TITLE 475. OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL
CHAPTER 10. REQUIREMENTS FOR REGISTRATION

475:10-1-4. Separate registration

(a) Every person or entity who engages in, or who proposes to engage in, more than one group of independent activities shall obtain a separate registration for each group of activities, except as provided by this subsection. Any person or entity, when registered to engage in the group of activities described in each paragraph of this subsection, shall be authorized to engage in the coincident activities described in that subparagraph without obtaining a registration to engage in such coincident activities; provided that, unless specifically exempted, the registrant complies with all requirements and duties prescribed by law for persons or entities registered to engage in such coincident activities.

(1) A person or entity registered to manufacture any controlled dangerous substance or basic class of controlled dangerous substances shall be authorized to distribute that substance or class, but is not authorized to distribute any substance or class which the registrant is not registered to manufacture.

(2) A person or entity registered to manufacture any controlled dangerous substance listed in Schedules I through V shall be authorized to conduct chemical analysis and preclinical research (including quality control analysis) with narcotic and non-narcotic controlled dangerous substances listed in those schedules which the registrant is authorized to manufacture.

(3) A registrant authorized to conduct analytical laboratory activities with controlled dangerous substances shall be authorized to manufacture such substances for analytical or instructional purposes, to distribute such substances to other registrants authorized to conduct analytical laboratory activities, institutional instructional activities, or scientific research with such substances and to persons or entities exempted from registration provided such distribution is made in conformance with state law.

(4) A person registered or authorized to conduct scientific research with controlled dangerous substances listed in Schedules I through V shall be authorized to conduct analytical laboratory activities with controlled dangerous substances listed in those schedules in which he/she is authorized to conduct scientific research, to manufacture such substances if and to the extent that such manufacturing is set forth in the protocol filed with the application for registration, to distribute such substances to other persons or entities registered or authorized to conduct analytical laboratory activities, institutional instructional activities, or scientific research with such substances, and to persons or entities exempted from registration provided such distribution is made in conformance with state law, and to conduct instructional activities with controlled dangerous substances.

(5) Physicians, dentists, podiatrists, veterinarians, optometrists and other qualified persons who are authorized to carry on their respective activities under the laws of the State of Oklahoma and who are registered with the OBN to dispense, prescribe, and/or administer controlled dangerous substances shall be authorized to conduct instructional activities with those substances. Practitioners authorized to administer and/or dispense controlled dangerous substances are authorized to order the controlled dangerous substances for dispensation and administration.

(6) Trainers or handlers of a canine controlled dangerous substance detector who, in the ordinary course of their profession, desire to possess any controlled dangerous substance for training said canine.

(7) A single registration to engage in any group of independent activities may include one or more controlled dangerous substances listed in the schedules authorized in that group of independent activities. A person registered to conduct scientific research with controlled dangerous substances listed in Schedule I may conduct scientific research with any substance listed in Schedule I for which the registrant has filed and had approved a scientific research protocol.

(b) The following locations shall not be deemed to be principal places where controlled dangerous substances are manufactured, distributed, dispensed, and/or prescribed:

(1) A warehouse where controlled dangerous substances are stored by or on behalf of a ~~registered person, unless such substances are distributed directly from such warehouse to registered locations, other than the registered location from which the substances were delivered, or to persons~~registrant, but not used as a distribution point, does not require a separate registration. The warehouse location shall be included on the registration application but may be fee exempt at the discretion of the Director. If a warehouse location is added at any later time after the application has been submitted, the registrant shall notify OBN of such location within one (1) business day. Warehouse locations shall meet all applicable state and local laws and have the same physical security requirements as specified in Chapter 20 of this Title.

(2) An office used by agents of a registrant where sales of controlled dangerous substances are solicited, made, or supervised but which neither contain such substances (other than substances for display purposes or lawful distribution as samples only) nor serves as a distribution point for filling sales orders.

(3) An office used by a practitioner (who is registered at another location) where controlled dangerous substances are prescribed but neither administered nor otherwise dispensed as a regular part of the professional practice of the practitioner at such office, and where no supplies of controlled dangerous substances are maintained.

