# State of Utah Department of Commerce

Division of Occupational and Professional Licensing

## **Pharmacy: Class E**

	APPLICANT INFORMATION				
В	Business Legal Name:				
	*Note: If you are a Sole Proprietor, this is your legal name.				
	tah Division of Corporation egistration Number: Number (EIN):				
D	BA (if applicable): DBA Registration Number:				
DI	harmacy Address:				
	Street Address (including Apt/Unit/Ste #) and/or PO Box				
	City State ZIP Code				
	You will receive all Division notices and communications at the following email.				
Er	nail:  Email Address is Required.				
	<u>Email Address is Required.</u>				
Co	ompany Phone:				
۱.	ocal Contact for Licensing Purposes:				
L	ocal Contact for Licensing Purposes:				
ΑI	ternate Phone for Local Contac <u>t:</u>				
Di	rect Email of Contact Person:				
	inderstand that in all areas of this application the words "you", "I" and "applicant" apply to the entity listed above id all subsidiaries, owners, qualifiers, and prior entities and DBA's for which these individuals have been involved.				
	AFFIDAVIT AND RELEASE				
1.					
2.	I certify that to the best of my knowledge, the information contained in the application and all supporting document(s) are true and correct, discloses all material facts regarding the applicant, and that I will update or correct the application as necessary, prior to any action on my application.				
3.	I authorize all persons, organizations, governmental agencies, or any others not specifically listed, which are set forth directly or by reference in this application, to release to the Division of Occupational and Professional Licensing, State of Utah, any files, records, or information of any type reasonably required for the Division to properly evaluate my qualifications for licensure/certification/registration by the State of Utah.				
4.	I understand that it is the continuing responsibility of applicants and licensees to read, understand, and apply the requirements contained in all statutes and rules pertaining to the occupation or profession for which I am applying, and that failure to do so may result in civil, administrative, or criminal sanctions.				
5.	I certify that I do not currently pose a direct threat to myself, to my clients, or to the public health, safety or welfare because of any circumstance or condition.				
6.	I understand that I am responsible to update the Division of any changes relating to my license/certification/registration.				
S	Signature of Authorized Signer: Date:				
F	Printed Name and Position of the Authorized Signer:				

0 4! -	n 4. Diana aniant anti	GENERAL BUSINESS IN	FURMATION		
Section 1: Please select entity type:			□ Sala Propriotorabin		
<ul><li>☐ Business Trust</li><li>☐ Corporation</li></ul>			☐ Sole Proprietorship  If registered as sole proprietorship,		
	☐ General Partnership		omplete Section 2 below.		
	☐ Limited Liability Comp		omplete decitor 2 below.		
	☐ Limited Partnership	Jany			
	☐ Limited Liability Partn	ership			
	, and Manner	d by Sole Proprietorship ap	•		
ruii Le	egal Name: First	Middle	Last		
All Dua					
All Pre	vious Legal Names:				
Other I	DOPL Licenses Held:				
SSN: _		Date of Birth:	Gender: Male Female		
Ple	ease Select ONE:				
	☐ I am a United States ci	tizen OR a non-citizen of the Unite	d States who is lawfully present.		
F		not physically present in the United	• •		
	I wone of the above, pie	ase explain:			
	r License				
or Sta	ate Id Card:State of Issu	e License Numb	er Expiration Date		
NOTE			you must present a legible copy of your current and		
		ent(s) showing evidence of lawful p			
		. ,			
111		PROFESSIONAL LI			
LIST 8	all other licenses, registrat	profession. (Use additional sheet	state which you now hold or have ever held in any ets if necessary.)		
Profes	ssion:		License Number:		
Issu	uing State:	License Status:	Issue Date:		
			<u> </u>		
Profes	ssion:		License Number:		
Issu	uing State:	License Status:	Issue Date:		
		REASON FOR APPL Select all that ap			
*Note that a Surrender Form is required for Change of Name, Change of Location, or Change of Ownership					
	New Facility				
	•	Litah License Mumher			
⊔ (	Change of Name	Current Name:			
		Effective Date of Change			
		Utah License Number:			
	Change of Location				
	Change of Location	Current Address			
		Current Address Proposed Date of Change:			
	Change of Location  Change of Ownership of Existing Pharmacy	Current Address Proposed Date of Change: Utah License Number:			

