SUBCHAPTER 140-50.2
[Repealed.]

Subchapter History: Repealer Adopted 39 Com. Reg. 40370 (Nov. 28, 2017); Repealer Proposed 39 Com. Reg. 39714 (Jun. 28, 2017); Amdts Adopted 29 Com. Reg. 26515 (May 16, 2007); Amdts Proposed 28 Com. Reg. 26320 (Nov. 30, 2006); Amdts Adopted 23 Com. Reg. 18265 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17935 (June 19, 2001); Adopted 21 Com. Reg. 16711 (Apr. 19, 1999); Proposed 20 Com. Reg. 16330 (Dec. 15, 1998).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services (DPHES) within the Commonwealth government. See 1 CMC § 2601. 1 CMC § 2605(s) authorizes the Department to adopt rules and regulations regarding the manufacturing, compounding, processing, extracting, preparing, storing, selling, or consumption of any drug.

PL 3-30 (effective Nov. 30, 1982), the "Medical Practice Act of 1982," codified as amended at 1 CMC §§ 2641-2642 and 3 CMC §§ 2201-2272, creates a Medical Profession Licensing Board within DPHES charged with regulating the practice of medicine in the Commonwealth and licensing health care professionals, including pharmacists. See 3 CMC § 2222(a)(6). 3 CMC § 2214 authorizes the Board to adopt rules and regulations consistent with the act.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

> Section 105. Department of Public Health.
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> The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

PL 11-40, the "Pure Food, Drug and Cosmetic Device Act of 1998," codified as amended at 3 CMC §§ 2701-2798, took effect September 22, 1998. 3 CMC § 2786 authorizes the Department of Public Health to make regulations for carrying the purposes and provisions of the act into effect.

The 1999 Importation, Storage, Sales, and Distribution of Drugs and Pharmaceutical Products Rules and Regulations, codified in this subchapter, repealed chapter VIII of the of Health Care Professionals Licensing Regulations, codified at NMIAC, title 140, subchapter 50.1, part 800. The history of part 800 is as follows: Adopted 11 Com. Reg. 6715 (Dec. 15, 1989); Emergency and Proposed 11 Com. Reg. 6372 (Sept. 15, 1989) (effective 120 days from Aug. 30, 1989).

PL 15-105 (effective Nov. 7, 2007), the "Health Care Professions Licensing Act of 2007," repealed and re-enacted 1 CMC §§ 2641-2642 and 3 CMC §§ 2201-2272. To the extent that these regulations conflict with PL 15-105, they are superseded.

39 Com. Reg. 40370 (Nov. 28, 2017) provided in part at § 140-50.3-3500 that: "These Regulations shall repeal the prior Pharmacy Regulations published at Volume 21, and No. 04, page 16711 on April 19, 1999 of the Commonwealth Register, and the changes published at Volume 29, No. 5, page 26513." This subchapter was previously created by, and under the authority of, the Medical Profession Licensing Board (21 Com. Reg. 16711 (Apr. 19, 1999)). The Health Care Professions Licensing Board was formerly called the Medical Profession Licensing Board (3 CMC § 2204(a)).

