and maintain inventories and other records of all transactions regarding the receipt, distribution, and disposition of legend drugs or devices including the name and principal address of the seller or transferor and the address of the location from which the drugs were shipped. These records shall be maintained for a period of six (6) years following disposition of the drugs and must be compliant with all aspects of DSCSA. These records shall be made available for inspection and copying by the Mississippi Board of Pharmacy or other authorized federal, state, or local law enforcement agency officials. These records shall contain source of supply (items received, quantity, and date) and distribution (items distributed, quantity, and date).

(2) Records described in this section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available within two (2) working days of a written request by the Mississippi Board of Pharmacy or other authorized federal, state, or local law enforcement agency officials.

(3) Upon request by the Board, facilities/businesses that are permitted by the Board and who distribute prescription drugs or devices shall make available to the Board the following:
   (a) A complete Mississippi customer roster;
   (b) Transaction records of all distribution and sales for any period during the past six (6) years listing all sales or distribution of prescription drugs or devices to authorized persons upon request by the Board. This request shall be made in writing by the Board. The transaction records shall be supplied to the Board within two (2) working days and shall consist of the following:
      (i) Name and address of the purchaser;
      (ii) Name and address of the distributor;
      (iii) Drug name, strength and dosage form, and quantity, including number of containers distributed
      (iv) The invoice number;
      (v) The lot number of the product if required by DSCSA;
      (vi) Date of transaction and shipment;
      (vii) All records of returns or credits;
      (viii) Must also include product identifiers at package level by applicable DSCSA deadline.

(4) Transaction records must also accompany products whenever prescription drug or devices products change hands (unless the product is being returned to the manufacturer asunsalable).
   (a) These records should be in a single electronic document as required by DSCSA.
   (b) Products should be verified by their identifiers upon sale/return. Any product that does not correspond with transaction records shall be treated as suspect.
   (c) Product shall not be accepted without transaction records, except when returned to the manufacturer as unsalable.
   (d) Transaction records are considered confidential and may only be provided to appropriate government officials and authorized trading partners with whom a

written agreement is established.

(5) Transaction records shall be exchanged in a secure, interoperable, electronic manner, adhering to all regulations (compliance required by applicable DSCSA deadline).

(6) Systems and processes should be in place for accepting salable returns by associating products with transaction records (compliance required by applicable DSCSA deadline).

F. Written Policies and Procedures:

Facilities/businesses shall establish, maintain, and adhere to written policies and procedures which allow and demonstrate oversight of legend product based on their scope of service. Specifically, wholesale drug or device distributors shall establish, maintain, and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory, and distribution of prescription drugs or devices, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. Written policies and procedures shall include:

(1) A procedure to assure that the facility/business prepares for, protects against, and handles crisis situations that affect the security or operation of the facility. Such crises may include fires, floods, or other natural disasters, and situations of local, state, or national emergency.

(2) A procedure whereby the oldest approved stock of a prescription drug or device product is distributed first. The procedure may permit deviation from this requirement if such deviation is temporary and appropriate.

(3) A procedure to assure that any outdated stock, or any stock with an expiration date that does not allow sufficient time for resale shall be segregated from other stock and shall be prepared for return to the manufacturer or otherwise appropriately destroyed. This procedure shall provide for written documentation of the disposition of outdated prescription drugs. This documentation shall be maintained for a period of six (6) years after the disposition of the outdated drugs or devices.

(4) A procedure to assure the facility/business exercises control over the shipping and receiving of all stock within the operation, including the following practices:

(a) Upon receipt, each outside shipping container shall be visually examined for identity and to prevent the acceptance of contaminated prescription drugs or devices or prescription drugs or devices that are otherwise unfit for distribution. This examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

(b) Each outgoing shipment shall be carefully inspected for identity of the prescription drug products or devices and to ensure that there is no delivery of prescription drugs or devices that have been damaged in storage or held under improper conditions.

(c) The recordkeeping requirements in paragraph (E.) of this section shall be followed for all incoming and outgoing prescription drugs or devices.

G. Returned, Damaged and Outdated Prescription Drugs:

(1) Prescription drugs or devices that are outdated, damaged, deteriorated, misbranded, or adulterated shall be quarantined and physically separated from other prescription drugs or devices until they are destroyed or returned to their supplier.

(2) Any prescription drug or device whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such,and shall be quarantined

and physically separated from other prescription drugs until they are either destroyed or returned to the supplier.

(3) If the conditions under which a prescription drug or device has been returned cast doubt on the safety, identity, strength, quality, or purity, then the drug or device shall be destroyed, or returned to the supplier, unless examination, testing or other investigation proves that appropriate standards of safety, identity, strength, quality, and purity are met. In determining whether the conditions under which a product has been returned cast doubt on the drug's or device's safety, identity, strength, quality, or purity, the wholesale drug distributor shall consider, among other things, the conditions under which the drug or device has been held, stored, or shipped before or during its return and the condition of the drug and its container, carton, or labeling, as a result of storage or shipping.

(4) The recordkeeping requirements in paragraph E. of this section shall be followed for all outdated, damaged, deteriorated, misbranded, or adulterated prescription drugs or devices. Written policies and procedures shall be maintained at the permitted facility to implement the above requirements.

H. Handling Recalls:

(1) A facility/business shall provide support for manufacturer recalls and withdrawals of prescription drugs or devices.

(2) A wholesale operation must maintain and follow written policies and procedures for handling recalls and withdrawals of products. Such a policy should cover all recalls and withdrawals of drug products or devices due to:

(a) Any voluntary action on the part of the manufacturer.

(b) The direction of the Food and Drug Administration, or any other federal, state, or local government agency.

(c) Replacement of existing merchandise with an improved product or new package design.

I. Due Diligence To Identify Suspect/Illegitimate Products:

(1) A facility/business in the drug supply chain shall cooperate in efforts to identify, isolate, investigate suspect products, and determine if such products are illegitimate.

(2) A facility/business should establish processes for identifying trading partners and transactions that require heightened vigilance in preventing the receipt of suspect product. Heightened vigilance includes the examination of required records (ie. invoices, shipping documents, transaction history) for suspicious business practices and physical examination of product for factors that increase the risk of a product being suspect, such as:

(a) A trading partner that has been involved in business transactions where they sold or delivered illegitimate product;

(b) A trading partner that has a history of problematic or potentially false transaction histories or pedigrees, such as those that contain misspelled words or incomplete information;

(c) A Trading Partner that is reluctant to provide a Transaction History associated with the Product being purchased or does not do so in a timely manner;

(d) A Trading Partner that provides Transaction Information, a Transaction Statement, and/or Transaction History that appears to be incomplete or suspicious;

(e) The trading partner providing wholesale operations but is co-located with a pharmacy.
(f) The product offered for sale was previously owned by a dispenser;
(g) The price of a product is suspicious;
(h) The product has been previously or is currently the subject of a drug shortage;
(i) A product that is in higher demand because of its potential or perceived relationship to a public health or other emergency;
(j) The appearance of the package is suspicious; or
(k) The package exhibits unusual or excessive adhesive residue.

(3) Suspect products shall be quarantined, and an investigation opened into the product legitimacy. The FDA and all trading partners shall be notified of any product determined to be illegitimate within 24 hours of such determination. Records of investigations shall be kept for a minimum of 6 years regardless of the outcome.

(4) Products deemed illegitimate shall be disposed of after a sample is taken for physical exam/laboratory analysis.

J. Due Diligence for Controlled Substance Ordering and Dispensing

(1) Facility/business that perform customer visits as part of customer diligence reviews to resolve red flags regarding ordering or dispensing practices of controlled substances shall share with the Board all reports and determinations within three (3) business days of receiving reports from customer.

(2) Facility/business that make the determination to suspend controlled substance ordering ability for customers must notify and provide related detailed rationale to the Board within one business day of suspension of ordering abilities.

K. Compliance with Local, State and Federal Law; Inspections, Violations and Penalties:

(1) Each facility/business shall comply with all applicable local, state and federal laws and regulations.

(2) The Board may conduct inspections upon all premises purporting or appearing to be used by persons permitted under this Article. The Board in its discretion may accept a satisfactory inspection from another regulatory or inspecting body which the Board determines to be comparable to that made by the Federal Food and Drug Administration or the Board. Upon request, the facility shall furnish to the Board a copy of any and all reports of inspections conducted by the Federal Food and Drug Administration or any other inspecting entity.

(3) Any facilities/businesses that possess, transport or store controlled substances in or into MS shall obtain a controlled substance registration from the MS Board of Pharmacy in addition to a registration number from the Federal Drug Enforcement Administration and shall comply with all applicable state and federal DEA regulations.

(4) The Board or its representatives may enter to inspect, during reasonable hours, a facility which has obtained or applied for a permit with the Board. Failure to allow an inspection is cause to deny a permit or result in disciplinary action upon a permit.

(5) The Board shall have the authority to suspend, revoke, or restrict any permit or registration issued under this Article upon discipline and/or conviction of violations of this Article or other federal, state, or local drug laws or regulations.

(6) Before any permit may be suspended, restricted, or revoked or monetary penalties imposed by the Board, the facility/business shall have the right to prior notice and a hearing pursuant to Section 73-21-99, Mississippi Code of 1972.

L. Personnel
   (1) Each facility/business shall employ adequate personnel with the education and experience necessary to safely and lawfully engage in the sale and wholesale distribution of prescription drugs or devices.
   (2) Each facility/business shall maintain a list of all personnel who have access to controlled substances and shall make available to the Board proof of background searches on any such employee. No person who has access to controlled substances shall have been convicted in any federal or state court of any drug related crime.
   (3) Each facility/business shall establish and maintain lists of officers, directors, managers, and other persons in charge of wholesale distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

M. Salvaging and Reprocessing:
   (1) All facilities/businesses shall be subject to the provisions of any applicable federal, state, or local laws or regulations that relate to prescription drug product salvaging or reprocessing, including Title 21, Chapter 1, Subchapter C, Parts 207, 210 and 211 of the Code of Federal Regulations. Any reverse distributor that receives saleable product for reintroduction into the supply chain will also need to be permitted as a wholesale distributor.

