

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 621  
Finance Committee Substitute Adopted 6/2/93

Short Title: Controlled Sub. Regis. Fees.

(Public)

Sponsors:

Referred to:

March 29, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE FEES FOR REGISTRANTS UNDER THE  
CONTROLLED SUBSTANCES ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-100 reads as rewritten:

"§ 90-100. ~~Rules and regulations.~~ Rules.

The Commission is ~~authorized to promulgate rules and regulations~~ may adopt rules relating to the registration and control of the manufacture, distribution, security, and dispensing of controlled substances within this State."

Sec. 2. G.S. 90-101 reads as rewritten:

"§ 90-101. Annual registration and fee to manufacture, etc., controlled substances generally; engage in listed activities with controlled substances; effect of registration; exceptions; waiver; inspection.

(a) Every person who manufactures, distributes, ~~dispenses~~ dispenses, or conducts research with any controlled substance within this State or who proposes to engage in ~~the manufacture, distribution, dispensing of, or the conduct of research with any controlled substance within this State,~~ any of these activities shall obtain annually a registration issued by register with the North Carolina Department of Human Resources ~~Resources,~~ in accordance with ~~rules and regulations promulgated~~ adopted by the ~~Commission.~~ Commission, and shall pay the registration fee set by the Commission for the category to which the applicant belongs. An applicant for registration shall file an application for registration with the Department of Human Resources and submit the required fee with

1 the application. The categories of applicants and the maximum fee for each category  
2 are as follows:

3	<u>CATEGORY</u>	<u>MAXIMUM FEE</u>
4	<u>Clinic</u>	<u>\$150.00</u>
5	<u>Hospital</u>	<u>350.00</u>
6	<u>Nursing Home</u>	<u>150.00</u>
7	<u>Teaching Institution</u>	<u>150.00</u>
8	<u>Researcher</u>	<u>150.00</u>
9	<u>Analytical Laboratory</u>	<u>150.00</u>
10	<u>Distributor</u>	<u>600.00</u>
11	<u>Manufacturer</u>	<u>700.00.</u>

12 (b) Persons registered by the North Carolina Department of Human Resources  
13 under this Article (including research facilities) to manufacture, distribute, dispense or  
14 conduct research with controlled substances may possess, manufacture, distribute,  
15 dispense or conduct research with those substances to the extent authorized by their  
16 registration and in conformity with the other provisions of this Article.

17 (c) The following persons shall not be required to register and may lawfully  
18 possess controlled substances under the provisions of this Article:

- 19 (1) An agent, or an employee thereof, of any registered manufacturer,  
20 distributor, or dispenser of any controlled substance if such agent is  
21 acting in the usual course of his business or employment;
- 22 (2) The State courier service operated by the Department of  
23 Administration, a common or contract carrier, or a public  
24 warehouseman, or an employee thereof, whose possession of any  
25 controlled substance is in the usual course of his business or  
26 employment;
- 27 (3) An ultimate user or a person in possession of any controlled substance  
28 pursuant to a lawful order of a practitioner;
- 29 (4) Repealed by Session Laws 1977, c. 891, s. 4.
- 30 (5) Any law-enforcement officer acting within the course and scope of  
31 official duties, or any person employed in an official capacity by, or  
32 acting as an agent of, any law-enforcement agency or other agency  
33 charged with enforcing the provisions of this Article when acting  
34 within the course and scope of official duties; and
- 35 (6) A practitioner, as defined in G.S. 90-87(22)a., who is required to be  
36 licensed in North Carolina by his respective licensing board.

37 (d) The Commission may, by ~~regulation,~~ rule, waive the requirement for  
38 registration of certain classes of manufacturers, distributors, or dispensers if it finds it  
39 consistent with the public health and safety.

40 (e) A separate registration shall be required at each principal place of business,  
41 research or professional practice where the registrant manufactures, distributes,  
42 dispenses or uses controlled substances.

1 (f) The North Carolina Department of Human Resources is authorized to inspect  
2 the establishment of a registrant, applicant for registration, or practitioner in accordance  
3 with rules ~~and regulations promulgated~~ adopted by the Commission.

4 (g) Practitioners licensed in North Carolina by their respective licensing boards  
5 may possess, dispense or administer controlled substances to the extent authorized by  
6 law and by their boards.

7 (h) A physician licensed by the Board of Medical Examiners pursuant to Article  
8 1 of this Chapter may possess, dispense or administer tetrahydrocannabinols in duly  
9 constituted pharmaceutical form for human administration for treatment purposes  
10 pursuant to ~~regulations~~ rules adopted by the Commission.

11 (i) A physician licensed by the Board of Medical Examiners pursuant to Article  
12 1 of this Chapter may dispense or administer Dronabinol or Nabilone as scheduled in  
13 G.S. 90-90(e) only as an antiemetic agent in cancer chemotherapy."

14 Sec. 3. This act becomes effective January 1, 1994, and applies to  
15 applications for registration submitted on or after that date.