#### QUALIFYING QUESTIONNAIRE Do not leave any question blank. DOPL may request additional documentation if the information submitted is insufficient. Have you EVER had a license, certificate, permit, or registration to practice a regulated profession denied, conditioned, curtailed, limited, restricted, suspended, revoked, reprimanded, resigned, or surrendered while under investigation, or otherwise disciplined in any way? 2. Yes No Do you CURRENTLY have any criminal action active or pending? WITHIN THE PAST 10 YEARS, have you pled quilty to, no contest to, entered into a plea in abeyance, or been convicted of a misdemeanor in any jurisdiction? Have you EVER pled guilty to, no contest to, entered into a plea in abeyance, or been **convicted** of a **felony** in any jurisdiction? If you answered "Yes" to any of the above questions, enclose with this application complete information with respect to all circumstances and the final result, if such has been reached. If you answered "Yes" to questions 2, 3, or 4 you must submit the following for EACH and EVERY incident: personal account of the incident court record(s) police report(s) probation/parole officer report(s) If you are unable to obtain any of the records required above, you must submit documentation on official letterhead from the police department and/or court indicating that the information is no longer available. **NOTE: DISCLOSE** charges that were later held in abeyance, diverted, reduced, or dismissed. **DISCLOSE** motor vehicle offenses such as driving while impaired or intoxicated. But you do not need to disclose minor traffic offenses such as parking or speeding violations. You do not need to report Juvenile Court adjudications; however, you do need to report convictions as a minor tried outside of Juvenile Court. **DISCLOSE** if you are restricted from possession, purchase, transfer, or ownership of a firearm or ammunition (even if your restriction is based on a non-reportable juvenile conviction). You do **not need to disclose** legally expunded or sealed criminal history incidents. For more information, see DOPL's criminal history FAQs. **CLASS E SUBTYPE** Please select all the subtypes that apply: **Analytical Laboratory** Human Clinical Investigational Drug Research Animal Control Facility **Animal Narcotic Detection Training** Medical Gas Provider Non Drug or Device Handling Central Order Third Party Logistics Provider Processing Veterinarian Pharmaceutical Facility **Durable Medical Equipment** UTAH CONTROLLED SUBSTANCE AFFIDAVIT (OPTIONAL) If you are applying for a controlled substance license, you must read and sign the affidavit below. 1. I have reviewed and understand that I must abide by the additional laws and rules that govern the practice of my profession as it pertains to controlled substances. I understand that there may be additional continuing education requirements for those who hold a controlled substance license. 3. I understand it is required that I hold a valid Federal Drug Enforcement Administration (DEA) registration. Signature of Applicant: Date Note: In addition to signing this affidavit, you must complete the items listed on the OPTIONAL CONTROLLED SUBSTANCE LICENSE

#### **MEDICAL QUALIFYING QUESTIONNAIRE**

Read thoroughly, and answer each question. Do not leave any question blank.

A "yes" answer does not necessarily mean you will not be granted a license; however, DOPL may request additional documentation if the