N. Repackaging:
   (1) Every repackager shall register with the Federal Food and Drug Administration and shall be in compliance with all laws, rules, regulations, and FDA issued guidance regarding such registration. Written notification furnished by the Federal Food and Drug Administration citing violations of federal laws, rules, and regulations shall be prima facie evidence of violation of this Article.
   (2) Repackagers shall maintain all products in the manufacturer's original container except as allowed by federal laws, rules, and regulations regarding prescription drug repackaging. Once distributed, repackaged products which are returned to the repackager shall be immediately quarantined and either destroyed or returned to the original manufacturer.

11. Prohibited Acts
   A. No facility/business may engage in wholesale distribution of a prescription drug, API's, or device in or into Mississippi unless the facility/business is licensed/permitted:
      (1) By the state from which the drug, API, or device is distributed, or if the State from which the drug, API, or device is distributed has not established a licensure requirement, is licensed by the Federal Drug Administration; and
      (2) By the state into which the drug, API, or device is distributed.
   B. No facility/business engaged in wholesale distribution is allowed to acquire prescription drugs, API's, or devices from a dispenser for resale within the State of Mississippi. The return by a dispenser of prescription drugs, API's, or devices originally purchased from that facility/business is exempt from this requirement.
   C. Any facility/business permitted by the Mississippi Board of Pharmacy shall not sell or distribute a prescription drug, API, or device to any individual or business unless the individual or business is licensed or permitted to prescribe, dispense, or possess prescription drugs, API's, or devices by an agency of the state in which the individual or business is located.

D. Any facility/business permitted by the Board shall not distribute prescription drugs, API's, or devices to persons in or into this state unless such person is either a licensed physician, osteopath, podiatrist, or physician's assistant licensed by the Mississippi Board of Medical Licensure; a licensed dentist, licensed by the Mississippi Board of Dental Examiners; a licensed veterinarian, licensed by the Mississippi Board of Veterinary Medicine; or a drug supply chain facility/business permitted by the Board. An optometrist licensed by the Mississippi State Board of Optometry, may purchase prescription drugs or devices as authorized by said Board of Optometry. An advanced practice registered nurse, licensed by the Mississippi Board of Nursing may purchase prescription drugs or devices as authorized by said Board of Nursing.

TITLE 30: PROFESSIONS AND OCCUPATIONS
PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE XXXII PHARMACEUTICAL DRUG FACILITY PERMITS

1. For purposes of this Article the following definitions shall apply:
   A. "Wholesale Distribution" means distribution of prescription drugs or devices, to include active pharmaceutical ingredients (API's), to a person other than a consumer or patient, but does not include:
      (1) The sale, purchase, or trade of a specified drug or device or an offer to sell, purchase, or trade a specified drug or device for an immediate emergency medical reason including a public health emergency declaration pursuant to section 319 of the Public Service Act. Routine or temporary shortages do not constitute an immediate emergency medical reason;
      (2) The sale, purchase, or trade of a drug or device, an offer to sell, purchase, or trade a drug or device, or the dispensing of a drug or a device pursuant to a patient specific prescription;
      (3) The lawful distribution of drug samples by manufacturers' representatives or distributors' representatives;
      (4) The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device among pharmacies that are under common control; for purposes of these regulations, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract or otherwise. Common ownership transactions shall not include any upcharges or fees;
      (5) The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device by a charitable organization described in section 501(c)(3) of the U.S. Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;
      (6) The sale/purchase of a prescription drug or device by a 503A pharmacy to a licensed practitioner for office use, if the total annual dollar volume of these sales/purchases does not exceed five percent (5%) of that pharmacy's total annual prescription sales. In office use is defined as occurring in locations that are not serviced by a pharmacy permit;

(7) Medication transfer from facilities/businesses to meet an immediate need for a specific patient in a quantity no greater than the prescribed amount;
(8) Distribution of drugs or devices for research purposes in humans under an IND to an investigator.

2. Every facility/business that engages in the wholesale distribution of prescription drugs, API's, or devices as defined in § 73-21-71, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in or into this state, or distribution from or within this state, shall register annually with the Mississippi Board of Pharmacy by applying for a permit via the licensing portal. Every facility/business that engages in the distribution of prescription drugs or devices into this state to an affiliated or related company under common ownership and control must register annually with the Board. Pharmaceutical Facility Permits issued by the Board may include, but are not limited to, the following pharmaceutical facilities/businesses:
   A. Manufacturer
   B. Virtual Manufacturer
   C. Wholesaler
   D. Virtual Wholesaler
   E. Third Party Logistics (3PL)
   F. Repackager
   ~~G. Outsourcer~~
   G. ~~H.~~ Reverse Distributor
   H. ~~I.~~ Private Label Distributor
   I. ~~J.~~ Veterinary Wholesaler

The Board may declare a pharmaceutical facility/business permit inactive due to the lack of legitimate business activity for sixty (60) consecutive days. Any permit declared inactive by the Board must petition the Board to be re-instated.

3. To obtain or renew a pharmaceutical facility/business permit, the applicant shall:
   A. Complete an application via the licensing portal which shall include, but not be limited to the following:
      (1) Name and address of the facility/business, including all trade or business names;
      (2) Detailed photo(s) of physical location that clearly display related signage and conveys business activity when requested;
      (3) Ownership information;
         (a) If a corporation: the State of incorporation and the name, telephone number, and address of all officers and directors;
         (b) If a partnership: the name, telephone number, and address of all partners;
         (c) If a sole proprietorship: the name, telephone number, and address of the sole proprietor.
      (4) Type of activities conducted by the facility/business;
      (5) Name, address, telephone number and signature of a designated representative;
      (6) Initial applications will be valid for up to 180 days from the date of filing within the application portal. A renewal application will remain active for no more than 120 days from the date of filing within the application portal. Renewal applications will be

considered filed timely if they are received prior to 30 days of expiration of the permit and contain all of the requested documents necessary for permitting. If a renewal application is not approved prior to the expiration of the permit, the drug facility must cease all Mississippi focused operations until application approval is obtained

B. Provide evidence of a surety bond in the amount of $100,000 (or $25,000 for a facility/business whose annual gross receipts total $10,000,000 or less for the previous tax year) or other equivalent means of security acceptable to the State.
C. Complete a criminal background check for the designated representative, including fingerprinting.
D. Provide the most recent inspection report for the physical facilities including facilities maintaining oversight of product label codes. Inspection reports may be required for contracted partners providing services for the permitted location. All facilities/businesses must provide a recent, detailed inspection (~~generally~~ within the last 3 years) whether their home state licensing authority conducts inspections or not. If deficiencies are noted in the inspection, the Board reserves the right to require a follow-up inspection. The most recent FDA inspection is not subject to time limitations.
E. Provide a copy of each state license/permit held by the applicant.
F. All Pharmaceutical Facility permit applicants including Third Party Logistics Providers and Virtual Entities must provide a list of all trading partners.
G. A permit granted by the Board to a pharmaceutical facility will be based on its stated and actual business activity(s). Such activity ~~may~~ shall take precedence over licensure type in home state. ~~Each permitted business activity of a~~ A pharmaceutical facility with multiple permitted business activities at a single ~~at that~~ location ~~(if multiple exist)~~ must have separate business operations and records.
H. A fee of five hundred dollars ($500.00) will be required to be submitted by the applicant for the initial registration and each annual license renewal period Newly issued permits which do not coincide with the normal annual registration period shall be valid from the date issued until the end of the current registration period only.
I. Pharmaceutical facility permits shall not be issued for the same location occupied by a Pharmacy Permit. One exception is that a manufacturer may be co-located with a 503B Outsourcer. However, separate business records shall be maintained by each permit.

4. Each pharmaceutical facility that maintains or distributes controlled substances in or into Mississippi shall apply for and obtain a controlled substance registration issued by the Board. To obtain a controlled substance registration or renew a controlled substance registration the applicant shall:
   A. Submit an application via the licensing portal.
   B. Submit a fee of Fifty dollars ($50.00) for each registration period and each annual registration period thereafter.

   Any loss or suspected loss of controlled substances shall be reported directly to the Mississippi Board of Pharmacy immediately upon discovery and a written report made to the Mississippi Board of Pharmacy within fifteen (15) days.

5. The Mississippi Board of Pharmacy will consider the following factors in determining

eligibility for issuing or renewing a permit for persons who engage in the wholesale distribution of prescription drugs, API's, or devices:

A. Any convictions of the applicant, principal owners, officers, directors and/or partners under any federal, state, or local laws relating to drug samples, wholesale or retail drug or device distribution, or distribution of controlled substances;
B. Any felony convictions of the applicant under federal, state or local laws;
C. The past experience of the applicant, principal owners, officers, directors and/or partners in the distribution of prescription drugs or devices, including controlled substances;
D. The furnishing by the applicant of false or fraudulent information in any application made in connection with drug or device distribution;
E. Suspension or revocation by federal, state, or local government of any permit currently or previously held by the applicant for the distribution of any drugs or devices, including controlled substances;
F. Compliance with requirements under previously granted permits or registrations, if any;
G. Compliance with the requirements to maintain and/or make available to state and federal regulatory authorities those records required to be maintained by wholesale distributors; and
H. Any other factors or qualifications the Mississippi Board of Pharmacy considers relevant to and consistent with the public health and safety.

The Mississippi Board of Pharmacy reserves the right to deny a permit or a registration to an applicant if it determines that the granting of such a permit or registration would not be in the public interest.

6. The Designated Representative shall attest to the permit application or the permit renewal and shall be the operations manager for that facility and shall be responsible for all activities in the permitted facility which are subject to regulation by the Board.

7. The Designated Representative shall be required to be physically onsite at the facility a minimum of twenty (20) hours per work week or fifty per cent (50%) of the hours of operation of the facility, whichever is less. A record of the onsite hours of the designated representative shall be produced upon request by the Board or an agent of the Board. Exceptions will be recognized for practical reasons, i.e., vacation, sick time, etc.

8. If the employment of a designated representative is terminated, or if for any other reason he/she wishes to be relieved of the responsibilities of the permit holder, he/she must notify the MS Board of Pharmacy via the online portal. Application for a new designated representative must be made by within fifteen (15) days.

9. Any facility/business licensed by the State of Mississippi shall notify the Board of Pharmacy within fifteen (15) days, via the license portal, of any changes that might affect permitting status. This includes a closing, change of name, location, ownership, or legal matters involving the facility/business or its leadership.
   A. If a permitted facility has a change in ownership, a new online application must be made to the board within fifteen (15) days.
   B. If a permitted facility has a change in name or location, a facility amendment must occur

within 15 days of the change.

