



CHAPTER 106

ARTICLE 12A - WHOLESALE PRESCRIPTION DRUG DISTRIBUTORS

N.C.G.S. § 106-145.5.

Review of application and qualifications of applicant.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-135, s. 1 — second act in the lineage	21 September 2026, 02:08 UTC	1ada5c145be072a953b8670b - ab129d5ccc4499d96ad608f3 - 9c90b0e56d9ebbc1

The Commissioner shall determine whether to issue or deny a wholesale distributor license within 90 days after an applicant files an application for a license with the Commissioner. The Commissioner shall have authority to review an application and issue or deny a license, grant reciprocity under G.S. 106-145.3(b), or accept registration under G.S. 106-140.1, that is conditioned upon approval of a prescription drug under section 505 of the Federal Food, Drug, and Cosmetic Act (Title 21 U.S.C. § 301 et seq.; 52 Stat. 1040 et seq.) while the federal approval process is pending. In reviewing an application, the Commissioner shall consider the factors listed in this subsection. In the case of a partnership or corporation, the Commissioner shall consider the factors as applied to each individual whose name is required to be included in the license application.

The factors to be considered are:

Any convictions of the applicant under any federal, state, or local law relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances.

Any felony convictions of the applicant under federal, state, or local law.

The applicant's past experience in the manufacture or distribution of controlled substances and other prescription drugs.

Whether the applicant has previously given any false or fraudulent information in an application made in connection with drug manufacturing or distribution.

Suspension or revocation by the federal government or a state or local government of any license currently or previously held by the applicant for the manufacture or distribution of any controlled substances or other prescription drugs.

Compliance with the licensing requirements under any previously granted license.

Compliance with the requirements to maintain or make available to the Commissioner or to a federal, state, or local law enforcement official those records required under G.S. 106-145.8.

Whether the applicant requires employees of the applicant who are involved in any prescription drug wholesale distribution activity to have education, training, experience, or any combination of these factors sufficient to enable the employee to perform assigned functions in a manner that ensures that prescription drug quality, safety, and security will be maintained at all times as required by law.

Any other factors or qualifications the Commissioner considers relevant to and consistent with the public health and safety.

The Commissioner shall inspect the facility of an applicant at which prescription drugs will be stored, handled, or distributed before issuing the applicant a license.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1991		2006		2021
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1991	c. 699, s. 2	ENACTED	
02	2021	S.L. 2021-135, s. 1	AMENDED	

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 106-145.3(b)		"deny a license, grant reciprocity under"
G.S. 106-140.1		"G.S. 106-145.3(b), or accept registration under"
G.S. 106-145.8	(null)(7)	"enforcement official those records required under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 106-145.5 (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1991, c. 699, s. 2; 2021-135, s. 1.)

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