	information submitted is insufficient.				
1. Have your rights, privileges, and/or participation ever been denied, conditioned, curtailed, limited, restricted, suspended or revoked in any way by:					
☐ Yes ☐ No a hospital or health care facility					
☐ Yes ☐ No	Medicaid, Medicare or any other state or federal health care payment reimbursement program				
☐ Yes ☐ No	the Federal Drug Enforcement Administration or any state drug enforcement agency				
☐ Yes ☐ No	malpractice insurance coverage				
☐ Yes ☐ No	other entity:				
	r been permitted to resign or surrender any rights, privileges and/or participation while under or while action was pending against you from:				
☐ Yes ☐ No	a hospital or health care facility				
☐ Yes ☐ No	Medicaid, Medicare or any other state or federal health care payment reimbursement program				
☐ Yes ☐ No	the Federal Drug Enforcement Administration or any state drug enforcement agency				
☐ Yes ☐ No	malpractice insurance coverage				
☐ Yes ☐ No	other entity:				
3. Is any action p	pending against you now by:				
☐ Yes ☐ No	a hospital or health care facility				
☐ Yes ☐ No	Medicaid, Medicare or any other state or federal health care payment reimbursement program				
☐ Yes ☐ No	the Federal Drug Enforcement Administration or any state drug enforcement agency				
☐ Yes ☐ No	malpractice insurance coverage				
☐ Yes ☐ No	other entity:				
<b>4.</b> ☐ Yes ☐ No	Have you been named as a defendant in a malpractice suit?				
5.  Yes  No	Have you ever had office monitoring, practice curtailments, individual surcharge assessments based upon specific claims history, or other limitation, restrictions or conditions imposed by any malpractice carrier?				
Data Bank report of	If you answered "Yes" to question 4 you must submit a complete narrative of the circumstances and a National Practitioner Data Bank report outlining all professional liability claims made against your license and any settlements paid by or on your behalf. NPDB website: http://www.npdb.hrsa.gov.				
If you answered " <b>Yes</b> " to any of the above questions, enclose with this application complete information with respect to all circumstances and the final result, if such has been reached.					
	OUT OF STATE PHARMACY INFORMATION				
If your pharmacy is physically located <u>outside of Utah</u> , please complete the following section. For the purpose of this section, "state" refers to the state where the facility is <u>physically located</u> . If licensure is not required in your state, please include a certified letter from the state Board of Pharmacy indicating that your business is exempt from licensure.					
State of Licensure:	State of Licensure:State License Number:				
State Licensure Classification: Date of last State inspection:					
Patient Toll Free Contact Telephone Number:					
Days and hours of availability for patient counseling:					
☐ Yes ☐ No ☐	The pharmacy provides each patient with written competent counseling.				
☐ Yes ☐ No o	The pharmacy provides each patient with a toll-free telephone number by which the patient may contact a competent pharmacist at the pharmacy during normal business hours to receive oral				

#### RESPONSIBLE INDIVIDUAL

**NOTE:** In addition to completing this section, you must submit two completed fingerprint cards for the responsible individual; see the information below and the checklist at the end of this application for additional information. Full Legal Name: First Middle Mailing Address: Street/PO Box State/Zip City \_\_\_State of Issue: License Number SSN: Date of Birth: Gender: Male Female By signing below, I authorize all persons, organizations, governmental agencies, or any others not specifically listed, which are set forth directly or by reference in this application, to release to the Division of Occupational and Professional Licensing, State of Utah, any files, records, or information of any type reasonably required for the Division to properly evaluate my qualifications for licensure/certification/registration by the State of Utah. <u>Criminal History Disclosure</u> Fingerprints submitted with this application are used to complete a search through the files of the Utah Bureau of Criminal Identification (BCI) and the Federal Bureau of Investigations (FBI). Prior to submitting fingerprints, you must read and acknowledge, by signing the affidavit below, the Privacy Act Statement found at: https://www.fbi.gov/services/ciis/compact-council/privacy-act-statement. Physical copies of this statement may also be obtained upon request from the Division. The criminal record information obtained by this search will be used by Division staff to evaluate your ability to obtain licensure in Utah. You may challenge or review your criminal record. For additional information regarding the challenge or review process, please see below. By signing below, you acknowledge receipt of this information and consent to the background check process described above. Signature: Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Please see our website, <u>www.dopl.utah.gov/fingerprints.html</u>, for required information and approved locations to obtain fingerprints.

Pharmacy Name: \_\_\_\_\_

Pharmacy Address: Street/PO Box

**REVIEW OF YOUR CRIMINAL RECORD:** If you wish to review or challenge the accuracy of the information in your <u>FBI record</u>, you should contact the agency that contributed the information in question. You may also direct the challenge to the FBI. Please see their website at: <a href="https://www.fbi.gov/services/cjis/identity-history-summary-checks">https://www.fbi.gov/services/cjis/identity-history-summary-checks</a>. You may also contact them via mail at: FBI: CJIS Division, Attn. Criminal History Analysis Team 1, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will forward the challenge to the respective agency.

