

By: Representatives Mettetal, Dixon, Sykes

To: Public Health and Human  
Services

## HOUSE BILL NO. 1226

1 AN ACT TO AMEND SECTION 73-21-126, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE STATE BOARD OF PHARMACY TO CONDUCT CRIMINAL  
3 HISTORY RECORDS CHECKS ON ALL APPLICANTS FOR LICENSES FOR IN- AND  
4 OUT-OF-STATE WHOLESALE DISTRIBUTORS, CHAIN PHARMACY WAREHOUSES AND  
5 REPACKAGERS SHIPPING INTO MISSISSIPPI; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 73-21-126, Mississippi Code of 1972, is  
8 amended as follows:

9 73-21-126. (1) The State Board of Pharmacy shall promulgate  
10 rules regarding the issuance and renewal of licenses and permits  
11 for new or renewal application requirements for both in- and  
12 out-of-state wholesale distributors, chain pharmacy warehouses and  
13 repackagers shipping into Mississippi. Requirements for new  
14 and/or renewal applications, if information has not been  
15 previously provided to the board, will include, but not be limited  
16 to, the following:

17 (a) Type of ownership (individual, partnership or  
18 corporation);



(b) Names of principal owners or officers and social security numbers;

(c) Names of designated representatives and social security numbers;

(d) Criminal background checks of applicants and designated representatives as required by rule;

(e) Copy of license in home state;

(f) Bond requirements.

(2) To ensure that all applicants are of good moral character, the board shall conduct a criminal history records check on all applicants for a license. In order to determine the applicant's suitability for licensing, the applicant shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forwarded to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The board shall be authorized to collect from the applicant the amount of the fee that the Department of Public Safety charges the board for the fingerprinting, whether manual or electronic, and the state and national criminal history records checks.

(3) The board shall promulgate rules for the establishment of a pedigree or electronic file to be used by wholesale distributors, chain pharmacy warehouses and repackagers for the



44 purpose of ensuring the integrity of drugs owned, purchased,  
45 distributed, returned, transferred and sold when the products  
46 leave the normal distribution channel.

47 ( \* \* \*4) The board is authorized to use an outside agency  
48 to accredit wholesale distributors and repackagers, including the  
49 National Association of Boards of Pharmacy's (NABP) Verified  
50 Accredited Wholesale Distributors (VAWD) program.

51 ( \* \* \*5) Pharmacies shall not be responsible for  
52 verification or adjudication of the pedigree for pharmaceuticals.

53 ( \* \* \*6) The board may exempt wholesalers accredited by the  
54 VAWD program from the above requirements.

55 **SECTION 2.** This act shall take effect and be in force from  
56 and after July 1, 2019.