10. All pharmaceutical supply chain facilities permitted by the Mississippi Board of Pharmacy shall comply with the following:
    A. Storage Conditions;
        (1) Each facility where legend drugs or devices are repackaged, wholesaled, manufactured, distributed, stored, held, sold, or offered for sale, shall provide storage areas that assure proper lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions. All legend drugs, chemicals, or devices shall be stored at appropriate temperatures and under appropriate conditions per label requirements or official compendium requirements to assure that the identity, strength, quality, and purity of the products are not affected. If no storage requirements are established for a prescription drug, they may be stored at controlled room temperature as defined in an official compendium such as the United States Pharmacopeia/National Formulary. Appropriate manual, electro-mechanical, or electronic temperature and humidity recording equipment, devices, and/or logs shall be utilized to document proper storage of prescription drugs. This data shall be recorded at least daily.
        (2) A separate storage section shall be provided for legend drugs or devices that are deteriorated, outdated, misbranded, or otherwise adulterated.
        (3) Controlled substances should be isolated from non-controlled substances and stored in a secure area in accordance with Drug Enforcement Administration security requirements and standards.
    B. Labeling:
        (1) All Federal labeling requirements must be met to include but not limited to:
            (a) Changes to product labeling must be submitted to the FDA annually.
            (b) Labels must include product identifiers in a 2-dimensional data matrix barcode both on the package and homogeneous case, unless it is a product required to have a standardized numerical id.
            (c) Distributors and 3PLs shall only accept products with proper labeling.
        (2) Facilities/businesses shall have systems in place to verify product at the package level, including standard numerical identifiers and must be in full compliance with the Drug Supply Chain & Security Act (DSCSA).
    C. Facilities:
        (1) All buildings in which legend drugs or devices are wholesaled, repackaged, manufactured, distributed, stored, held, sold, or offered for sale, shall be of suitable size, construction, and location to facilitate cleaning, maintenance, and proper operations. Buildings shall meet all applicable federal, state, and local standards and shall be maintained in a clean and orderly condition and be free from infestation by insects, rodents, birds, or vermin of any kind.
        (2) Each facility shall have a quarantine area for storage of prescription drugs or devices that are outdated, damaged, deteriorated, non-compliant with DSCSA requirements, misbranded, or adulterated, or that are in immediate or sealed outer or sealed secondary container that have been opened. All suspect products should be quarantined until investigation is complete.
        (3) A facility shall not be located in a residence.
    D. Security:

(1) All facilities shall be equipped with an electronic security system that will provide suitable protection against theft and diversion and meets all applicable federal, state, and local standards. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

(2) All facilities shall ensure that access from outside their premises is reduced to a minimum and be well controlled. This includes, but is not limited to, the installation of adequate lighting at the outside perimeter of the premises. Entry into areas where prescription drugs are stored or held shall be limited to authorized personnel.

(3) All facilities/businesses shall maintain written internal security policies which provide protection against theft and diversion by personnel. These policies shall provide protection against computer theft and crimes.

E. Recordkeeping:

(1) All facilities/businesses shall establish and maintain inventories and other records of all transactions regarding the receipt, distribution, and disposition of legend drugs or devices including the name and principal address of the seller or transferor and the address of the location from which the drugs were shipped. These records shall be maintained for a period of six (6) years following disposition of the drugs and must be compliant with all aspects of DSCSA. These records shall be made available for inspection and copying by the Mississippi Board of Pharmacy or other authorized federal, state, or local law enforcement agency officials. These records shall contain source of supply (items received, quantity, and date) and distribution (items distributed, quantity, and date).

(2) Records described in this section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available ~~for inspection~~ within two (2) working days of a written request by the Mississippi Board of Pharmacy or other authorized federal, state, or local law enforcement agency officials.

(3) Upon request by the Board, facilities/businesses that are permitted by the Board and who distribute prescription drugs or devices shall make available to the Board the following:

(a) A complete Mississippi customer roster;

(b) Transaction records of all distribution and sales for any period during the past six (6) years listing all sales or distribution of prescription drugs or devices to authorized persons upon request by the Board. This request shall be made in writing by the Board. The transaction records shall be supplied to the Board within two (2) working days and shall consist of the following:

(i) Name and address of the purchaser;

(ii) Name and address of the distributor;

(iii) Drug name, strength and dosage form, and quantity, including number of containers distributed;

(iv) The invoice number;

(v) The lot number of the product if required by DSCSA;

(vi) Date of transaction and shipment;

(vii) All records of returns or credits;
(viii) Must also include product identifiers at package level by applicable DSCSA deadline.

(4) Transaction records must also accompany products whenever prescription drug or devices products change hands (unless the product is being returned to the manufacturer as unsalable).
(a) These records should be in a single electronic document as required by DSCSA.
(b) Products should be verified by their identifiers upon sale/return. Any product that does not correspond with transaction records shall be treated as suspect.
(c) Product shall not be accepted without transaction records, except when returned to the manufacturer as unsalable.
(d) Transaction records are considered confidential and may only be provided to appropriate government officials and authorized trading partners with whom a written agreement is established.

(5) Transaction records shall be exchanged in a secure, interoperable, electronic manner, adhering to all regulations (compliance required by applicable DSCSA deadline).

(6) Systems and processes should be in place for accepting salable returns by associating products with transaction records (compliance required by applicable DSCSA deadline).

F. Written Policies and Procedures:

Facilities/businesses shall establish, maintain, and adhere to written policies and procedures which allow and demonstrate oversight of legend product based on their scope of service. Specifically, wholesale drug or device distributors shall establish, maintain, and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory, and distribution of prescription drugs or devices, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. Written policies and procedures shall include:

(1) A procedure to assure that the facility/business prepares for, protects against, and handles crisis situations that affect the security or operation of the facility. Such crises may include fires, floods, or other natural disasters, and situations of local, state, or national emergency.

(2) A procedure whereby the oldest approved stock of a prescription drug or device product is distributed first. The procedure may permit deviation from this requirement if such deviation is temporary and appropriate.

(3) A procedure to assure that any outdated stock, or any stock with an expiration date that does not allow sufficient time for resale shall be segregated from other stock and shall be prepared for return to the manufacturer or otherwise appropriately destroyed. This procedure shall provide for written documentation of the disposition of outdated prescription drugs. This documentation shall be maintained for a period of six (6) years after the disposition of the outdated drugs or devices.

(4) A procedure to assure the facility/business exercises control over the shipping and receiving of all stock within the operation, including the following practices:
(a) Upon receipt, each outside shipping container shall be visually examined for identity and to prevent the acceptance of contaminated prescription drugs or devices or prescription drugs or devices that are otherwise unfit for distribution. This

examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

(b) Each outgoing shipment shall be carefully inspected for identity of the prescription drug products or devices and to ensure that there is no delivery of prescription drugs or devices that have been damaged in storage or held under improper conditions.

(c) The recordkeeping requirements in paragraph (E.) of this section shall be followed for all incoming and outgoing prescription drugs or devices.

G. Returned, Damaged and Outdated Prescription Drugs:

(1) Prescription drugs or devices that are outdated, damaged, deteriorated, misbranded, or adulterated shall be quarantined and physically separated from other prescription drugs or devices until they are destroyed or returned to their supplier.

(2) Any prescription drug or device whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be quarantined and physically separated from other prescription drugs until they are either destroyed or returned to the supplier.

(3) If the conditions under which a prescription drug or device has been returned cast doubt on the safety, identity, strength, quality, or purity, then the drug or device shall be destroyed, or returned to the supplier, unless examination, testing or other investigation proves that appropriate standards of safety, identity, strength, quality, and purity are met. In determining whether the conditions under which a product has been returned cast doubt on the drug's or device's safety, identity, strength, quality, or purity, the wholesale drug distributor shall consider, among other things, the conditions under which the drug or device has been held, stored, or shipped before or during its return and the condition of the drug and its container, carton, or labeling, as a result of storage or shipping.

(4) The recordkeeping requirements in paragraph E. of this section shall be followed for all outdated, damaged, deteriorated, misbranded, or adulterated prescription drugs or devices. Written policies and procedures shall be maintained at the permitted facility to implement the above requirements.

H. Handling Recalls:

(1) A facility/business shall provide support for manufacturer recalls and withdrawals of prescription drugs or devices.

(2) A wholesale operation must maintain and follow written policies and procedures for handling recalls and withdrawals of products. Such a policy should cover all recalls and withdrawals of drug products or devices due to:

(a) Any voluntary action on the part of the manufacturer.

(b) The direction of the Food and Drug Administration, or any other federal, state, or local government agency.

(c) Replacement of existing merchandise with an improved product or new package design.

I. Due Diligence To Identify Suspect/Illegitimate Products:

(1) A facility/business in the drug supply chain shall cooperate in efforts to identify, isolate, investigate suspect products, and determine if such products are illegitimate.

(2) A facility/business should establish processes for identifying trading partners and transactions that require heightened vigilance in preventing the receipt of suspect product. Heightened vigilance includes the examination of required records (ie.

invoices, shipping documents, transaction history) for suspicious business practices and physical examination of product for factors that increase the risk of a product being suspect, such as:

(a) A trading partner that has been involved in business transactions where they sold or delivered illegitimate product;
(b) A trading partner that has a history of problematic or potentially false transaction histories or pedigrees, such as those that contain misspelled words or incomplete information;
(c) A Trading Partner that is reluctant to provide a Transaction History associated with the Product being purchased or does not do so in a timely manner;
(d) A Trading Partner that provides Transaction Information, a Transaction Statement, and/or Transaction History that appears to be incomplete or suspicious;
(e) The trading partner providing wholesale operations but is co-located with a pharmacy.
(f) The product offered for sale was previously owned by a dispenser;
(g) The price of a product is suspicious;
(h) The product has been previously or is currently the subject of a drug shortage;
(i) A product that is in higher demand because of its potential or perceived relationship to a public health or other emergency;
(j) The appearance of the package is suspicious; or
(k) The package exhibits unusual or excessive adhesive residue.

