

FIRST REGULAR SESSION

# HOUSE BILL NO. 1465

## 103RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE HRUZA.

3031H.01I

JOSEPH ENGLER, Chief Clerk

---

### AN ACT

To repeal section 338.333, RSMo, and to enact in lieu thereof one new section relating to the licensure of entities involved in the distribution of drugs.

---

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

Section A. Section 338.333, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 338.333, to read as follows:

338.333. 1. Except as otherwise provided by the board of pharmacy by rule in the event of an emergency or to alleviate a supply shortage, no person or distribution outlet shall act as a wholesale drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider without first obtaining license to do so from the Missouri board of pharmacy and paying the required fee. The board may grant temporary licenses when the wholesale drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider first applies for a license to operate within the state. Temporary licenses shall remain valid until such time as the board shall find that the applicant meets or fails to meet the requirements for regular licensure. No license shall be issued or renewed for a wholesale drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider to operate unless the same shall be operated in a manner prescribed by law and according to the rules and regulations promulgated by the board of pharmacy with respect thereto. Separate licenses shall be required for each distribution site owned or operated by a wholesale drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider, unless such drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider meets the requirements of section 338.335.

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.

17           2. An agent or employee of any licensed or registered wholesale drug distributor,  
18 pharmacy distributor, drug outsourcer, or third-party logistics provider need not seek  
19 licensure under this section and may lawfully possess pharmaceutical drugs, if the agent or  
20 employee is acting in the usual course of his or her business or employment.

21           3. The board may permit out-of-state wholesale drug distributors, drug outsourcers,  
22 third-party logistics ~~[provider]~~ **providers**, or out-of-state pharmacy distributors to be licensed  
23 as required by sections 338.210 to 338.370 on the basis of reciprocity to the extent that the  
24 entity both:

25           (1) Possesses a valid license granted by another state pursuant to legal standards  
26 comparable to those which must be met by a wholesale drug distributor, pharmacy distributor,  
27 drug ~~[outsourcers]~~ **outsourcer**, or third-party logistics provider of this state as prerequisites  
28 for obtaining a license under the laws of this state. **If a state license is not issued by their**  
29 **resident state, out-of-state wholesale drug distributors and third-party logistics**  
30 **providers with a current and valid drug distributor accreditation from the National**  
31 **Association of Boards of Pharmacy or its successor may be eligible for licensure as**  
32 **provided by the board by rule; and**

33           (2) Distributes into Missouri from a state which would extend reciprocal treatment  
34 under its own laws to a wholesale drug distributor, pharmacy distributor, drug outsourcers, or  
35 third-party logistics provider of this state.

✓