



ARIZONA STATE BOARD OF DENTAL EXAMINERS
4205 North 7th Avenue, Suite 300 • Phoenix, Arizona 85013
Telephone (602) 242-1492 • Fax (602) 242-1445

Dispensing for Profit

Qualifications:

- ❖ Are you a dentist?
- ❖ Do you dispense prescription-only drugs and/or devices to your patients?
- ❖ Do you make a profit dispensing the prescription-only drugs and/or devices?
- ❖ Did you answer yes to all the questions? If you did, you need to register with the Board.

Registration:

- Complete and submit the following application form.
- Submit a separate application for each office in Arizona.
- Include a copy of your DEA Certificate or Registration.
- There's no fee; it's FREE.

Registration renewal:

- ❖ Your registration expires on your license renewal date.
- ❖ You will receive a renewal form about the same time you receive your license renewal.

Applicable Laws and Rules:

Arizona Revised Statutes
ARTICLE 6 DISPENSING OF DRUGS AND DEVICES

§ 32-1298 Dispensing of drugs and devices; conditions; definition

- A. A dentist may dispense drugs and devices kept by the dentist if:
1. All drugs are dispensed in packages labeled with the following information:
 - a) The dispensing dentist's name, address and telephone number.
 - b) The date the drug was dispensed.
 - c) The patient's name.
 - d) The name and strength of the drug, directions for its use and any cautionary statements.
 2. The dispensing dentist enters into the patient's medical record the name and strength of the drug dispensed, the date the drug is dispensed and the therapeutic reason.
 3. The dispensing dentist keeps all drugs in a locked cabinet or room, controls access to the cabinet or room by a written procedure and maintains an ongoing inventory of its contents.

- B. Except in an emergency situation, a dentist who dispenses drugs for a profit without being registered by the Board to do so is subject to a civil penalty by the Board of not less than three hundred dollars and not more than one thousand dollars for each transaction and is prohibited from further dispensing for a period of time prescribed by the Board.
- C. Prior to dispensing a drug pursuant to this section the patient shall be given a written prescription on which appears the following statement in bold type: **"This prescription may be filled by the prescribing dentist or by a pharmacy of your choice."**
- D. A dentist shall dispense for profit only to his own patient and only for conditions being treated by that dentist. The dentist shall provide direct supervision of an attendant involved in the dispensing process. In this subsection "direct supervision" means that the dentist is present and makes the determination as to the legitimacy or advisability of the drugs or devices to be dispensed.
- E. This section shall be enforced by the Board which shall establish rules regarding labeling, record keeping, storage and packaging of drugs that are consistent with the requirements of Chapter 18 of this title. The Board may conduct periodic inspections of dispensing practices to assure compliance with this section and applicable rules.
- F. For the purpose of this section, "dispense" means the delivery by a dentist of a prescription drug or device to a patient, except for samples packaged for individual use by licensed manufacturers or repackagers of drugs, and includes the prescribing, administering, packaging, labeling and security necessary to prepare and safeguard the drug or device for delivery.

**Arizona Administrative Code
ARTICLE 1. DEFINITIONS**

"Dispense for profit" means selling a drug or device for any amount above the administrative overhead costs to inventory.

"Prescription-only device" means:

Any device that is restricted by the federal act, as defined in A.R.S. § 32-1901, to use only under the supervision of a medical practitioner; or

Any device required by the federal act, as defined in A.R.S. § 32-1901, to bear on its label the legend "Rx Only."

"Prescription-only drug" *does not include a controlled substance but does include:*

Any drug that, because of its toxicity or other potentiality for harmful effect, the method of its use, or the collateral measures necessary to its use, is not generally recognized among experts, qualified by scientific training and experience to evaluate its safety and efficacy, as safe for use except by or under the supervision of a medical practitioner;

Any drug that is limited by an approved new drug application under the federal act or A.R.S. § 32-1962 to use under the supervision of a medical practitioner;

Every potentially harmful drug, the labeling of which does not bear or contain full and adequate directions for use by the consumer; or

Any drug, other than a controlled substance, required by the federal act to bear on its label the legend "RX Only."

R4-11-1406. Dispensing for Profit Registration and Renewal

- A. A dentist who is currently licensed to practice dentistry in Arizona may dispense controlled substances, prescription-only drugs, and prescription-only devices for profit after providing the Board the following information:
 - 1. A completed registration form which includes the following information:
 - a. The dentist's name and dental license number;
 - b. A list of the types of drugs and devices to be dispensed for profit, including controlled substances; and
 - c. Locations where the dentist desires to dispense the drugs and devices for profit; and
 - 2. A copy of the dentist's current Drug Enforcement Administration Certificate of Registration for each dispensing location from which the dentist desires to dispense the drugs and devices for profit.
- B. The Board shall issue a numbered certificate indicating the dentist is registered with the Board to dispense drugs and devices for profit.
- C. A dentist shall renew a registration to dispense drugs and devices for profit by complying with the requirements in subsection (A) before the dentist's license renewal date. When a dentist has made timely and complete application for the renewal of a registration, the dentist may continue to dispense until the Board approves or denies the application. Failure to renew a registration shall result in immediate loss of dispensing for profit privileges.



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**DISPENSING DRUGS AND DEVICES FOR PROFIT
REGISTRATION**

Name: _____

Arizona Dental License Number: _____

Address of office where drugs are dispensed:

List the types of drugs and devices to be dispensed including controlled substances:

_____	_____
_____	_____
_____	_____

I do hereby swear and affirm that the foregoing statements contained in this registration are true and correct.

Signature

Date

State of _____

County of _____

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My Commission Expires:

ATTACH A COPY OF YOUR D.E.A. CERTIFICATE OF REGISTRATION