(3) Suspect products shall be quarantined, and an investigation opened into the product legitimacy. The FDA and all trading partners shall be notified of any ~~suspect~~ product determined to be illegitimate within 24 hours of such determination~~, and subsequently of the results of any investigation~~. Records of investigations shall be kept for a minimum of 6 years regardless of the outcome.
(4) Products deemed illegitimate shall be disposed of after a sample is taken for physical exam/laboratory analysis.

J. Due Diligence for Controlled Substance Ordering and Dispensing
(1) Facility/business that perform customer visits as part of customer diligence reviews to resolve red flags regarding ordering or dispensing practices of controlled substances shall share with the Board all reports and determinations within three (3) business days of receiving reports from customer.
(2) Facility/business that make the determination to suspend controlled substance ordering ability for customers must notify and provide related detailed rationale to the Board within one business day of suspension of ordering abilities.

K. Compliance with Local, State and Federal Law; Inspections, Violations and Penalties:
(1) Each facility/business shall comply with all applicable local, state and federal laws and regulations.
(2) The Board may conduct inspections upon all premises purporting or appearing to be used by persons permitted under this Article. The Board in its discretion may accept a satisfactory inspection from another regulatory or inspecting body which the Board determines to be comparable to that made by the Federal Food and Drug Administration or the Board. Upon request, the facility shall furnish to the Board a copy of any and all reports of inspections conducted by the Federal Food and Drug Administration or any other inspecting entity.
(3) Any facilities/businesses that possess, transport or store controlled substances in or into

MS shall obtain a controlled substance registration from the MS Board of Pharmacy in addition to a registration number from the Federal Drug Enforcement Administration and shall comply with all applicable state and federal DEA regulations.

(4) The Board or its representatives may enter to inspect, during reasonable hours, a facility which has obtained or applied for a permit with the Board. Failure to allow an inspection is cause to deny a permit or result in disciplinary action upon a permit.

(5) The Board shall have the authority to suspend, revoke, or restrict any permit or registration issued under this Article upon discipline and/or conviction of violations of this Article or other federal, state, or local drug laws or regulations.

(6) Before any permit may be suspended, restricted, or revoked or monetary penalties imposed by the Board, the facility/business shall have the right to prior notice and a hearing pursuant to Section 73-21-99, Mississippi Code of 1972.

L. Personnel

(1) Each facility/business shall employ adequate personnel with the education and experience necessary to safely and lawfully engage in the sale and wholesale distribution of prescription drugs or devices.

(2) Each facility/business shall maintain a list of all personnel who have access to controlled substances and shall make available to the Board proof of background searches on any such employee. No person who has access to controlled substances shall have been convicted in any federal or state court of any drug related crime.

(3) Each facility/business shall establish and maintain lists of officers, directors, managers, and other persons in charge of wholesale distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

M. Salvaging and Reprocessing:

(1) All facilities/businesses shall be subject to the provisions of any applicable federal, state, or local laws or regulations that relate to prescription drug product salvaging or reprocessing, including Title 21, Chapter 1, Subchapter C, Parts 207, 210 and 211 of the Code of Federal Regulations. Any reverse distributor that receives saleable product for reintroduction into the supply chain will also need to be permitted as a wholesale distributor.

N. Repackaging:

(1) Every repackager shall register with the Federal Food and Drug Administration and shall be in compliance with all laws, rules, regulations, and FDA issued guidance regarding such registration. Written notification furnished by the Federal Food and Drug Administration citing violations of federal laws, rules, and regulations shall be prima facie evidence of violation of this Article.

(2) Repackagers shall maintain all products in the manufacturer's original container except as allowed by federal laws, rules, and regulations regarding prescription drug repackaging. Once distributed, repackaged products which are returned to the repackager shall be immediately quarantined and either destroyed or returned to the original manufacturer.

11. Prohibited Acts

A. No facility/business may engage in wholesale distribution of a prescription drug, API's, or device in or into Mississippi unless the facility/business is licensed/permitted:

(1) By the state from which the drug, API, or device is distributed, or if the State from

which the drug, API, or device is distributed has not established a licensure requirement, is licensed by the Federal Drug Administration; and

(2) By the state into which the drug, API, or device is distributed.

B. No facility/business engaged in wholesale distribution is allowed to acquire prescription drugs, API's, or devices from a dispenser for resale within the State of Mississippi. The return by a dispenser of prescription drugs, API's, or devices originally purchased from that facility/business is exempt from this requirement.

C. Any facility/business permitted by the Mississippi Board of Pharmacy shall not sell or distribute a prescription drug, API, or device to any individual or business unless the individual or business is licensed or permitted to prescribe, dispense, or possess prescription drugs, API's, or devices by an agency of the state in which the individual or business is located.

D. Any facility/business permitted by the Board shall not distribute prescription drugs, API's, or devices to persons in <u>or into</u> this state unless such person is either a licensed physician, osteopath, podiatrist, or physician's assistant licensed by the Mississippi Board of Medical Licensure; a licensed dentist, licensed by the Mississippi Board of Dental Examiners; a licensed veterinarian, licensed by the Mississippi Board of Veterinary Medicine; or a drug supply chain facility/business permitted by the Board. An optometrist licensed by the Mississippi State Board of Optometry, may purchase prescription drugs or devices as authorized by said Board of Optometry. An advanced practice registered nurse, licensed by the Mississippi Board of Nursing may purchase prescription drugs or devices as authorized by said Board of Nursing.

ARTICLE XV ISSUANCE AND RECEIPT OF PRESCRIPTION COPIES

1. Prescriptions for drugs which are controlled substances as defined by the Mississippi Uniform Controlled Substances Law shall not be transferred. Prescriptions for noncontrolled drugs may be transferred orally by telephone or electronically (to include facsimile) at the request of the patient or authorized agent by pharmacists between pharmacies for the purpose of refill dispensing provided:
   A. That in pharmacies with a manual record keeping system the transferor pharmacist invalidates the prescription on file as of the date the copy is given by writing "Void" on its face; and records on the back of the invalidated prescription order that a copy has been issued, to whom, the date of issuance of such copy and the initials of the pharmacist issuing the transferred prescription.
   B. That in pharmacies with a computerized record keeping system the transferor pharmacist records in the system a cancellation of the prescription. This cancellation shall record that a copy of the prescription has been issued, to whom it was issued, the date of issuance of such copy and the initials of the pharmacist issuing the copy. This required information must be immediately retrievable (via CRT display or hard copy printout).
   C. The transferee pharmacist, upon receiving such prescription directly from another pharmacist, records the following and enters into the data processing system:
      (1) The name and address of the pharmacy from which the prescription was transferred and the original prescription number used by that pharmacy;
      (2) The name of the transferor pharmacist;
      (3) All information constituting a prescription order, including the following:
         (a) Patient's name.
         (b) Date of issuance of original prescription and date of original dispensing.
         (c) Original number of refills authorized on original prescription;
         (d) Number of valid refills remaining.
   D. The receiving pharmacist informs the patient that the original prescription has been canceled at the pharmacy from which it was obtained.

2. Computerized systems must satisfy all requirements of paragraph 1. of this ARTICLE. If pharmacies share a common computerized system, one pharmacist may perform all required actions, but this shall be limited to once per patient prescription.

3. Presentation of a written prescription copy or label from dispensed medication shall be for information purposes only and has no legal status as a valid prescription order. The recipient pharmacist of such copy or prescription label shall contact the prescribing practitioner for authorization to dispense the prescription, which is the same as obtaining an original prescription order or transfer the prescription in accordance with the provisions of paragraph 1. of this ARTICLE.

ARTICLE XV ISSUANCE AND RECEIPT OF PRESCRIPTION COPIES

1. Prescriptions for drugs which are controlled substances as defined by the Mississippi Uniform Controlled Substances Law shall not be transferred. Prescriptions for noncontrolled drugs may be transferred orally by telephone or electronically (to include facsimile) at the request of the patient or authorized agent by pharmacists between pharmacies for the purpose of refill dispensing provided:
   A. That in pharmacies with a manual record keeping system the transferor pharmacist invalidates the prescription on file as of the date the copy is given by writing "Void" on its face; and records on the back of the invalidated prescription order that a copy has been issued, to whom, the date of issuance of such copy and the initials of the pharmacist issuing the transferred prescription.
   B. That in pharmacies with a computerized record keeping system the transferor pharmacist records in the system a cancellation of the prescription. This cancellation shall record that a copy of the prescription has been issued, to whom it was issued, the date of issuance of such copy and the initials of the pharmacist issuing the copy. This required information must be immediately retrievable (via CRT display or hard copy printout).
   C. The transferee pharmacist, upon receiving such prescription directly from another pharmacist, records the following and enters into the data processing system:
      (1) The name and address of the pharmacy from which the prescription was transferred and the original prescription number used by that pharmacy;
      (2) The name of the transferor pharmacist;
      (3) All information constituting a prescription order, including the following:
         (a) Patient's name.
         (b) Date of issuance of original prescription and date of original dispensing.
         (c) Original number of refills authorized on original prescription;
         (d) Number of valid refills remaining.
   D. The receiving pharmacist informs the patient that the original prescription has been canceled at the pharmacy from which it was obtained.

2. Computerized systems must satisfy all requirements of paragraph 1. of this ARTICLE. If pharmacies share a common computerized system, one pharmacist may perform all required actions, but this shall be limited to once per patient prescription.

3. Presentation of a written prescription copy or label from dispensed medication shall be for information purposes only and has no legal status as a valid prescription order. The recipient pharmacist of such copy or prescription label shall contact the prescribing practitioner for authorization to dispense the prescription, which is the same as obtaining an original prescription order or transfer the prescription in accordance with the provisions of paragraph 1. of this ARTICLE.

TITLE 30: PROFESSIONS AND OCCUPATIONS
PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE XLVII PHYSICIAN DISPENSING FACILITY PERMITS

For the purposes of this Article, a "dispensing physician" means any physician who dispenses to a patient for the patient's use any controlled substance, legend drug or other medication where such medication is purchased by the physician for resale to a patient whether or not a separate charge is made.

