

~~(1) COMPLY WITH ALL APPLICABLE FEDERAL LAWS AND LAWS OF THIS STATE PERTAINING TO STORAGE AND DISTRIBUTION OF DANGEROUS DRUGS; AND~~

~~(2) INSPECT ALL DRUGS BEFORE DISPENSING TO DETERMINE THAT THE DRUGS ARE NOT ADULTERATED.~~

~~(E) THE PHARMACY, HOSPITAL, OR NONPROFIT CLINIC MAY CHARGE INDIVIDUALS RECEIVING DONATED DRUGS A HANDLING FEE ESTABLISHED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.~~

~~(F) DRUGS DONATED TO THE PROGRAM MAY NOT BE RESOLD.~~

~~12-6B-06.~~

~~(A) THIS SECTION APPLIES TO:~~

~~(1) THE BOARD;~~

~~(2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE;~~

~~(3) ANY PERSON THAT DONATES DRUGS TO THE PROGRAM; AND~~

~~(4) ANY PHARMACY, HOSPITAL, NONPROFIT CLINIC, OR HEALTH CARE PRACTITIONER THAT ACCEPTS OR DISPENSES DRUGS UNDER THE PROGRAM.~~

~~(B) FOR MATTERS RELATED TO DONATING, ACCEPTING, OR DISPENSING DRUGS UNDER THE PROGRAM, A PERSON DESCRIBED IN SUBSECTION (A) OF THIS SECTION THAT ACTS IN GOOD FAITH MAY NOT BE SUBJECT TO:~~

~~(1) CRIMINAL PROSECUTION;~~

~~(2) LIABILITY IN TORT OR OTHER CIVIL ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY; OR~~

~~(3) DISCIPLINARY ACTION BY A PROFESSIONAL LICENSING BOARD.~~

~~(C) A DRUG MANUFACTURER ACTING IN GOOD FAITH MAY NOT BE SUBJECT TO CRIMINAL PROSECUTION OR LIABILITY IN TORT OR OTHER CIVIL ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY FOR MATTERS RELATED TO THE DONATION, ACCEPTANCE, OR DISPENSING OF A DRUG MANUFACTURED BY THE DRUG MANUFACTURER THAT IS DONATED BY ANY PERSON UNDER THE PROGRAM, INCLUDING LIABILITY FOR FAILURE TO TRANSFER OR COMMUNICATE PRODUCT OR CONSUMER INFORMATION OR THE EXPIRATION DATE OF THE DONATED DRUG.~~

~~12-6B-07.~~

~~(A) ON OR BEFORE OCTOBER 1, 2006, AND IN CONSULTATION WITH THE SECRETARY, THE BOARD SHALL ADOPT REGULATIONS GOVERNING THE PROGRAM.~~

~~(B) THE REGULATIONS SHALL ESTABLISH:~~

~~(1) PARTICIPATION REQUIREMENTS FOR PHARMACIES, HOSPITALS, AND NONPROFIT CLINICS TO ACCEPT AND DISPENSE DONATED DRUGS UNDER THE PROGRAM;~~