

FIRST REGULAR SESSION

HOUSE BILL NO. 957

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GRISAMORE (Sponsor),
PRATT AND DOUGHERTY (Co-sponsors).

2166L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 338.337, RSMo, and to enact in lieu thereof one new section relating to licensure of out-of-state pharmacies and wholesale drug distributors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 338.337, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 338.337, to read as follows:

338.337. It shall be unlawful for any out-of-state wholesale drug distributor or out-of-state pharmacy acting as a distributor to do business in this state without first obtaining a license to do so from the board of pharmacy and paying the required fee. Application for an out-of-state wholesale drug distributor's license under this section shall be made on a form furnished by the board. The issuance of a license under sections 338.330 to 338.370 shall not change or affect tax liability imposed by the Missouri department of revenue on any out-of-state wholesale drug distributor or out-of-state pharmacy. Any out-of-state wholesale drug distributor that is a drug manufacturer and which produces and distributes from a facility which has been inspected and approved by the Food and Drug Administration [within the last two years and which] **need not be licensed as provided in this section but such out-of-state distributor or manufacturer shall register its business name and address with the board of pharmacy and pay a filing fee of ten dollars; provided that the following conditions are met:**

(1) **The drug manufacturer** is licensed by the state in which the distribution facility is located [need not be licensed as provided in this section but such out-of-state distributor shall register its business name and address with the board of pharmacy and pay a filing fee of ten

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 dollars] , or if located within a foreign jurisdiction, is authorized and in good standing to
17 operate as a drug manufacturer within such jurisdiction; and

18 (2) If the drug manufacturer is the subject of any unremedied warning notice or
19 notice of deficiency report, or any other related and unremedied drug safety report from
20 the state or foreign jurisdiction since the last FDA inspection, a copy of such notice or
21 report shall be provided to the board. The board shall consider such notice or report in
22 determining whether to accept such registration.

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