(c) No more than one medical marijuana manufacturing registration for growing medical marijuana shall be issued per location. Location is the entire real property identified by the parcel identification number and any corresponding address on file with the County Assessor. A registrant or applicant may, in writing, request that the OBN waive the above requirement, by submitting on a form provided by the OBN for OBN approval. The OBN may in its discretion and on a case- by-case basis, approve the waiver if it finds that the safeguard proposed by the registrant meets the goals of the security requirements. Registrant grow operations must be clearly separate and distinct from other registrant grow operations. Approved waivers expire at the same time as the underlying registration. The approved waiver shall be displayed in a conspicuous manner near the associated Certificate of Registration.

475:10-1-5. Exemptions of agents and employees

The following persons shall not be required to register and may lawfully possess controlled dangerous substances in the performance of their official duties under the provisions of the Act:

(1) An agent, or employee thereof, of any registered manufacturer, distributor, dispenser and/or user for scientific purposes of any controlled dangerous substances if such agent is acting in the usual course of his/her business or employment.

~~(2) An individual physician who is a resident or staff physician of a licensed or otherwise authorized hospital shall not be required to register in order to administer, prescribe, or dispense controlled dangerous substances in the usual course of his/her professional practice, while acting within the scope of his/her employment in the hospital, provided that:~~

~~(A) Such resident or staff physician is authorized to carry on the respective activities under the laws of the State of Oklahoma by their appropriate State of Oklahoma licensing board.~~

~~(B) The hospital by whom he/she is employed has verified that the individual physician is so licensed by the appropriate State of Oklahoma licensing board.~~

~~(C) Such administering, prescribing, and/or dispensing is confined solely to inpatients or outpatients of the hospital by which the individual physician is employed.~~

~~(D) All prescriptions and records relating to controlled dangerous substances administered, dispensed, or prescribed to inpatients or outpatients shall reflect the designated specific internal hospital code number given to each resident or staff physician so authorized by the hospital pursuant to 475:25-1-18 and Title 21 Code of Federal Regulations, § 1301.22(C)(5) and (6).~~

~~(3)~~(2) Interns or residents of teaching hospitals shall not be required to register and may administer, dispense, and/or prescribe controlled dangerous substances ~~in accordance with paragraph (2) of this Section,~~ provided that:

(A) All prescriptions issued by such interns or residents for outpatients shall be countersigned by a physician licensed by the physician's appropriate State of Oklahoma licensing board and shall bear such physician's personal designated hospital code number.

(B) Such intern or resident is so authorized by the hospital and is acting only within the scope of his/her employment within the teaching hospital.

~~(4)~~(3) An individual physician, dentist, podiatrist, or veterinarian, as defined in 63 Okl.St.Ann. § 2-101, who is a resident or foreign-trained, whose practice is, for any reason, limited solely to federal, state, or local government institutions, shall dispense, administer and/or prescribe controlled dangerous substances under the authority of the license of the institutional hospital by whom he/she is employed in lieu of being registered himself/herself, provided that:

(A) Such dispensing, administering, and/or prescribing is done in the usual course of his/her professional practice.

(B) Such individual practitioner is authorized to carry on the respective activities under the laws of the State of Oklahoma by the appropriate State of Oklahoma licensing board.

(C) The hospital or other institution by which he/she is employed has verified that the individual practitioner is so permitted to dispense, administer, and/or prescribe drugs within the jurisdiction.

(D) Such individual practitioner is acting only within the scope of his/her employment in the hospital or institution.

(E) Records relating to controlled dangerous substances that are prescribed by such residents, foreign-trained physicians, or physicians limited to federal, state, or local government institutions, shall be kept pursuant to Title 21 Code of Federal Regulations §1304.04 and 475:25-1-18.

~~(5)~~(4) An individual practitioner, as defined in ~~(4)~~(3) of this Section, who is limited solely to federal, state, or local government institutional practice, may obtain individual fee-exempt registration in the event that such institution by which he/she is employed does not maintain a hospital as defined by the appropriate State of Oklahoma licensing authority and the institution is not so registered with the OBN.

