

Effective 5/3/2023

Superseded 7/1/2023

58-17b-302 License required -- License classifications for pharmacy facilities.

- (1) A license is required to act as a pharmacy, except:
 - (a) as specifically exempted from licensure under Section 58-1-307;
 - (b) for the operation of a medical cannabis pharmacy under Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis; and
 - (c) to operate a licensed dispensing practice under Chapter 88, Part 2, Dispensing Practice.
- (2) The division shall issue a pharmacy license to a facility that qualifies under this chapter in the classification of a:
 - (a) class A pharmacy;
 - (b) class B pharmacy;
 - (c) class C pharmacy;
 - (d) class D pharmacy;
 - (e) class E pharmacy; or
 - (f) dispensing medical practitioner clinic pharmacy.
- (3)
 - (a) Each place of business shall require a separate license.
 - (b) If multiple pharmacies exist at the same address, a separate license shall be required for each pharmacy.
- (4)
 - (a) The division may further define or supplement the classifications of pharmacies.
 - (b) The division may impose restrictions upon classifications to protect the public health, safety, and welfare.
- (5) Each pharmacy shall have a pharmacist-in-charge, except as otherwise provided by rule.
- (6) Whenever an applicable statute or rule requires or prohibits action by a pharmacy, the pharmacist-in-charge and the owner of the pharmacy shall be responsible for all activities of the pharmacy, regardless of the form of the business organization.