Section 1: Application for Permit

Pursuant to Part 2640, Chapter 1, Rule 1.9 of the Mississippi Board of Medical Licensure Regulations, every dispensing physician in this State shall obtain a dispensing physician facility permit from the Mississippi Board of Pharmacy for every location where controlled substances or legend drugs are dispensed. The dispensing physician must obtain a certificate to dispense medications from the Mississippi Board of Medical Licensure prior to applying for a dispensing physician facility permit from the Mississippi Board of Pharmacy. Such permit shall be obtained by applying for a permit on a form supplied by the Mississippi Board of Pharmacy and accompanied by a fee of Three Hundred Dollars ($300.00). All physician dispensing facility permits expire on December 31 of each year and shall be renewed annually by submitting a renewal application and a renewal fee of Three Hundred Dollars ($300.00). Any renewal application postmarked after December 31st of the renewal period shall be returned and assessed a Fifty Dollar ($50.00) late fee prior to renewal. Dispensing physician facility permits are not transferable or assignable.

Any physician that utilizes an automated dispensary must obtain a separate Automated Physician Dispensing Facility Permit. Each automated dispensary shall be required to have a separate permit. An automated physician dispensing facility permit shall be obtained by applying on a form supplied by the Mississippi Board of Pharmacy and accompanied by a fee of Three Hundred Dollars ($300.00). All automated physician dispensing facility permits expire on December 31 of each year and shall be renewed annually by submitting a renewal application and a renewal fee of Three Hundred Dollars ($300.00). Any renewal application postmarked after December 31st of the renewal period shall be returned and assessed a Fifty Dollar ($50.00) late fee prior to renewal. Automated dispensing physician facility permits are not transferable or assignable.

Section 2: Record Keeping

1. Every Physician Dispensing Facility Permit issued by the Board of Pharmacy shall keep complete and accurate records of the acquisition and disposition of all controlled substances. An annual inventory shall be conducted on all controlled substances. These records shall include:

    a. A current dated and signed inventory of all controlled substances on hand on the inventory date;
    b. Complete and accurate records of receipt of all controlled substances;
    c. Complete and accurate records of disposition of all controlled substances.

Records of acquisition must be maintained for a period of two (2) years. Records of disposition must be maintained for a period of six (6) years. These records shall be kept in such a manner that an audit will show the beginning inventory and record of acquisition of controlled substances to balance with the controlled substances on hand and the record of disposition of controlled substances.

2. Unless authorized by the Federal Drug Enforcement Administration to maintain records of controlled substances at a location other than the location permitted by the Mississippi Board of Pharmacy, these records shall be maintained at the permitted location. All records pertaining to controlled substances shall be made available for inspection and copying by agents of the Mississippi Board of Pharmacy. A dispensing physician may use a data processing system or a manual record keeping system for the storage and retrieval of all drug order and dispensing information. All records of controlled substances in Schedule II shall be maintained separately from all other records. All records of controlled substances in Schedule III, IV and V, whether maintained manually or in a data processing system, shall be maintained separately or in such a manner that they are readily retrievable from the other business records. Invoices for controlled substances shall be dated and initialed by the person receiving the order.

3. If a dispensing physician utilizes a data processing system, it must provide immediate retrieval of drug dispensing information. The data processing system must have the capability of producing a hard copy printout of all dispensing information including an audit trail for any specified strength and dosage form of any controlled substance either by brand name or generic name or both for any time period in the prior two (2) years. The audit trail specified by this Article must be produced on verbal or written request of any Compliance Agent of the Board. Failure to produce and provide this audit trail within twenty-four (24) hours constitutes prima facie evidence of failure to keep and maintain records as required by this Article.

4. The records of controlled substances in Schedules II, III, IV and V, which are maintained in a data processing system shall be maintained with the following information pertaining to the initial dispensing of the drug shall be entered into the data processing system:

    a. Date of initial dispensing;
    b. Name and address of patient;
    c. Dispensing physician's name and DEA registration number; and
    d. The name, strength, dosage form and quantity of the controlled substance ordered and dispensed.

5. A record of all controlled substance dispensing information shall be transmitted to the Prescription Monitoring Program every twenty-four (24) hours or within the next business day by all dispensing physicians for all controlled substances dispensed which amounts to greater than a forty-eight (48) hour supply. Dispensers will be required to collect and transmit the following information:
    a. The recipient’s name;
    b. The recipient’s or the recipient representative’s identification number;
    c. The recipient’s date of birth;
    d. The national drug code (NDC) number of the controlled substance dispensed;

e. The date the controlled substance is dispensed;
f. The quantity of the controlled substance dispensed;
g. The number of days supply dispensed;
h. The dispenser's NCPDP registration number;
i. The dispenser's DEA registration number, and
j. The method of payment of the prescription purchase.

6. A single physician dispenser may not share or otherwise allow other practitioners to utilize medications or inventory ordered under their authority. Proper transference of medications may take place pursuant to an accurate record of acquisition and disposition of the medications being transferred. Additionally, for the transference of controlled substances, all Federal Drug Enforcement Agency (DEA) regulations must be followed.

Section 3: Storage and Dispensing Conditions

1. All drug products which are stored or maintained in a facility permitted by the Board of Pharmacy shall remain in the manufacturer's or repackager's original container. The label of any container in which drugs are maintained must bear the drug name, strength, the manufacturer's control lot number and the expiration date. Drugs which are precounted and prepackaged, or placed in automatic tablet counting machines, for purposes of dispensing shall be identifiable as to expiration date and manufacturer's control lot number. The containers in which drug products are maintained shall not be labeled in any false or misleading manner. The labeling requirements of this ARTICLE are in addition to, and not in lieu of, other labeling requirements of the laws of the state of Mississippi and laws of the United States or federal regulations.

2. No physician may delegate dispensing authority to another person. Except as allowed pursuant to an automated dispensing physician facility permit, a physician must personally dispense the medication. For the purpose of this regulation, "personally dispense" means the physician must actually obtain the medication, prepare, count, place the medication into the appropriate container and affix the appropriate label to the container.

3. A physician shall not dispense out-of-date drugs and shall not maintain out-of-date drugs intermixed with the stock of current drugs. Out-of-date drugs shall be promptly removed from current stock and stored separately until proper disposal shall be made.

4. The Board of Pharmacy or its representative may seize, embargo, quarantine or place under seal any drug or controlled substance which may constitute an imminent danger to the public health or safety.

5. A physician shall not accept the return for subsequent resale or exchange any drug after such drug has been taken from the premises where sold, distributed or dispensed and from the control of the physician.

6. All drug products shall be maintained, stored and dispensed in such a manner as to maintain the integrity of the product.

7. Unless requested not to do so, all medication dispensed in a liquid or solid dosage form shall be dispensed in child resistant packaging.

8. Disasters, accidents or emergencies which may affect the strength, purity or labeling of drugs shall be immediately reported to the Board of Pharmacy.

9. Customized Patient Medication Packages: In lieu of dispensing two or more prescribed drug products in separate containers, a physician may, with the consent of the patient or a patient's care giver, provide a customized package, known as a patient med-pak provided:
    a. Patient med-paks shall bear a label (or labels) including all information required on a traditional prescription label. In addition, the med-pak shall bear an identification number unique to that patient med-pak, the date of preparation and the beyond-use date of the patient med-pak (not to exceed ninety (90) days from the date of preparation). If the patient med-pak allows for the removal or separation of individual cells within the med-pak, each cell shall bear a label identifying each of the drug products contained.
    b. It is the responsibility of the dispensing physician when preparing the med-pak, to take into account any applicable compendia requirements or guidelines and the physical and chemical compatibility of the dosage forms placed within each cell of the med-pak, as well as any therapeutic incompatibilities that may attend the simultaneous administration of the drugs.
    c. A record of each patient med-pak shall be made and filed. Each record shall contain at a minimum:
        i. The name and address of the patient;
        ii. The unique identification number of the patient med-pak;
        iii. The drug name, manufacturer or distributor name and lot number of each drug product contained;
        iv. Any special labeling instructions;
        v. Information identifying or describing the design, characteristics, or specifications of the med-pak, sufficient to allow subsequent preparation of the med-pak for the patient;
        vi. The date of preparation of the patient med-pak and the beyond-use date that was assigned; and
        vii. The name or initials of the physician responsible for preparing the med-pak.

Section 4: Labeling

The label on the dispensing container shall include:

1. The name and address of the patient to whom the medication was dispensed;
2. The date that the medication was dispensed;
3. The drug name, manufacturer or distributor name and lot number of the drug product dispensed;
4. The strength and quantity of the medication;
5. Directions for taking or administering the medication;
6. The name and address of the physician dispensing the medication, and
7. Any other information which is necessary or required.

The label shall be affixed to the outside of the container of the dispensed medication by means of adhesive or tape or any other means which will assure that the label remains attached to the container.

Section 5: Security

In all places where controlled substances are maintained, they shall be maintained in a manner to deter loss by theft or burglary. Storage of controlled substances in any schedule may be made in a securely locked, substantially constructed container or area; or they may be dispersed throughout the stock of non-controlled substances in such a manner as to obstruct the theft or diversion of the controlled substances; or they may be stored by a combination of these methods. Only the dispensing physician or person authorized by the dispensing physician shall have access to this storage area.

Section 6: Inventory

1. If a facility has a loss of controlled substances, a complete inventory of all remaining controlled substances shall be made within forty-eight (48) hours of discovery of the loss of controlled substances. This inventory shall be dated and signed by the dispensing physician conducting the inventory. Any loss or suspected loss of controlled substances shall be reported directly to the Mississippi Board of Pharmacy immediately upon discovery and a written report made to the Mississippi Board of Pharmacy within fifteen (15) days; this written report shall include a copy of the inventory required by this ARTICLE.

2. When a facility has a change in ownership, or is permanently closed, a complete inventory shall be made of all controlled substances at the time of the change. A copy of this inventory shall be kept with other records of controlled substances in the facility and a copy shall be sent to the office of the Board of Pharmacy. When a facility is permanently closed, the dispensing physician shall notify the Board in writing within fifteen (15) days by what means and as to whom controlled substances were transferred or disposed of.

3. Every dispensing physician facility permitted by the Mississippi Board of Pharmacy shall take an annual inventory of all controlled substances on hand on or about May 1 but no later than May 15. A facility may conduct the controlled substance inventory at another date so long as the annual inventory is conducted during the same period each year. This inventory shall be maintained with the other controlled substance records of the facility.