(A) Such limited practitioners shall be required to maintain records of all controlled dangerous substances administered, dispensed, and prescribed by such practitioner.

(B) Such limited practitioners shall be authorized to dispense, administer, and/or prescribe controlled dangerous substances in the course of their professional practice only within such institution as designated by their appropriate State of Oklahoma licensing boards.

(C) Prior to being authorized to dispense, administer, and/or prescribe controlled dangerous substances at any new or additional location, such limited practitioners shall be required to report to the OBN each change of location or addition of institutional employment.

(D) Such limited practitioners shall be held individually responsible for safeguards, record keeping, inventories, transferring, and disposing of controlled dangerous substances in accordance with this Chapter.

475:10-1-9. Application for registration pursuant to Title 63 Okl. St.Ann § 2-302

(a) Any person or entity who is required to be registered and who is not so registered may apply for registration at any time unless otherwise provided in this Title. No person or entity required to be registered shall engage in any activity for which registration is required until the application for registration is granted and a Certificate of Registration is issued by the Director to such person or entity.

(b) After any person or entity is first registered, the person or entity shall thereafter be required to be registered no later than the first day of November of each year.

(c) Any person or entity who fails to register shall be in violation of the Uniform Controlled Dangerous Substances Act and subject to penalties as provided therein.

(d) Applications for registration of new principal places of business and new ~~personal~~ registration requests received after July 1st of each year will, if accepted for registration, be registered for the forthcoming registration period and, therefore, will not be required to pay the registration fee for the remaining four (4) months of the registration period in which the application is made.

(e) A thirty (30) day grace period from the registration expiration date may be given before a registration is inactivated.

(f) All medical marijuana applicants and registrants, and all medical facilities required to register under 63 O.S. § 2-302(C), shall disclose to OBN all beneficial owners and all other entities or natural persons that have an ownership interest in the business.

(g) No natural person or persons may perform any service in an attempt to become a beneficial owner that would otherwise violate, circumvent, bypass, or render meaningless, any statute of the State of Oklahoma or of the United States.

475:10-1-10. Application notices for registration and re-registration

(a) Any person or entity required to be registered under Title 63 may register by ~~contacting the OBN to obtain the registration application, downloading the registration application on the official OBN website, or~~ applying on the official OBN website.

(b) Any person or entity desiring to professionally handle controlled dangerous substances for the purpose of canine drug detector handling and/or training, manufacturing, distributing, conducting scientific research, or performing analytical laboratory activities of controlled dangerous substances listed in the Uniform Controlled Dangerous Substances Act, Schedules I through V, shall apply for registration as follows:

(1) A canine drug detector handler/trainer or scientific researcher shall be registered with the OBN as an individual.

(2) Applicants for scientific research, analytical laboratory activities, or institutional instructional activities shall attach one (1) copy of the proposed operational protocol to the application.

(3) A detailed description, diagram, and/or photographs of all security measures proposed for the safe storage of all controlled dangerous substances shall be attached to the application.

(c) Any person or entity licensed by the appropriate State of Oklahoma licensing authority who desires to professionally handle controlled dangerous substances in their practice of medicine, retail pharmacy, hospital, teaching institution, or institutional drug department shall apply for registration.

(d) Registrants will be notified by renewal notice approximately ninety (90) days before the expiration date of October 31 of each year; if any registrant does not receive such notice within thirty (30) days prior to the expiration date of the registration, the registrant must give notice of such omission and request such notice either by personal contact with, or in writing to, the OBN. It shall be the registrant's responsibility to maintain a valid registration.

(e) Each application shall include all information called for in the application, unless the item is not applicable, in which case this fact shall be indicated, and the application with comments shall be required to be returned to the OBN. The address of the registrant shall be the business address. A post office box will not be considered a sufficient business address. If the business address contains no physical street address, then a PO Box or route number may be listed, however, directions to the registrant's business location must be included with the application.

