

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 384  
SENATE BILL 621

AN ACT TO AUTHORIZE FEES FOR REGISTRANTS UNDER THE  
CONTROLLED SUBSTANCES ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-100 reads as rewritten:

**"§ 90-100. ~~Rules and regulations.~~ Rules.**

The Commission is ~~authorized to promulgate rules and regulations~~ may adopt rules relating to the registration and control of the manufacture, distribution, security, and dispensing of controlled substances within this State."

Sec. 2. G.S. 90-101 reads as rewritten:

**"§ 90-101. Annual registration and fee to manufacture, etc., controlled substances generally; engage in listed activities with controlled substances; effect of registration; exceptions; waiver; inspection.**

(a) Every person who manufactures, distributes, ~~dispenses~~ dispenses, or conducts research with any controlled substance within this State or who proposes to engage in ~~the manufacture, distribution, dispensing of, or the conduct of research with any controlled substance within this State,~~ any of these activities shall obtain annually a registration issued by register with the North Carolina Department of Human Resources Resources, in accordance with rules and regulations promulgated adopted by the Commission. Commission, and shall pay the registration fee set by the Commission for the category to which the applicant belongs. An applicant for registration shall file an application for registration with the Department of Human Resources and submit the required fee with the application. The categories of applicants and the maximum fee for each category are as follows:

<u>CATEGORY</u>	<u>MAXIMUM FEE</u>
<u>Clinic</u>	<u>\$150.00</u>
<u>Hospital</u>	<u>350.00</u>
<u>Nursing Home</u>	<u>150.00</u>
<u>Teaching Institution</u>	<u>150.00</u>
<u>Researcher</u>	<u>150.00</u>
<u>Analytical Laboratory</u>	<u>150.00</u>
<u>Distributor</u>	<u>600.00</u>
<u>Manufacturer</u>	<u>700.00.</u>

(b) Persons registered by the North Carolina Department of Human Resources under this Article (including research facilities) to manufacture, distribute, dispense or conduct research with controlled substances may possess, manufacture, distribute,

dispense or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this Article.

(c) The following persons shall not be required to register and may lawfully possess controlled substances under the provisions of this Article:

- (1) An agent, or an employee thereof, of any registered manufacturer, distributor, or dispenser of any controlled substance if such agent is acting in the usual course of his business or employment;
- (2) The State courier service operated by the Department of Administration, a common or contract carrier, or a public warehouseman, or an employee thereof, whose possession of any controlled substance is in the usual course of his business or employment;
- (3) An ultimate user or a person in possession of any controlled substance pursuant to a lawful order of a practitioner;
- (4) Repealed by Session Laws 1977, c. 891, s. 4.
- (5) Any law-enforcement officer acting within the course and scope of official duties, or any person employed in an official capacity by, or acting as an agent of, any law-enforcement agency or other agency charged with enforcing the provisions of this Article when acting within the course and scope of official duties; and
- (6) A practitioner, as defined in G.S. 90-87(22)a., who is required to be licensed in North Carolina by his respective licensing board.

(d) The Commission may, by ~~regulation~~, rule, waive the requirement for registration of certain classes of manufacturers, distributors, or dispensers if it finds it consistent with the public health and safety.

(e) A separate registration shall be required at each principal place of business, research or professional practice where the registrant manufactures, distributes, dispenses or uses controlled substances.

(f) The North Carolina Department of Human Resources is authorized to inspect the establishment of a registrant, applicant for registration, or practitioner in accordance with rules ~~and regulations promulgated~~ adopted by the Commission.

(g) Practitioners licensed in North Carolina by their respective licensing boards may possess, dispense or administer controlled substances to the extent authorized by law and by their boards.

(h) A physician licensed by the Board of Medical Examiners pursuant to Article 1 of this Chapter may possess, dispense or administer tetrahydrocannabinols in duly constituted pharmaceutical form for human administration for treatment purposes pursuant to ~~regulations~~ rules adopted by the Commission.

(i) A physician licensed by the Board of Medical Examiners pursuant to Article 1 of this Chapter may dispense or administer Dronabinol or Nabilone as scheduled in G.S. 90-90(e) only as an antiemetic agent in cancer chemotherapy."

Sec. 3. This act becomes effective January 1, 1994, and applies to applications for registration submitted on or after that date.

In the General Assembly read three times and ratified this the 18th day of July, 1993.

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Dennis A. Wicker  
President of the Senate