Section 7: Disposal of Controlled Substances

1. Any dispensing physician authorized to possess controlled substances in the course of their professional practice or the course of their business may dispose of any expired, excess or unwanted controlled substances by contacting and utilizing the services of a reverse distributor as defined by the Federal Drug Enforcement Administration. Any such reverse distributor must hold a valid Certificate of Registration Number issued by the Federal Drug Enforcement Administration and the Mississippi Board of Pharmacy. All records of the disposal of controlled substances shall be maintained for a period of two (2) years.

2. A dispensing physician facility permitted by the Mississippi Board of Pharmacy in which controlled substances are administered to patients, may make on-premises destruction of controlled substances provided:

    a. The controlled substance is the remainder of a prepackaged single dosage unit or unit of use.
    b. At least part of the unit dose or unit of use was administered.
    c. The destruction is recorded showing:
        i. The name of the drug;
        ii. The amount of the drug which was administered and the amount of the drug which was destroyed;
        iii. The time and the date of destruction;
        iv. The name of the patient;
        v. The name of the person administering the drug;
        vi. The signature of the person (physician or nurse) making the destruction;
        vii. The signature of a second person who witnessed the destruction.
    d. The record of the destruction is maintained by the facility.
    e. A single dosage unit or any unit of use of a controlled substance which (1) is broken, (2) becomes contaminated, (3) or for any reason cannot be used, may be destroyed on premise provided the destruction is documented.

3. Except as provided for in this ARTICLE, no controlled substance may be destroyed or disposed of by a permitee without written permission of the Regional Director of the Federal Drug Enforcement Administration.

Section 8: Automated Dispensaries

1. Any physician utilizing an automated dispensary will be responsible for developing and implementing written policies and procedures to ensure safety, accuracy, accountability, security, patient confidentiality and maintenance of the quality, potency and purity of the medications dispensed by the automated dispensary.

2. Any physician utilizing an automated dispensary will be responsible for the proper maintenance and inventory/accountability requirements as if the physician were personally dispensing the medications to the patients from his or her medication stock/inventory in their personal practice.

3. An automated dispensary may only be stocked by the inventory/stock from a single physician and may not dispense controlled substances.

4. The stocking of an automated dispensary shall be performed only by the responsible physician. This task may not be delegated.

5. All medications dispensed from the automated dispensary shall comply with the labeling requirements of Section 4 of this regulation.

6. No medication may be dispensed from an automated dispensary unless the patient has first had an initial or follow-up visit with the physician. Any refills dispensed from an automated dispensary must be accompanied by its own preceding physician visit.

7. Any automated dispensing system shall maintain an electronic record of all information related to each and every medication dispensed including, but not limited to, all label information and date and time of dispensing.

Section 9: Dispensing Compounded Products

A. Prior to engaging in compounding pharmaceuticals for dispensing, a physician dispensing facility shall obtain a compounding certificate from the Mississippi Board of Pharmacy.

   i. To obtain a compounding certificate, an applicant must complete a compounding certificate application. A compounding certificate is required for each physician dispenser. The physician dispenser shall not delegate any part of the compounding process to another person.

   ii. A compounding certificate will expire when the physician dispensing permit expires and can be renewed at the time the physician dispensing permit is renewed.

   iii. Compounding for dispensing, without obtaining the compounding certificate, shall be grounds for disciplinary action.

   iv. Every physician dispenser that engages in compounding for dispensing shall keep records of all compounded products that are dispensed to patients. Such records shall be readily available for authorized inspection for 6 years from the date of dispensing.

   v. Any dispensing physician with an active compounding certificate for dispensing is subject to a compounding inspection by the Board.

B. Every dispensing physician that is engaged in compounding pharmaceuticals for dispensing shall comply with USP 795, USP 797, and USP 800 when compounding in the scope of those chapters.

C. For the purposes of this Section, flavoring is not considered compounding. In addition, the combining of commercially manufactured, ready-to-use products shall be exempt from USP 795 compounding standards under the following conditions:

   i. No more than four (4) commercially manufactured ready-to-use products (that have not been manipulated) are used;

   ii. Compounding is not done in anticipation of orders;

   iii. Must follow USP 795 beyond use dates (BUDs);

   iv. The prescription label complies with all related USP chapter requirements as well as the labeling requirements set forth in this regulation.

D. A physician dispenser may compound for dispensing to an individual patient, medications that are not commercially available in the marketplace in compliance with Compounding Using

Bulk Drug Substances Under Section 503A of the Federal Food, Drug, and Cosmetic Act. This includes compounding a copy of a commercial product when that commercial product is not available as evidenced by either of the following:

i. Products that appear as unresolved status on the FDA drug shortage list in effect under section 506E of the FD&C Act; or

ii. Products discontinued and no longer marketed by the manufacturer.

E. A physician dispenser shall not compound for dispensing products that appear on the FDA List of Drugs withdrawn or removed from the market for safety reasons or on the FDA List of Drug products that present demonstrable difficulties in compounding.

F. A physician dispenser shall not offer compounded human drug products to other practitioners or to pharmacies for resale or dispensing. A physician dispenser may not dispense compounded product from another practitioner or that was compounded by a 503A or 503B pharmacy.

G. Nothing in this section prohibits a physician from compounding for immediate administration or requires a physician dispenser to obtain a compounding certificate from the MS Board of Pharmacy for compounding for administration.

ARTICLE XLVII PHYSICIAN DISPENSING FACILITY PERMITS

For the purposes of this Article, a "dispensing physician" means any physician who dispenses to a patient for the patient's use any controlled substance, legend drug or other medication where such medication is purchased by the physician for resale to a patient whether or not a separate charge is made.

Section 1: Application for Permit

Pursuant to Part 2640, Chapter 1, Rule 1.9 of the Mississippi Board of Medical Licensure Regulations, every dispensing physician in this State shall obtain a dispensing physician facility permit from the Mississippi Board of Pharmacy for every location where controlled substances or legend drugs are dispensed. The dispensing physician must obtain a certificate to dispense medications from the Mississippi Board of Medical Licensure prior to applying for a dispensing physician facility permit from the Mississippi Board of Pharmacy. Such permit shall be obtained by applying for a permit on a form supplied by the Mississippi Board of Pharmacy and accompanied by a fee of Three Hundred Dollars ($300.00). All physician dispensing facility permits expire on December 31 of each year and shall be renewed annually by submitting a renewal application and a renewal fee of Three Hundred Dollars ($300.00). Any renewal application postmarked after December 31st of the renewal period shall be returned and assessed a Fifty Dollar ($50.00) late fee prior to renewal. Dispensing physician facility permits are not transferable or assignable.

Any physician that utilizes an automated dispensary must obtain a separate Automated Physician Dispensing Facility Permit. Each automated dispensary shall be required to have a separate permit. An automated physician dispensing facility permit shall be obtained by applying on a form supplied by the Mississippi Board of Pharmacy and accompanied by a fee of Three Hundred Dollars ($300.00). All automated physician dispensing facility permits expire on December 31 of each year and shall be renewed annually by submitting a renewal application and a renewal fee of Three Hundred Dollars ($300.00). Any renewal application postmarked after December 31st of the renewal period shall be returned and assessed a Fifty Dollar ($50.00) late fee prior to renewal. Automated dispensing physician facility permits are not transferable or assignable.

Section 2: Record Keeping

1. Every Physician Dispensing Facility Permit issued by the Board of Pharmacy shall keep complete and accurate records of the acquisition and disposition of all controlled substances. An annual inventory shall be conducted on all controlled substances. These records shall include:

    a. A current dated and signed inventory of all controlled substances on hand on the inventory date;

b. Complete and accurate records of receipt of all controlled substances;

c. Complete and accurate records of disposition of all controlled substances. Records of acquisition must be maintained for a period of two (2) years. Records of disposition must be maintained for a period of six (6) years. These records shall be kept in such a manner that an audit will show the beginning inventory and record of acquisition of controlled substances to balance with the controlled substances on hand and the record of disposition of controlled substances.

2. Unless authorized by the Federal Drug Enforcement Administration to maintain records of controlled substances at a location other than the location permitted by the Mississippi Board of Pharmacy, these records shall be maintained at the permitted location. All records pertaining to controlled substances shall be made available for inspection and copying by agents of the Mississippi Board of Pharmacy. A dispensing physician may use a data processing system or a manual record keeping system for the storage and retrieval of all drug order and dispensing information. All records of controlled substances in Schedule II shall be maintained separately from all other records. All records of controlled substances in Schedule III, IV and V, whether maintained manually or in a data processing system, shall be maintained separately or in such a manner that they are readily retrievable from the other business records. Invoices for controlled substances shall be dated and initialed by the person receiving the order.

3. If a dispensing physician utilizes a data processing system, it must provide immediate retrieval of drug dispensing information. The data processing system must have the capability of producing a hard copy printout of all dispensing information including an audit trail for any specified strength and dosage form of any controlled substance either by brand name or generic name or both for any time period in the prior two (2) years. The audit trail specified by this Article must be produced on verbal or written request of any Compliance Agent of the Board. Failure to produce and provide this audit trail within twenty-four (24) hours constitutes prima facie evidence of failure to keep and maintain records as required by this Article.

4. The records of controlled substances in Schedules II, III, IV and V, which are maintained in a data processing system shall be maintained with the following information pertaining to the initial dispensing of the drug shall be entered into the data processing system:

    a. Date of initial dispensing;
    b. Name and address of patient;
    c. Dispensing physician's name and DEA registration number; and
    d. The name, strength, dosage form and quantity of the controlled substance ordered and dispensed.

5. A record of all controlled substance dispensing information shall be transmitted to the Prescription Monitoring Program every twenty-four (24) hours or within the next business day by all dispensing physicians for all controlled substances dispensed which amounts to greater than a forty-eight (48) hour supply. Dispensers will be required to collect and transmit the following information:
    a. The recipient’s name;
    b. The recipient’s or the recipient representative’s identification number;

c. The recipient's date of birth;
d. The national drug code (NDC) number of the controlled substance dispensed;
e. The date the controlled substance is dispensed;
f. The quantity of the controlled substance dispensed;
g. The number of days supply dispensed;
h. The dispenser's NCPDP registration number;
i. The dispenser's DEA registration number, and
j. The method of payment of the prescription purchase.

6. A single physician dispenser may not share or otherwise allow other practitioners to utilize medications or inventory ordered under their authority. Proper transference of medications may take place pursuant to an accurate record of acquisition and disposition of the medications being transferred. Additionally, for the transference of controlled substances, all Federal Drug Enforcement Agency (DEA) regulations must be followed.