If you wish to review or challenge the accuracy of the information in your <u>BCI record</u>, you must complete the required "Record Challenge Form", available at: <a href="https://bci.utah.gov/criminal-records/criminal-records-forms/">https://bci.utah.gov/criminal-records/criminal-records-forms/</a>, and submit it directly to BCI.

Agency review of a licensing decision based on your criminal record may be obtained by filing a written request for agency review with the Executive Director of the Department of Commerce within thirty (30) days after notification of the decision. Any such request must comply with the requirements of Utah Code § 63G-4-301 and Utah Admin. Code R151-4-902.

State/Zip

#### ALTERNATIVE RESPONSIBLE INDIVDIUAL

All Class E pharmacies are required to identify an alternative to the on-site supervisor or director responsible. This individual can be a supervisor, manager or owner of the facility and must have the authority to ensure compliance with the laws, rules and regulations governing the practice of pharmacy.

**NOTE:** In addition to completing this section, you must submit two completed fingerprint cards for the responsible individual's immediate supervisor; see the information below and the checklist at the end of this application for additional information.

Full Legal Name:						
	First	Middle		Last		
SSN:	Date	of Birth:		Gender:	☐ Male	☐ Female
which are set forth of Licensing, State of U	directly or by referen Utah, any files, reco	s, organizations, gover nce in this application, t rds, or information of a certification/registration	o release to the Division ny type reasonably req	on of Occupa	ational and	l Professional
Criminal History Disclosure Fingerprints submitted with this application are used to complete a search through the files of the Utah Bureau of Criminal Identification (BCI) and the Federal Bureau of Investigations (FBI). Prior to submitting fingerprints, you must read and acknowledge, by signing the affidavit below, the Privacy Act Statement found at: <a href="https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement">https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement</a> . Physical copies of this statement may also be obtained upon request from the Division.						
The criminal record information obtained by this search will be used by Division staff to evaluate your ability to obtain licensure in Utah. You may challenge or review your criminal record. For additional information regarding the challenge or review process, please see below.						
By signing below, you acknowledge receipt of this information and consent to the background check process described above.						
Signature:						
Printed Name:Date:						
Pharmacy Name:						
Pharmacy Address:		eet/PO Box				
	Stre	eet/PO Box	City		State	e/Zıp

Please see our website, <u>www.dopl.utah.gov/fingerprints.html</u>, for required information and approved locations to obtain fingerprints.

**REVIEW OF YOUR CRIMINAL RECORD:** If you wish to review or challenge the accuracy of the information in your <u>FBI record</u>, you should contact the agency that contributed the information in question. You may also direct the challenge to the FBI. Please see their website at: <a href="https://www.fbi.gov/services/cjis/identity-history-summary-checks">https://www.fbi.gov/services/cjis/identity-history-summary-checks</a>. You may also contact them via mail at: FBI: CJIS Division, Attn. Criminal History Analysis Team 1, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will forward the challenge to the respective agency.

If you wish to review or challenge the accuracy of the information in your <u>BCI record</u>, you must complete the required "Record Challenge Form", available at: <a href="https://bci.utah.gov/criminal-records/criminal-records-forms/">https://bci.utah.gov/criminal-records/criminal-records-forms/</a>, and submit it directly to BCI.

Agency review of a licensing decision based on your criminal record may be obtained by filing a written request for agency review with the Executive Director of the Department of Commerce within thirty (30) days after notification of the decision. Any such request must comply with the requirements of Utah Code § 63G-4-301 and Utah Admin. Code R151-4-902.

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#### **CLASS E CONTROLLED SUBSTANCE DATABASE QUESTIONNAIRE**

To be completed by the pharmacist-in-charge of all facilities that dispense controlled substances to any person in Utah other than an inpatient in a licensed health care facility.

