

1983 WL 181848 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 15, 1983

*1 Ms. Inez Moore
Director of Research
Medical, Military, Public and Municipal Affairs Committee
Post Office Box 11867
Columbia, South Carolina 29211

Dear Ms. Moore:

Mr. Medlock has asked that I respond to your letter of April 5, 1983, in which you inquire as to whether there is a statutory provision which requires the State Board of Pharmacy to issue a permit as a prerequisite to the Department of Health and Environmental Control's issuing a controlled substances permit for an ambulatory surgical facility.

Please be advised that there appears to be no such statutory provision requiring the Board of Pharmacy to issue such a permit in that circumstance. Indeed, it appears that there is considerable doubt that the Board of Pharmacy would be involved in such a situation. Generally, a medical institution which is licensed by DHEC may obtain controlled substances registration as an institutional practitioner. That is the manner in which hospitals and other licensed medical facilities are afforded controlled substances registration and it would appear to be the appropriate method in the case of licensed ambulatory surgical facilities. Such registration would not necessarily require any permit or license from the Board of Pharmacy as a prerequisite to obtaining controlled substances registration.

I trust the preceeding discussion adequately answers your question, however, if any further assistance or explanation is required, please do not hesitate to contact me.

Very truly yours,

Richard P. Wilson
Assistant Attorney General

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