Section 3: Storage and Dispensing Conditions

1. All drug products which are stored or maintained in a facility permitted by the Board of Pharmacy shall remain in the manufacturer's or repackager's original container. The label of any container in which drugs are maintained must bear the drug name, strength, the manufacturer's control lot number and the expiration date. Drugs which are precounted and prepackaged, or placed in automatic tablet counting machines, for purposes of dispensing shall be identifiable as to expiration date and manufacturer's control lot number. The containers in which drug products are maintained shall not be labeled in any false or misleading manner. The labeling requirements of this ARTICLE are in addition to, and not in lieu of, other labeling requirements of the laws of the state of Mississippi and laws of the United States or federal regulations.

2. No physician may delegate dispensing authority to another person. Except as allowed pursuant to an automated dispensing physician facility permit, a physician must personally dispense the medication. For the purpose of this regulation, "personally dispense" means the physician must actually obtain the medication, prepare, count, place the medication into the appropriate container and affix the appropriate label to the container.

3. A physician shall not dispense out-of-date drugs and shall not maintain out-of-date drugs intermixed with the stock of current drugs. Out-of-date drugs shall be promptly removed from current stock and stored separately until proper disposal shall be made.

4. The Board of Pharmacy or its representative may seize, embargo, quarantine or place under seal any drug or controlled substance which may constitute an imminent danger to the public health or safety.

5. A physician shall not accept the return for subsequent resale or exchange any drug after such drug has been taken from the premises where sold, distributed or dispensed and from the control of the physician.

6. All drug products shall be maintained, stored and dispensed in such a manner as to maintain the integrity of the product.

7. Unless requested not to do so, all medication dispensed in a liquid or solid dosage form shall be dispensed in child resistant packaging.

8. Disasters, accidents or emergencies which may affect the strength, purity or labeling of drugs shall be immediately reported to the Board of Pharmacy.

9. Customized Patient Medication Packages: In lieu of dispensing two or more prescribed drug products in separate containers, a physician may, with the consent of the patient or a patient's care giver, provide a customized package, known as a patient med-pak provided:
    a. Patient med-paks shall bear a label (or labels) including all information required on a traditional prescription label. In addition, the med-pak shall bear an identification number unique to that patient med-pak, the date of preparation and the beyond-use date of the patient med-pak (not to exceed ninety (90) days from the date of preparation). If the patient med-pak allows for the removal or separation of individual cells within the med-pak, each cell shall bear a label identifying each of the drug products contained.
    b. It is the responsibility of the dispensing physician when preparing the med-pak, to take into account any applicable compendia requirements or guidelines and the physical and chemical compatibility of the dosage forms placed within each cell of the med-pak, as well as any therapeutic incompatibilities that may attend the simultaneous administration of the drugs.
    c. A record of each patient med-pak shall be made and filed. Each record shall contain at a minimum:
        i. The name and address of the patient;
        ii. The unique identification number of the patient med-pak;
        iii. The drug name, manufacturer or distributor name and lot number of each drug product contained;
        iv. Any special labeling instructions;
        v. Information identifying or describing the design, characteristics, or specifications of the med-pak, sufficient to allow subsequent preparation of the med-pak for the patient;
        vi. The date of preparation of the patient med-pak and the beyond-use date that was assigned; and
        vii. The name or initials of the physician responsible for preparing the med-pak.

Section 4: Labeling

The label on the dispensing container shall include:

1. The name and address of the patient to whom the medication was dispensed;
2. The date that the medication was dispensed;
3. The drug name, manufacturer or distributor name and lot number of the drug product dispensed;
4. The strength and quantity of the medication;
5. Directions for taking or administering the medication;
6. The name and address of the physician dispensing the medication, and
7. Any other information which is necessary or required.

The label shall be affixed to the outside of the container of the dispensed medication by means of adhesive or tape or any other means which will assure that the label remains attached to the container.

Section 5: Security

In all places where controlled substances are maintained, they shall be maintained in a manner to deter loss by theft or burglary. Storage of controlled substances in any schedule may be made in a securely locked, substantially constructed container or area; or they may be dispersed throughout the stock of non-controlled substances in such a manner as to obstruct the theft or diversion of the controlled substances; or they may be stored by a combination of these methods. Only the dispensing physician or person authorized by the dispensing physician shall have access to this storage area.

Section 6: Inventory

1. If a facility has a loss of controlled substances, a complete inventory of all remaining controlled substances shall be made within forty-eight (48) hours of discovery of the loss of controlled substances. This inventory shall be dated and signed by the dispensing physician conducting the inventory. Any loss or suspected loss of controlled substances shall be reported directly to the Mississippi Board of Pharmacy immediately upon discovery and a written report made to the Mississippi Board of Pharmacy within fifteen (15) days; this written report shall include a copy of the inventory required by this ARTICLE.

2. When a facility has a change in ownership, or is permanently closed, a complete inventory shall be made of all controlled substances at the time of the change. A copy of this inventory shall be kept with other records of controlled substances in the facility and a copy shall be sent to the office of the Board of Pharmacy. When a facility is permanently closed, the dispensing physician shall notify the Board in writing within fifteen (15) days by what means and as to whom controlled substances were transferred or disposed of.

3. Every dispensing physician facility permitted by the Mississippi Board of Pharmacy shall take an annual inventory of all controlled substances on hand on or about May 1 but no later than May 15. A facility may conduct the controlled substance inventory at another date so long as the annual inventory is conducted during the same period each year. This inventory shall be maintained with the other controlled substance records of the facility.

Section 7: Disposal of Controlled Substances

1. Any dispensing physician authorized to possess controlled substances in the course of their professional practice or the course of their business may dispose of any expired, excess or unwanted controlled substances by contacting and utilizing the services of a reverse distributor as defined by the Federal Drug Enforcement Administration. Any such reverse distributor must hold a valid Certificate of Registration Number issued by the Federal Drug Enforcement Administration and the Mississippi Board of Pharmacy. All records of the disposal of controlled substances shall be maintained for a period of two (2) years.

2.A dispensing physician facility permitted by the Mississippi Board of Pharmacy in which controlled substances are administered to patients, may make on-premises destruction of controlled substances provided:

a. The controlled substance is the remainder of a prepackaged single dosage unit or unit of use.
b. At least part of the unit dose or unit of use was administered.
c. The destruction is recorded showing:
    i. The name of the drug;
    ii. The amount of the drug which was administered and the amount of the drug which was destroyed;
    iii. The time and the date of destruction;
    iv. The name of the patient;
    v. The name of the person administering the drug;
    vi. The signature of the person (physician or nurse) making the destruction;
    vii. The signature of a second person who witnessed the destruction.
d. The record of the destruction is maintained by the facility.
e. A single dosage unit or any unit of use of a controlled substance which (1) is broken, (2) becomes contaminated, (3) or for any reason cannot be used, may be destroyed on premise provided the destruction is documented.

3. Except as provided for in this ARTICLE, no controlled substance may be destroyed or disposed of by a permitee without written permission of the Regional Director of the Federal Drug Enforcement Administration.

Section 8: Automated Dispensaries

1. Any physician utilizing an automated dispensary will be responsible for developing and implementing written policies and procedures to ensure safety, accuracy, accountability, security, patient confidentiality and maintenance of the quality, potency and purity of the medications dispensed by the automated dispensary.

2. Any physician utilizing an automated dispensary will be responsible for the proper maintenance and inventory/accountability requirements as if the physician were personally dispensing the medications to the patients from his or her medication stock/inventory in their personal practice.

3. An automated dispensary may only be stocked by the inventory/stock from a single physician and may not dispense controlled substances.

4. The stocking of an automated dispensary shall be performed only by the responsible physician. This task may not be delegated.

5. All medications dispensed from the automated dispensary shall comply with the labeling requirements of Section 4 of this regulation.

6. No medication may be dispensed from an automated dispensary unless the patient has first had an initial or follow-up visit with the physician. Any refills dispensed from an automated dispensary must be accompanied by its own preceding physician visit.

7. Any automated dispensing system shall maintain an electronic record of all information related to each and every medication dispensed including, but not limited to, all label information and date and time of dispensing.

Section 9: Dispensing Compounded Products

A. Prior to engaging in compounding pharmaceuticals for dispensing, a physician dispensing facility shall obtain a compounding certificate from the Mississippi Board of Pharmacy.

   i. To obtain a compounding certificate, an applicant must complete a compounding certificate application. A compounding certificate is required for each physician dispenser. The physician dispenser shall not delegate any part of the compounding process to another person.

   ii. A compounding certificate will expire when the physician dispensing permit expires and can be renewed at the time the physician dispensing permit is renewed.

   iii. Compounding for dispensing, without obtaining the compounding certificate, shall be grounds for disciplinary action.

   iv. Every physician dispenser that engages in compounding for dispensing shall keep records of all compounded products that are dispensed to patients. Such records shall be readily available for authorized inspection for 6 years from the date of dispensing.

   v. Any dispensing physician with an active compounding certificate for dispensing is subject to a compounding inspection by the Board.

B. Every dispensing physician that is engaged in compounding pharmaceuticals for dispensing shall comply with USP 795, USP 797, and USP 800 when compounding in the scope of those chapters.

C. For the purposes of this Section, flavoring is not considered compounding. In addition, the combining of commercially manufactured, ready-to-use products shall be exempt from USP 795 compounding standards under the following conditions:

   a. No more than four (4) commercially manufactured ready-to-use products (that have not been manipulated) are used;

   b. Compounding is not done in anticipation of orders;

   c. Must follow USP 795 beyond use dates (BUDs);

   d. The prescription label complies with all related USP chapter requirements as well as the labeling requirements set forth in this regulation.

D. A physician dispenser may compound for dispensing to an individual patient, medications that are not commercially available in the marketplace in compliance with Compounding Using

Bulk Drug Substances Under Section 503A of the Federal Food, Drug, and Cosmetic Act. This includes compounding a copy of a commercial product when that commercial product is not available as evidenced by either of the following:

a. Products that appear as unresolved status on the FDA drug shortage list in effect under section 506E of the FD&C Act; or

b. Products discontinued and no longer marketed by the manufacturer.