Responsible Indivi	dual:	Email:		
Pharmacy Name:		Email:		
Pharmacy Address		0"		
Pharmacy Telepho	Street Address (including Apt/Unit/Ste #)  ne:	City Pharmacy Fax	State ZIP	
Contact Name of Pe	rson who will set up CSD Transmittal: _			
Phone Number:	Email:			
CSD Transmittal So	ftware Vendor:			
	or (if different):			
NCPDP/NABP Num	ber (required):			
NPI Number:	NPI Number:DEA Number:			
Anticipated Date of I	Beginning Operations:			
1.  Yes  No	I am the responsible individual of the above	named facility.		
2.  Yes  No	No I understand that I must ensure that prior to dispensing any controlled substances, the proper arrangements have been made to report to the database.			
3.	I will submit all required data regarding every prescription for a controlled substance dispensed in Utah by me and all pharmacists under my supervision to any person other than an inpatient in a licensed health care facility in accordance with the Section 58-37f-203.			
4.  Yes No	I have read and understand Section 58-37f	-203 of the Utah Contro	olled Substances Act.	
Signature of Respon	nsible Individual:		Date:	
Note: In addition to an	mulating this page, you must somplete the ite	ma listed on the ODTION	IAL CONTROLLED SUBSTANCE	

**Note:** In addition to completing this page, you must complete the items listed on the <u>OPTIONAL CONTROLLED SUBSTANCE</u> <u>LICENSE</u> checklist at the end of this application.

## **Pharmacy Name:** Email: **Pharmacy Address:** Street Address (including Apt/Unit/Ste #) State ZIP Pharmacy Fax: Pharmacy Telephone: Local Contact Person: Local Contact Telephone: Local Contact Email: Pharmacy Hours of Operation: I understand that all entities licensed under Sections 58-17b-301 and 58-17b-302 shall comply with all state and federal laws and regulations relating to the practice of pharmacy, and that by making this application for licensure, attest to full compliance with said laws. I acknowledge that whenever an applicable statute or rule requires or prohibits action by a pharmacy, the pharmacist-incharge and the owner of the pharmacy shall be responsible for all activities of the pharmacy, regardless of the form of the business organization. I understand that a conditional pharmacy license may be issued to this pharmacy pending inspection and verification of compliance with the operating standards that apply to the practice of pharmacy. The outcome of the inspection is necessary to determine whether all licensure requirements are met, and a conditional pharmacy license is not renewable. I acknowledge the division's authority to inspect the licensee's business premises pursuant to Section 58-17b-103. I attest that the information contained in this application is truthful, correct and complete. I understand that it is unlawful and punishable as a Class A Misdemeanor to deal with DOPL or the Licensing Board through the use of fraud, forgery, or intentional deception, misrepresentation, misstatement, or omission. Signature of Responsible Individual: Date: For Official Use Only Conditional Expiration: License Number: Licensing Specialist: \_\_\_\_\_ Date of Referral: \_\_\_\_\_ Notes:

