

TEXAS PHARMACY LICENSE APPLICATION

Institutional/Hospital/ASC Pharmacy (Class C) License Information Change of Ownership Form

PLEASE READ CAREFULLY: According to the [Texas Pharmacy Act 560.101](#), a license is non-transferable or assignable. A license is issued to the owner(s) and for the location of the facility. All approved change of ownership applications will result in a new license number being issued. The seller is responsible for pharmacy operations until the new license has been issued by TSBP.

The application should be submitted to TSBP within 10 days AFTER the change has taken place. Completed applications *may* take approximately 90 days, including the pre-inspection, for a license to be issued. Failure to submit all required documentation will result in a delay of licensure. Questions regarding the application can be directed to the Pharmacy Licensing Specialist either by email to pharmacies@pharmacy.texas.gov or by phone at (512) 305-9127.

A Class C pharmacy that changes ownership shall take an inventory on the date of the change of ownership, see [rule §291.17\(d\)](#) for inventory requirement. The pharmacy should also notify the [Drug Enforcement Agency \(DEA\)](#) in writing at least 14 days in advance.

NOTICE: According to [Texas Occupations Code § 565.0551](#), the Executive Director of the Texas State Board of Pharmacy may require a license holder to submit a surety bond to the board.

- ☐ The Institutional/Hospital/Ambulatory Surgery Center (ASC) Class-C Information Form (LIC-Class_C) see form below.
- ☐ Check or Money Order for the Application Fee made payable to Texas State Board of Pharmacy. Fee calculation is provided in Box 1 on the Pharmacy Information Form.
- ☐ Ownership Information Form— See form below. TSBP requires the direct owner of the pharmacy to be listed. If you choose to also provide the parent company, you can submit separate ownership forms for each.
 - Copy of the entity's Certificate of Formation as filed with the [Texas Secretary of State](#). This may also be called the Articles of Incorporation, Articles of Organization, or Application of Registration depending on the type of entity and when it was formed.
 - Additionally, if the entity is a Foreign Entity (i.e., the entity was formed in another state), provide a copy of the formation documents as filed in the jurisdiction of formation.
 - Verification of an ACTIVE [Franchise Tax Account Status](#) from the Texas Comptroller. Provide documentation from the Texas Comptroller that shows the entity has an ACTIVE Franchise Tax Account Status.
 - Organizational Chart: Provide an organizational chart that shows multi-levels of ownership and relation to the pharmacy.
- ☐ [Managing Officer Forms for each officer \(LIC-021\)](#) (attach a separate page if listing more than four officers).
*Per Texas Pharmacy [Rule 291.1](#) "Managing Officers are defined as the top four executive officers, including the corporate officer in charge of pharmacy operations, who are designated by the partnership or corporation to be jointly responsible for the legal operation of the pharmacy."
 - ☐ Copy of Officers' State Issue Photo ID. Acceptable Photo IDs are: Current Driver's License, State Issued Identification Card or US Passport.
 - ☐ Verification of Officers' Social Security Number – Submit a copy of the individual's Social Security Card OR a copy of the individual's W2, that shows the full SSN and Name of the individual, with all financial information redacted.
- ☐ Lease Agreement or Proof of Property Ownership (ex: property deed), including the pharmacy floor plan.
- ☐ Executed Bill of Sale (or legal document which transfers Ownership) Including Records & Drugs statement.
- ☐ Letter of Credit Worthiness - Submit a letter from the pharmacy's primary drug distributor and/or wholesaler that verifies the pharmacy applicant's credit worthiness. The letter must come from an entity that has an active license with [Texas Department of State Health Services \(DSHS\)](#) and be for the specific pharmacy and/or for the pharmacy owner.
- ☐ In accordance with [Texas Pharmacy Act, Section 560.052](#), the Texas State Board of Pharmacy cannot issue a license to a Class C Pharmacy until or unless it has been verified that the facility has substantially completed the requirements for licensure with the Texas Health and Human Services Commission (HHSC).

NOTE: TSBP may request additional documentation to confirm or substantiate information submitted on the application.