E. A physician dispenser shall not compound for dispensing products that appear on the FDA List of Drugs withdrawn or removed from the market for safety reasons or on the FDA List of Drug products that present demonstrable difficulties in compounding.

F. A physician dispenser shall not offer compounded human drug products to other practitioners or to pharmacies for resale or dispensing. A physician dispenser may not dispense compounded product from another practitioner or that was compounded by a 503A or 503B pharmacy.

G. Nothing in this section prohibits a physician from compounding for immediate administration or requires a physician dispenser to obtain a compounding certificate from the MS Board of Pharmacy for compounding for administration.

Came on May 30, 2024, the matter of Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

BURNHAM'S VITAL CARE
4931 MAIN STREET, UNIT B
P.O. BOX 8647
MOSS POINT, MS 39562

PERMIT TO OPERATE AS A PHARMACY, NUMBER 05113/2.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Mississippi Board of Pharmacy entered an Order on July 13, 2023, which restricted the permit of the Petitioner to immediately suspend all medium and high risk and/or Category 2 and Category 3 sterile compounding until all staff involved in compounding have received in-person training, which shall be pre-approved by the Executive Director of the Mississippi Board of Pharmacy. The Board also imposed a monetary penalty in the amount of Eleven Thousand Dollars ($11,000) and charged the Petitioner the cost of investigation and conduct of a proceeding in the amount of Two Hundred Fifty Dollars ($250.00). On November 15, 2023, the Board entered an Order lifting the restrictions on the permit of the Petitioner to allow sterile to sterile compounding. On May 30, 2024, the Petitioner appeared before the Board with a request to lift the restriction on the permit to allow nonsterile to sterile compounding

The Board heard testimony concerning the request of the Petitioner.

ACTION OF THE BOARD

Based upon the clear and convincing evidence presented at the petition hearing, all members of the Board present voted to lift the restrictions on the permit of the Petitioner to allow nonsterile to sterile compounding.

All members participating in the hearing affirmed this Order.

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Cristina Celdran, License to Practice Pharmacy Number T-13646, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Craig Sartin and Tony Waits served on the Investigative Review Committee and did not participate in this hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

CRISTINA CELDRAN
3545 SW 173RD WAY
MIRAMAR, FLORIDA 33029

PHARMACIST LICENSE TO PRACTICE PHARMACY NUMBER T-13646

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Cristina Celdran, License to Practice Pharmacy Number T-13646, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Cristina Celdran, License to Practice Pharmacy Number T-13646, is alleged to have committed the following violation:

Count 1:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1, Z:

Z. Failure to produce evidence of continuing education credits as required by regulation.

ARTICLE IV LICENSE RENEWAL AND CONTINUING EDUCATION, Paragraph 1, B:

1. To renew his/her license, a pharmacist shall:
   A. Submit an application for renewal on the form prescribed by the Board or through the online process found at the Mississippi Board of Pharmacy webpage;
   B. On the application, indicate and certify the number of continuing education hours earned for Licensure:
      i Fifteen (15) hours of continuing education is required for each licensure period.
      ii At least two (2) hours of the continuing education received each year must be related to opioid abuse and prevention or some other drug of abuse or addiction related issue.
      iii At least two (2) hours of the continuing education received each year must be obtained via a live seminar. Live webcasts are valid for this requirement.
      iv A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the Prescription Monitoring Program.

Specifically, pursuant to an audit request, Cristina M. Celdran, Pharmacist License, Certificate of Registration Number T-13646, failed to provide documentation of obtaining the required continuing education, for the licensure period of January 1, 2022, through December 31, 2022. Celdran was short two (2) hours of opioid or addiction related continuing education, two (2) hours

of live continuing education and thirteen (13) hours of total continuing education required by regulation.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.

(2) The Respondent has been afforded all due process required by law.

(3) The Respondent was issued a License to Practice Pharmacy by the Board, Certificate of Registration Number T-13646, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

(4) The Respondent did not appear for the hearing and the hearing was held in absentia.

(5) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, License to Practice Pharmacy, Certificate of Registration Number T-13646 is revoked.
- Pursuant to Mississippi Code Annotated Section 73-21-103 (l)(d)(i), Respondent shall pay a monetary penalty in the amount of One Thousand Dollars ($1,000.00).
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her license.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Dollars ($100.00).
- The total monetary penalty of One Thousand One Hundred Dollars ($1,100.00) is due and payable in the office of the Board within thirty (30) days of receipt of this Order. The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All members participating in the hearing affirmed this Order.

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Rachel Young, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF: RACHEL YOUNG
26300 BLAINE DRIVE
LUCEDALE, MS 39452

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's pharmacy technician registration expired in 2018. The Petitioner requests that the Board approve her application for reinstatement of her pharmacy technician registration. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board approved the application of the Petitioner granting her reinstatement of her pharmacy technician registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Delorah Nichols, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF: DELORAH NICHOLS
130 VILLAGE DRIVE
VICKBURG, MS 39180

REINSTATEMENT OF PHARMACY TECHNICIAN REGISTRATION

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's pharmacy technician registration was revoked November 17, 2022. The Petitioner failed to appear before the Board to present evidence regarding reinstatement of her pharmacy technician registration.

ACTION OF THE BOARD

The Board took no action on her registration. The Board will not consider a petition for reinstatement of the Petitioner's registration until at least one (1) year from the date of this Order.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Kayla Massey, License to Practice Pharmacy, Certificate of Registration Number E-15480 herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

KAYLA MASSEY
2405 MORNING DEW DR.
LITTLE ELM, TX 75068

LICENSE TO PRACTICE PHARMACY NUMBER E-15480

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner surrendered her license on December 16, 2022, due to addiction to or dependence on alcohol, controlled substances or other habit-forming legend drugs or the unauthorized use, possession or theft of controlled substances or other habit-forming legend drugs. On May 30, 2024, the Petitioner appeared before the Board with a request to reinstate the license of the Petitioner.

The Board heard testimony from the Petitioner.

ACTION OF THE BOARD

Based upon the clear and convincing evidence presented at the petition hearing, the Board voted to deny reinstatement of the Petitioner's license. The Board will not consider reinstatement of this license until the September 2024 Board meeting and Petitioner shows proof of alcohol addiction outpatient treatment.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Adrianne Barton, Intern/Extern Registration IE-99997, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board members Ronnie Bagwell, Tony Waits, Jillian Foster, David Hudson, and Michael Gilbow affirmed this Order. Board member Ryan Harper voted against the action. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

ADRIANNE BARTON
587 PATRICK DRIVE
FOREST, MS 39074

INTERN/EXTERN REGISTRATION NUMBER IE-99997

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expires May 31, 2024. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board extends the expiration date of the Petitioner's intern/extern registration thirty (30) days and to expire on June 30, 2024. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Martia Kidd, Intern/Extern Registration IE-8643, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

MARTIA KIDD
4478 SAINT THOMAS RD.
BOLTON, MS 39041

INTERN/EXTERN REGISTRATION NUMBER IE-8643

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expired June 30, 2022. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Mikiyala Wells, Intern/Extern Registration IE-8842, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board members Ronnie Bagwell, Tony Waits, Jillian Foster, David Hudson, and Michael Gilbow affirmed this Order. Board member Ryan Harper voted against the action. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF: MIKIYALA WELLS
2821 WELLS ROAD
LITTLE ROCK, MS 39337

INTERN/EXTERN REGISTRATION NUMBER IE-8842

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expires May 31, 2024. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board extends the expiration date of the Petitioner's intern/extern registration thirty (30) days and to expire on June 30, 2024. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Terrance Burks, Intern/Extern Registration IE-9151, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board members Ronnie Bagwell, Tony Waits, Jillian Foster, David Hudson, and Michael Gilbow affirmed this Order. Board member Ryan Harper voted against the action. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

TERRANCE BURKS
580 S. PEAR ORCHARD ROAD
APT. 1017
RIDGELAND, MS 39157

INTERN/EXTERN REGISTRATION NUMBER IE-9151

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expires May 31, 2024. The Petitioner requests that the Board renew his intern/extern registration in order for him to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board extends the expiration date of the Petitioner's intern/extern registration thirty (30) days and to expire on June 30, 2024. The Board approves the application of the Petitioner for a pharmacy technician registration upon him satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Rickeia Selmon, Intern/Extern Registration IE-100563, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board members Ronnie Bagwell, Tony Waits, Jillian Foster, David Hudson, and Michael Gilbow affirmed this Order. Board member Ryan Harper voted against the action. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

RICKEIA SELMON
583 OLE JACKSON RD.
APT. 2211
CANTON, MS 39046

INTERN/EXTERN REGISTRATION NUMBER IE-100563

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expires May 31, 2024. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board extends the expiration date of the Petitioner's intern/extern registration thirty (30) days and to expire on June 30, 2024. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Gloria Rawls, Intern/Extern Registration IE-8655, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

GLORIA RAWLS
21 DYSE ROAD
SUMRALL, MS 39482

INTERN/EXTERN REGISTRATION NUMBER IE-8655

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expired May 31, 2022. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Casey Holloway, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board members Ronnie Bagwell, Tony Waits, Jillian Foster, David Hudson, and Michael Gilbow affirmed this Order. Board member Ryan Harper voted against the action. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF: CASEY HOLLOWAY
1864 GAMWICH ROAD
BATON ROUGE, LA 70810

INTERN/EXTERN REGISTRATION RENEWAL

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expired in 2018. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on May 30, 2024, the matter of Kaitlyn Dye, Intern/Extern Registration IE-8883, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy. Board member Craig Sartin was absent and did not participate in the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF: KAITLYN DYE
102 KATHRYN DRIVE
BRANDON, MS 39042

INTERN/EXTERN REGISTRATION NUMBER IE-8883

JURISDICTION

The Mississippi Board of Pharmacy (Board) has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner's intern/extern registration expires May 31, 2024. The Petitioner requests that the Board renew her intern/extern registration in order for her to be able to earn the hours needed to take the NAPLEX. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board denies the request to renew the Petitioner's intern/extern registration. The Board extends the expiration date of the Petitioner's intern/extern registration thirty (30) days and to expire on June 30, 2024. The Board approves the application of the Petitioner for a pharmacy technician registration upon her satisfying all requirements for such registration.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

All members participating in the hearing affirmed this Order.

REST OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 30th day of May 2024.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin