

(V) IS PHYSICALLY PRESENT, EXCEPT FOR AN AUTHORIZED ABSENCE SUCH AS SICK LEAVE OR VACATION LEAVE, AT THE FACILITY OF THE APPLICANT DURING REGULAR BUSINESS HOURS;

(VI) IS SERVING AS A DESIGNATED REPRESENTATIVE FOR ONLY ONE APPLICANT AT A TIME, OR FOR TWO OR MORE WHOLESALE DISTRIBUTORS WHO ARE LOCATED IN THE SAME FACILITY AND ARE MEMBERS OF AN AFFILIATED GROUP, AS DEFINED IN § 1504 OF THE INTERNAL REVENUE CODE;

(VII) DOES NOT HAVE ANY CONVICTIONS FOR A VIOLATION OF ANY FEDERAL, STATE, OR LOCAL LAWS RELATING TO WHOLESALE OR RETAIL PRESCRIPTION DRUG DISTRIBUTION OR DISTRIBUTION OF CONTROLLED SUBSTANCES; AND

(VIII) DOES NOT HAVE ANY CONVICTIONS FOR A FELONY UNDER FEDERAL, STATE, OR LOCAL LAWS; AND

(4) DETERMINES THAT THE IMMEDIATE SUPERVISOR OF THE DESIGNATED REPRESENTATIVE OF THE APPLICANT MEETS THE FOLLOWING QUALIFICATIONS:

(I) IS AT LEAST 21 YEARS OF AGE;

(II) HAS BEEN EMPLOYED FULL TIME FOR AT LEAST 3 YEARS IN A PHARMACY OR WITH A WHOLESALE DISTRIBUTOR IN A CAPACITY RELATED TO THE DISPENSING AND DISTRIBUTION OF, AND RECORDKEEPING RELATING TO, PRESCRIPTION DRUGS;

(III) IS EMPLOYED BY THE APPLICANT FULL TIME IN A MANAGERIAL LEVEL POSITION;

(IV) IS ACTIVELY INVOLVED IN AND AWARE OF THE DAILY OPERATION OF THE WHOLESALE DISTRIBUTOR;

(V) DOES NOT HAVE ANY CONVICTIONS FOR A VIOLATION OF ANY FEDERAL, STATE, OR LOCAL LAWS RELATING TO WHOLESALE OR RETAIL PRESCRIPTION DRUG DISTRIBUTION OR DISTRIBUTION OF CONTROLLED SUBSTANCES; AND

(VI) DOES NOT HAVE ANY CONVICTIONS FOR A FELONY UNDER FEDERAL, STATE, OR LOCAL LAWS.