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Current Pharmacy License #	
Previous Pharmacy owner (entity name):	
Effective Date of Change:	

FOR TSBP USE ONLY			
File #	App #	Entity #	Trans Code#
			3022
Amount Rcv'd	License #	AFL Date	

1	This application MUST be submitted with a check or money order made payable to the Texas State Board of Pharmacy. Use the column to the right to calculate the fee for the application.	Pharmacy Application Fee	\$ 583.00
		Number of Balances/Scales X \$25.00 ea	\$
		Total DUE	\$

NOTICE: According to [Texas Occupations Code §565.0551](#), the Executive Director of the Texas State Board of Pharmacy may require a license holder to submit a surety bond to the board.

Print or Type

2	Pharmacy (Facility) Information		
Pharmacy Name: _____ <i>Pharmacy Name – Name listed on the prescription labels/signage</i>			
Pharmacy Address: _____ <i>Street Address (Inspectable Location)</i>			
City _____		State _____	ZIP Code _____
Pharmacy Phone: _____		Pharmacy Email: _____	
Pharmacy Fax Number: _____		Web Address: _____	
Pharmacy Hours: Mon-Fri: _____ Sat: _____ Sun: _____			
3	Type of Ownership		
<input type="checkbox"/> Sole Proprietorship/Individual <input type="checkbox"/> Corporation (Includes Non-Profit) <input type="checkbox"/> Government			
<input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other (specify) _____			
4	Type of Pharmacy		
<input type="checkbox"/> Community Independent <input type="checkbox"/> Community Multi/Chain (5 or more) <input type="checkbox"/> Other (Specify): _____			
5	Services Provided by Pharmacy (check all that apply)		
<input type="checkbox"/> 24 Hour Service <input type="checkbox"/> Compounding, Non-Sterile <input type="checkbox"/> Pharmacist Admin. Immunizations			
<input type="checkbox"/> 503b Outsourcing Facility <input type="checkbox"/> Compounding, Office Use <input type="checkbox"/> Shipping Prescriptions Out-of-State			
<input type="checkbox"/> Closed Door <input type="checkbox"/> Home Delivery <input type="checkbox"/> Veterinary Prescriptions			
<input type="checkbox"/> Compounding Sterile, LOW Risk <input type="checkbox"/> Infusion <input type="checkbox"/> Other (Specify): _____			
<input type="checkbox"/> Compounding Sterile, MED Risk <input type="checkbox"/> Nuclear			
<input type="checkbox"/> Compounding Sterile, HIGH Risk <input type="checkbox"/> Outpatient Prescriptions			
6	Pharmacist-in-Charge Attestation		
By my signature, I acknowledge that I am employed by the pharmacy listed above and that I am the Pharmacist-in-Charge of this pharmacy. I attest that I have read and understand the laws and rules relating to this class of pharmacy. THIS SIGNATURE MUST BE NOTARIZED.			
Print or Type Name of Pharmacist in Charge _____		License # _____	Subscribed and sworn to before me this _____ Day Of _____, 20____
Signature of Pharmacist in Charge _____		Date _____	Notary Public Signature _____



TEXAS PHARMACY LICENSE APPLICATION
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Change of Ownership Form, continued

7 List of Staff Pharmacists and Pharmacy Technicians (Attach a list if additional room is needed)			
Name of Staff RPh or Technician	License/Registration #	Name of Staff RPh or Technician	License/Registration #

8 Freestanding Emergency Medical Care Center (Class F) Requirements	
A. Is the facility an inpatient hospital maintained and operated by the State of Texas? (if yes, SKIP 8C)	<input type="checkbox"/> Yes <input type="checkbox"/> No
B. Will the pharmacy be operated by a hospital/pharmacy management company? If yes, provide the name of the Management Company and attach a copy of the service agreement Name of Management Company: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
C. Is the facility already licensed with the Health and Human Services Commission (HHSC) or Department of State Health Services (DSHS)? If yes, indicate the license type and provide the license number as issued by HHSC/DSHS. Number of Licensed Beds: _____ <input type="checkbox"/> Hospice Inpatient <input type="checkbox"/> Ambulatory Surgery Center <input type="checkbox"/> Other: _____ If no, has the facility submitted an application with HHSC/DSHS?	<input type="checkbox"/> Yes <input type="checkbox"/> No

