



ADMINISTRATIVE RULES OF MONTANA



24.174.1201 WHOLESALE DISTRIBUTOR AND THIRD-PARTY LOGISTICS PROVIDER LICENSING

- (1) Every person seeking licensure as a wholesale distributor or third-party logistics provide (3PL), as defined in 37-7-602, MCA, must be licensed annually by the board for the purposes of wholesale distribution, as defined in 37-7-602, MCA. The licensure requirement includes those engaged in wholesale distribution of drugs or prescription devices, reverse whole distribution, and medical gases. Each applicant shall:
 - (a) be a legal entity registered and in good standing with the Montana Secretary of State;
 - (b) file an application on a form prescribed by the board;
 - (c) pay the appropriate licensing and annual renewal fees;
 - (d) meet the requirements of 37-7-604, MCA; and
 - (e) designate a person-in-charge of the facility and for purposes of meeting requirements of 37-7-611, MCA, regarding a criminal background check at time of initial licensure or any change in person-in-charge, complete the requirements included on a form prescribed by the board.
 - (i) The person-in-charge must notify the board of any changes or termination of services.
 - (ii) Within 30 days of termination of services, a new person-in-charge must be designated in writing on the appropriate board-approved forms and filed with the board.
- (2) The board will independently verify the applicant's standing through the National Practitioner Data Bank (NPDB) and National Association of Boards of Pharmacy Clearinghouse.
- (3) The license shall be posted in a conspicuous place in the wholesaler's place of business for which it is issued.
- (4) No license may be issued to any applicant whose intended place of business is a personal residence.
- (5) Wholesale distributors located in Montana, applying for initial licensure, shall pass an inspection by a pharmacy inspector or other agent of the Board of Pharmacy before a license is issued.
- (6) A separate license is required for each separate location, in-state and/or out-of-state, where drugs or devices are stored and directly distributed to Montana.
- (7) Licensees shall operate in compliance with applicable federal, state, and local laws and regulations. Licensees who distribute controlled substances shall be licensed by the board, to obtain an appropriate dangerous drug endorsement, and register with the DEA.
- (8) Wholesale distributors shall submit proof of surety bond upon initial licensure and at time of renewal as identified on forms prescribed by the board in compliance with state and federal requirements.

Authorizing statute(s): 37-7-201, 37-7-610, MCA

Implementing statute(s): 37-7-603, 37-7-604, 37-7-605, 37-7-606, 37-7-611, 37-7-612, MCA

History: NEW, 1992 MAR p. 2135, Eff. 8/14/92; AMD, 1999 MAR p. 2438, Eff. 10/22/99; TRANS, from Commerce, 2002 MAR p. 904; AMD, 2006 MAR p. 1615, Eff. 6/23/06; AMD, 2007 MAR p. 1936, Eff. 11/22/07; AMD, 2010 MAR p. 2968, Eff. 12/24/10; AMD, 2012 MAR p. 506, Eff. 3/9/12; AMD, 2022 MAR p. 1842, Eff. 9/24/22; AMD, 2025 MAR, Notice No. 2025-206, Eff. 12/6/25.