

By: Representative Read

To: Public Health and Human  
Services

## HOUSE BILL NO. 1608

1 AN ACT TO AMEND SECTION 73-21-107, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT DURING INSPECTIONS OF PHARMACIES BY THE STATE  
3 BOARD OF PHARMACY, THE BOARD REPRESENTATIVE MAY REQUEST THAT THE  
4 OWNER, PHARMACIST OR AGENT IN CHARGE OF THE FACILITY PRINT OR  
5 REPRODUCE RECORDS, REPORTS AND OTHER DOCUMENTS THAT ARE REQUIRED  
6 TO BE KEPT; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 73-21-107, Mississippi Code of 1972, is  
9 amended as follows:

10 73-21-107. (1) The board or its representative may enter  
11 and inspect, during reasonable hours, a facility that has obtained  
12 or applied for a permit under Section 73-21-105 relative to the  
13 following:

14 (a) Drug storage and security;  
15 (b) Equipment;  
16 (c) Sanitary conditions; or  
17 (d) Records, reports, or other documents required to be  
18 kept or made under this chapter or the Uniform Controlled  
19 Substances Law (Section 41-29-101 et seq.) or rules and  
20 regulations adopted under such laws.

21 (2) Before an entry and inspection, the board representative  
22 shall state his purpose and present appropriate credentials to the  
23 owner, pharmacist or agent in charge of a facility.

24 (3) The board representative may:

25 (a) Inspect, copy or request that the owner, pharmacist  
26 or agent in charge of a facility print or reproduce records,  
27 reports, and other documents required to be kept or made under  
28 this chapter, the Uniform Controlled Substances Law, or rules and  
29 regulations adopted under those laws;

30           (b) Inspect, within reasonable limits and in a  
31 reasonable manner, a facility's storage, equipment, security,  
32 records, or prescription drugs or devices; or

33           (c) Inventory any stock of any prescription drugs or  
34 devices in the facility.

35           (4) Unless the owner, pharmacist, or agent in charge of the  
36 facility consents in writing, an inspection authorized by this  
37 section may not extend to:

38                 (a) Financial data;

39                 (b) Sales data other than shipment data; or

40                 (c) Pricing data.

41           **SECTION 2.** This act shall take effect and be in force from  
42 and after July 1, 2004.