9 The Owner of One of the Managing Officers MUST Answer the Following Questions:	
a. Has the pharmacy or the corporation, partnership, or other entity that owns the pharmacy been the subject of ANY professional disciplinary action or are any such actions pending against this entity by a regulatory authority? (e.g., surrender, revocation, reinstatement, suspension, fine, probation, restriction.) Include such information for all states, including Texas, and for all regulated professions.	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Has the pharmacy or the corporation, partnership, or other entity that owns the pharmacy been subject to court ordered probation as related to any offense? If you answered "YES" to Question a. and/or Question b., include the name of the Board, licensing or disciplinary authority, and the date of the order, and, if applicable, the date of the termination of the conditions and/or probation:	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Are the customer service areas of the pharmacy accessible to disabled persons, as defined by federal law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Does the pharmacy provide translating services for customers, including translating services for a person with impairment of hearing? If yes , what type of translating services does the pharmacy provide? (Check all that apply) <input type="checkbox"/> Spanish <input type="checkbox"/> American Sign Language <input type="checkbox"/> Vietnamese <input type="checkbox"/> AT&T Translating Service <input type="checkbox"/> Telecommunication Device for the Deaf (TDD) <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Does this pharmacy participate in the Texas Medicaid Program?	<input type="checkbox"/> Yes <input type="checkbox"/> No

10 Owner/Managing Officer Attestation	
Subscribed and sworn to before me this _____	
Signature of Owner/Managing Officer _____	Date _____ Day of _____, 20 _____
Owner/Managing Officer's Name (Type or Print) _____	Notary Public Signature _____



TEXAS PHARMACY LICENSE APPLICATION Ownership Information Form

1 Pharmacy (Facility) Information	
a. Pharmacy Name: _____ <i>Pharmacy Name – Name listed on the prescription labels/signage</i>	
b. Pharmacy Address: _____ <i>Street Address (Inspectable Location)</i> <i>Suite/Unit #</i>	
_____ <i>City</i> _____ <i>State</i> _____ <i>Zip Code</i>	
2 Designated Person of Contact for Pharmacy Person Authorized by Owner/Officer to Discuss Application Material with TSBP Staff	
Full Name: _____ Title: _____	
Contact Phone: _____ Contact Email: _____	
3 Ownership Information The below information should match all Secretary of State, Comptroller, and IRS Filings	
a. Entity's <u>Federal Employer ID Number (FEIN)</u>	Type of Ownership
_____	<input type="checkbox"/> Sole Proprietorship/Individual Owner <input type="checkbox"/> Corporation (Includes Non-Profit)
_____	<input type="checkbox"/> Partnership <input type="checkbox"/> Government
_____	<input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other (specify) _____
c. Direct Owner of Pharmacy (i.e., Corp, Inc, LLC, LP, PA, LTD, etc.)	

d. Corporate Mailing Address for Owner	
_____ <i>Street Address</i> _____ <i>Suite/Unit #</i>	
_____ <i>City</i> _____ <i>State</i> _____ <i>Zip/Code</i>	
ATTEST: I hereby attest that the foregoing statements or those on any attachment(s) to this form are to the best of my knowledge true and correct and that they are all given of my free will. I agree that any misstatement(s) or omission(s) as to material facts will constitute violation of and subject me to the penalties set forth in the Texas Pharmacy Act. I agree to comply with the Texas Pharmacy Act and Rules.	
THIS SIGNATURE MUST BE NOTARIZED:	
Subscribed and sworn to before me this	
Signature of Owner/Managing Officer _____	Date _____ Day Of _____, 20 _____
Owner/Managing Officer's Name (Type or Print) _____	Notary Public Signature _____



Once your application is determined complete, an email will be submitted to the designated person of contact for the pharmacy. TSBP will verify background information for each officer/owner provided.

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

- Managing Officer Form(s) (LIC-021) for each Officer
- Lease Agreement or Property Deed, including the pharmacy floor plan
- Articles of Incorporation/Organization
- Organization Chart
- Proof of Credit Worthiness from your Primary Drug Wholesaler
- Bill of Sale – a copy of the purchase contract or mutual agreement between the buyer and seller.