



South Carolina
Department of Labor, Licensing and Regulation



Board of Pharmacy

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Henry D. McMaster
Governor

Emily H. Farr
Director

ORDER REGARDING TEMPORARY NON-RESIDENT PERMITS

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08 declaring a public health emergency due to the evolving nature and scope of the public health threat or other risks posed by COVID-19 and the actual and anticipated impacts associated with the same;

WHEREAS, S.C. Code Ann. § 40-43-10 provides that the purpose of the South Carolina Board of Pharmacy (“Board”) is to “promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy; the licensure of pharmacists; the licensure, permitting, control, and regulation of all sites or persons, in or out of this State, that distribute, manufacture, possess, or sell drugs or devices within this State, as may be used in the diagnosis, treatment, and prevention of injury, illness, and disease of a patient or other individual;”

WHEREAS, pursuant to S.C. Code Ann. § 40-43-60(D)(9), the Board is charged with permitting all facilities which possess or dispense drugs in this State;

WHEREAS, pursuant to S.C. Code Ann. § 40-43-83(C), the Board is charged with determining minimum standards for permits and establishing the minimum standards for the issuance of such permits;

WHEREAS, the South Carolina Board of Pharmacy (“Board”) permits out-of-state pharmacies, manufacturers, wholesale distributors, 3PLs, 503b outsourcing facilities, among other facilities;

WHEREAS, by virtue of a separate Order entered on this day, the Board waived permitting requirements for out-of-state pharmacies, manufacturers, wholesale distributors, 3PLs, and 503b outsourcing facilities, as determined and requested by the South Carolina Department of Health and Environmental Control (“DHEC”);

WHEREAS, the Board finds that the citizens of South Carolina may require the services of out-of-state pharmacies, manufacturers, wholesale distributors, 3PLs, and 503b outsourcing facilities beyond those requested and approved by DHEC without significant delay; and

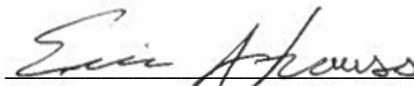
WHEREAS, the Board concludes that it is in the best interests of the citizens of South Carolina to provide access to such out-of-state pharmacies, manufacturers, wholesale distributors, 3PLs, and 503b outsourcing facilities by allowing such facilities to be permitted in an expedited manner using the process set forth below, which shall remain in effect for the duration of the declared public health state of emergency, unless otherwise modified, amended, or rescinded by subsequent order.

NOW, THEREFORE, for the reasons set forth above, effective immediately, the Board hereby orders as follows:

1. Out-of-state pharmacies, manufacturers, wholesale distributors, 3PLs, and 503b outsourcing facilities beyond those requested and approved by DHEC who are permitted in good standing in another state may apply for a 90-day temporary permit.
2. In lieu of an appearance before the Board's Nonresident Application Review Committee ("Committee"), Applicants may elect to answer questions from the Committee Chair via telephone or electronic means.
3. The Committee Chair is authorized to approve applications for 90-day temporary permits without further Board action.
4. Staff is directed to expedite all applications for 90-day temporary permits with the goal of issuing such permits within 24 hours of their receipt of a completed application.

This Order shall remain in effect for the duration of the declared public health state of emergency, unless otherwise modified, amended, or rescinded by subsequent order.

STATE BOARD OF PHARMACY



Eric J. Strauss, Pharm.D., R.Ph.
Board Chair

March 16, 2020