CLASS E PHARMACY INSPECTION REFERRAL

#### **BEFORE THE**

## DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING DEPARTMENT OF COMMERCE OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE(S) ISSUED TO:				
PHARMACY LICENSE NUMBER:				
CONTROLLED SUBSTANCE LICENSE NUMBER:				
TO ACT AS A:(License Classification)				
LICENSEE and the DIVISION OF OCCUPATIONAL AI Utah Department of Commerce, upon acceptance by the Divisio				
Licensee hereby tenders its license as a  Division, informing the Division that it wishes to surrender it to the	Pharmacy to the e Division.			
2. Licensee affirms that it is offering to surrender its lice	ense because of the closure of the Pharmacy on:			
Month: Day: Ye	ar:			
That such closure is due to a change in (please check of	one):			
□ NAME □ LOCATION □ OWNERSHIP □ N/	A (Specify)			
3. Licensee admits the jurisdiction of the Division over i	t and over the subject matter of its request.			
4. Licensee affirms that it is offering to surrender its license voluntarily of its own free will and choice without any undue inducement, coercion, or threat from any source, and that the only promises or under understandings it has obtained from the Division regarding the surrender of its license are those contained in this Agreement.				
5. This agreement is not a finding of unprofessional or unlawful conduct nor is it disciplinary action against the Licensee. The Division retains any jurisdiction to subsequently initiate disciplinary proceedings for any conduct the Licensee may have engaged in prior to the date of this agreement or may engage in subsequent to the date of this agreement.				
6. Licensee understands that it will not receive any refu Division.	nd of license or renewal fees previously paid to the			
7. Licensee agrees to remove any type of pharmacy ac Code Ann. § 58-17b-501 (3)(b).	vertising which would constitute a violation of Utah			
8. Licensee affirms that notification to the Division and compliance has been made as required in Utah Administrative Code R156-17b-604 and Utah Code Annotated § 58-17b-614.				
9. If the surrender of a license(s) by the Licensee is location which will take place subsequent to the issuance of the Divisions issuance of the new license(s), the Licensee w former license(s) by completing this form and submitting it	f a new license(s), the Licensee affirms that upon vill within 10 days surrender to the Division the			
10. Licensee affirms the original Pharmacy licenses are	e attached and included with this document.			
11. The undersigned affirms that they have the authority	to enter into this agreement on behalf of the Licensee.			
Licensee Owner/Responsible Agent:	Date:			
Printed Name:	Fitle:			

#### APPLICATION CHECKLIST AND INSTRUCTIONS

This checklist is for your convenience; you do not need to include it with your application.

**NOTE:** Incomplete applications will be denied.

Your application is classified as a public record and may be available for inspection by the public, except with regard to the release of information which is sub-classified as controlled, private, or protected under the Government Records Access and Management Act or restricted by other law.

#### **ALL APPLICANTS**

All app	<b>licants</b> are required to submit following items to comp	plete the application:		
	Responsible Individual. Fingerprints to be used by DOPL for a fingerprint seldentification (BCI) and the Federal Bureau of Invest <a href="https://www.dopl.utah.gov/fingerprints.html">www.dopl.utah.gov/fingerprints.html</a> , for required Completed "Pharmacy Inspection Referral" (not required applying for an <a href="https://www.dopl.utah.gov/fingerprints.html">Analytical Laboratory</a> , Animal Euth	arch through the files of the Utah Bureau of Criminal tigations (FBI). Please see our website, information and approved locations to obtain fingerprints uired for out of state applicants).  anasia, Animal Narcotic Detection Training cility license, you must provide a complete list of all drugs		
	OUT OF STATE	APPLICANTS		
If your f	acility is located <u>outside of Utah</u> , in addition to the iter			
	licensure in good standing.  Copy of a state inspection report from the Board of F			
	OPTIONAL CONTROLLED  practice will include dispensing controlled substances practice will include dispensing controlled Substances provided in the controlled Substance in the controlled Substance in the controlled Substance	to any person other than an inpatient in a licensed health		
<ul> <li>\$100.00 non-refundable application-processing fee, made payable to "DOPL".</li> <li>Complete the "Utah Controlled Substance Law and Rule Affidavit"</li> <li>Completed "Controlled Substance Database Questionnaire" if you are a Central Order Processing Facility.</li> <li>*NOTE: In addition to the Utah Controlled Substance License, you must hold a valid Federal Drug Enforcement Administration (DEA) registration.</li> </ul>				
Submit	items with your completed application to:			
•	son or via express delivery:	US Postal Service:  Division of Occupational and Professional Licensing		

Division of Occupational and Professional Licensing Heber M Wells Building, 1<sup>st</sup> Floor Lobby 160 E 300 S Salt Lake City, UT 84111 Division of Occupational and Professional Licensing PO BOX 146741 Salt Lake City, UT 84114-6741

If you have questions, please contact the Division via our direct email address, <u>b3@utah.gov</u>, or via the phone or fax number listed below. Do not send applications to this email.