

**Texas State Board of Pharmacy License Application Instructions
Clinic Pharmacy (Class D)**

SPECIAL NOTE: Texas Pharmacy Rules & Regulations prohibit a Class D pharmacy from being placed in or issued to a physician's office setting. [Rule 291.93](#) defines Clinic Pharmacy (Class D) as a facility/location other than a physician's office, where limited types of dangerous drugs or devices restricted to those listed in and approved for the clinic's formulary are stored, administered, provided, or dispensed to outpatients. A Class D pharmacy license that is issued to a clinic with limited scope of services (must be reviewed by TSBP), and which authorizes the pharmacy to provide (supply) or administer a dangerous drug contained in the clinic's formulary (limited to anti-infective drugs, musculoskeletal drugs, vitamins, obstetrical and gynecological drugs and devices, topical drugs, and serums toxoids, and vaccines) in accordance with a medical directive (e.g., standing practitioner orders, etc.) and with the objectives of the clinic. Examples of such settings include rural health care clinics, school-based clinics; clinics for the homeless, indigent, or low-income; family planning clinics; TB, STD, or immunization clinics operated by state or local government; and on-site industrial clinics for company employee use. In a Class D pharmacy, the "provision" of unit-of-use packages of dangerous drugs at a Class D pharmacy site may be carried out by certain non-pharmacist personnel in accordance with the Texas Pharmacy Rules. However, any "dispensing" (defined separately from "provision" and "administration") of a prescription drug order for a dangerous drug contained in the clinic's formulary must be performed by a licensed pharmacist in accordance with Class A regulations.

Use this instruction page as a check-list and submit everything requested. Official review does not begin until all required items are received. Allow 4 to 6 weeks to be notified of receipt or items missing from the application. Allow a *minimum* of 90 days from the time your application packet is complete, for review and processing. Any forms that have been previously submitted with an application will not be retrieved for completion of this application. If the application process is not completed within one year from the application receipt date, the application will be withdrawn. NOTE: if a change in officer, owner, or location occurs while the application is under review by TSBP, the application will be cancelled and a new application packet, including application fee, must be submitted.

- 1. **Pharmacy License Application – Submit Form [LIC-Class D](#)**
- 2. **Ownership Form**
 - If Owned by a Partnership or Individual – Submit Form [LIC-006](#); or
 - If Owned by a Corporation or Limited Liability Company – Submit Form [LIC-007](#) with the following attachments; or
 - Articles of Incorporation (for Corporation) or Articles of Organization (for LLC)
 - Current Texas Franchise Tax S. (If the Corp/LLC is registered w/TX Secretary of State)
 - If Owned by a Government owned – Submit Form [LIC-008](#).
 - If a Closely-held Corporation, a list of all owners.
 - If a Publicly-held Corporation, a copy of the corporation's 10K Filing with the Security and Exchange Commission.
- 3. **Managing Officer – Submit Form [LIC-021](#)** which provides information and questions regarding the "background" to be submitted by each of the top four Managing Officers. Attach a copy of a current driver's license or state issued identification card and a copy of the social security card for each individual owner(s), managing officer(s) or partners that are not a Texas licensed pharmacist.
- 4. **Lease Agreement/Property Ownership** - Attach a copy of lease agreement between the owner of the pharmacy and the owner of the building in which the pharmacy is located. The pharmacy address listed on the lease agreement must match the pharmacy address listed on all required forms. The tenant listed on the lease agreement must match the name of the pharmacy owner listed on all required forms. If you are subleasing the space, submit a copy of the sublease agreement along with the master lease agreement.
- 5. **New Pharmacy Checklist - Form [LIC-018](#)** lists the minimum infrastructure requirements needed to apply for a new pharmacy license and must be submitted with a New Pharmacy Application.
- 6. **Policy and Procedure Manual** – Provide a copy of the policy and procedure manual which must include the clinic drug formulary (Note: if applying for permission to maintain expanded formulary or alternative visitation schedule; see Board [Rule 291.93](#)).
- 7. **Credit Worthiness Document:** Provide a letter from a primary wholesaler with proof of credit worthiness.

SUBMIT THIS CHECKLIST AS A COVER SHEET WITH ALL ITEMS LISTED – KEEP COPIES FOR YOUR RECORDS