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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 130

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 130 MAIL SERVICE PHARMACY LICENSURE

001. SCOPE AND AUTHORITY. These regulations govern the credentialing of mail service pharmacies and the practice of pharmacy under the Mail Service Pharmacy Licensure Act, Nebraska Revised Statute (Neb. Rev. Stat.) §§ 71-2406 to 71-2409; the Pharmacy Practice Act, Neb. Rev. Stat. §§ 38-2801 to 38-28,116; the Health Care Facility Licensure Act, Neb. Rev. Stat. §§ 71-401 to 71-475; and the Uniform Controlled Substances Act, Neb. Rev. Stat. §§ 28-401 to 28-456.01 and 28-458 to 28-475.

002. DEFINITIONS. Definitions set out in the Pharmacy Practice Act, the Health Care Facility Licensure Act, the Uniform Controlled Substances Act, the Uniform Credentialing Act, and 175 Nebraska Administrative Code (NAC) 8 apply to this chapter.

003. MAIL SERVICE PHARMACY LICENSE REQUIREMENTS. To receive a license, an applicant must submit a complete application provided by the Department, meet the requirements of Neb. Rev. Stat. § 71-2407, 175 NAC 8-005 and 175 NAC 8-006, and provide the following:

- (A) A copy of the current active pharmacy license, including all disciplinary action taken on that license;
- (B) A copy of all disciplinary action taken against the pharmacy in any other jurisdiction in which the pharmacy is licensed;
- (C) A copy of the current active pharmacist license of the Pharmacist in Charge;
- (D) A declaration that designates the Secretary of State as the Agent for Service of Process in this state;
- (E) The name and license number of at least one designated pharmacist who holds a current unrestricted Nebraska pharmacist license; and
- (F) A copy of the two most recent inspection reports.

004. RENEWAL. All mail service pharmacy licenses expire annually on July 1. To renew, a licensee must submit a completed application provided by the Department and provide documentation demonstrating that the licensee continues to meet the requirements of 172 NAC 130-003.

005. REINSTATEMENT. An applicant requesting reinstatement of an expired license must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of 172 NAC 130-003.

- 005.01 REINSTATEMENT FROM DISCIPLINE. An applicant requesting reinstatement after discipline must submit a complete application provided by the Department and the following:
- (A) The reinstatement fee listed in 172 NAC 130-006.02;

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- (B) An explanation of the events the led to discipline;
- (C) Documentation that the issues that resulted in disciplinary action have been addressed;
- (D) A copy of all inspections since the discipline and all correspondence from the appropriate jurisdiction addressing such issues; and
- (E) Documents showing the applicant meets the requirements set out in 172 NAC 130-005.

006. FEES. Fees are set out in this chapter.

006.01 INITIAL AND RENEWAL FEE. The initial and renewal fees are set at \$625.00.

006.02 REINSTATEMENT FEE. The reinstatement fee is set at \$35.00 plus the renewal fee.