



ADOPTED REGULATIONS



The Mississippi State Board of Medical Licensure (MSBML) and the Mississippi State Board of Pharmacy (MSBOP) have recently adopted regulations for physician dispensing. The MSBML has purview over physicians. The MSBOP has purview over dispensing facilities and will share all inspection results with the MSBML.

For the purposes of the regulations, the following definitions should be reviewed to determine the applicability of these changes to your practice:

- Dispensing is defined as delivery of a controlled substance or legend drug, other than by administering or prescribing, to an ultimate user or research subject, including, but not limited to, the packaging, labeling, or compounding necessary to prepare the substance for that delivery. If your credentials are used to acquire drugs for dispensing purposes, then you would be considered a dispensing physician and will require the proper certification/permit. Samples provided by manufacturers are not included in this definition of dispensing.
- Prescribing means to designate or order, by means of either a written, oral, or electronic prescription, the delivery of a controlled substance or legend drug to an ultimate user, typically to be filled by a licensed pharmacy.
- Administering means the direct application of a controlled substance or legend drug, whether by injection, inhalation, or any other means, to the body of a patient or research subject by a practitioner, or the patient or research subject at the direction and in the presence of the practitioner.

If you are currently dispensing, or intend to dispense, the following steps must be completed to attain compliance with the regulations:

1. Visit the MSBML's MELS gateway (<https://gateway.msbml.ms.gov/>) to register as a dispensing physician and acknowledge your obtention of the requisite CME. See "Dispensing Registration" under "Key Links" on the MSBML Home Page for more information.
2. Once in the Gateway, click on the Green Banner on the home page showing your license details. On the next page, you will see a button "Dispensing Registration" under the License Options list on the left-hand side. Click this button to register for Dispensing.
3. Visit the MSBOP licensing gateway (<https://gateway.mbp.ms.gov/>) to build a profile as a dispensing physician and create an application for the physician dispensing facility.

The rules and regulations for both boards are attached. Licensees will be given until April 1, 2021, to come into compliance with the regulations regarding dispensing. Please do not hesitate to contact the appropriate board's licensing department for any questions.

Sincerely,

A handwritten signature in blue ink that reads "Ken Cleveland".

Dr. Ken Cleveland
Executive Director
MS Board of Medical Licensure

A handwritten signature in blue ink that reads "Susan McCoy".

Susan McCoy
Executive Director
MS Board of Pharmacy