(f) Each application, attachment, or other document filed as a part of any application shall be signed by the applicant or by an officer or official of the applicant. Those applications with questions left unanswered or without proper signature will not be accepted.

475:10-1-12. Filing of application

(a) All applications for registration shall be submitted for filing with the OBN and shall be accompanied by the appropriate registration fee and any required attachments.

(b) Any person or entity required to obtain more than one registration ~~may~~shall submit all applications ~~in one (1) package~~individually. Each application must be complete and should not refer to any accompanying application for required information.

475:10-1-13. Acceptance for filing

(a) Applications submitted for filing are dated upon receipt. If found to be complete, the application will be accepted for filing. Applications failing to comply with the requirements of this Chapter will not generally be accepted for filing. A defective application will be rejected and returned to the applicant with a statement of the reason for not accepting the application for filing. ~~A defective application shall be corrected and re-submitted for filing prior to acceptance of application.~~

(b) Accepting an application for filing does not preclude any subsequent request for additional information and has no bearing on whether the application will be granted.

(c) All information requested within the application, as well as any requests for additional or supplemental information, are deemed material information for purposes of the application and enforcement of the Uniform Controlled Dangerous Substances Act.

475:10-1-14. Additional information

The Director may require an applicant to submit such documents or written statements of fact relevant to the application as he/she deems necessary to determine whether the application should be granted. The failure of the applicant to provide such documents or statements within a reasonable time after being requested to do so shall be deemed to be a waiver by the applicant of an opportunity to present such documents or facts for consideration by the Director in granting or denying the application and may result in an application being rejected as incomplete.

475:10-1-15. Amendments to and withdrawal of applications

(a) An application may be ~~amended or~~ withdrawn without permission of the Director at any time before the date on which the applicant receives an order to show cause why the registration should not be denied, revoked or suspended pursuant to Title 63 Okl.St.Ann. § 2-305. ~~An application may be amended with permission of the Director at any time where good cause is shown by the applicant or where the amendment is in the public interest.~~

(b) After an application has been accepted for filing, the request by the applicant that it be returned or the failure of the applicant to respond to official correspondence regarding the application shall be deemed to be a withdrawal of the application.

(c) If an application is withdrawn after the application and payment have been submitted, no refund shall be given.

(d) For registered businesses, any owner, manager, board member, officer, or legal counsel may withdraw the application on behalf of the business.

475:10-1-17. Applications for scientific research in Schedule I substances

(a) In the case of an application to conduct scientific research with controlled dangerous substances listed in Schedule I, the Director may process the application and protocol and forward a copy of each to an independent expert selected by the Director within seven (7) days after receipt. The independent expert shall promptly advise the Director concerning the qualification of the applicant.

(b) An applicant whose protocol is defective shall be notified by the Director within seven (7) days after receipt of such protocol from the independent expert, and he/she shall be required to correct the existing defects before consideration shall be given to his/her submission.

(c) After the independent expert finds that the applicant is qualified and competent and the protocol meritorious, the Director shall be notified. The Director shall issue a Certificate of

Registration within ten (10) days after receipt of this notification unless he/she determines that the application should be denied pursuant to the Uniform Controlled Dangerous Substances Act or OAC 475.
(d) If the independent expert finds that the protocol is not meritorious and/or the applicant is not qualified or competent, said designated authority shall notify the Director. The Director shall notify the applicant of said findings and his/her final decision~~, after which time the applicant may submit written request to the Director within thirty (30) days for a hearing to show cause why the application should not be denied~~.
(e) Except, Schedule I medical marijuana researchers shall submit the documentation, with their application, as required by 63 O.S. §427.19 et seq and 63 O.S. § 427.20 et seq.

475:10-1-18. Certificate of registration form
(a) The Certificate of Registration shall contain the name, business address, and registration number of the registrant, the schedules of controlled dangerous substances which the registrant is authorized to handle, any limitation or condition placed on the registration, and the expiration date of the registration. The registrant shall maintain the Certificate of Registration at the registered location, displayed in a conspicuous manner, and shall permit inspection of the Certificate by a peace officer or agency official in the enforcement of laws relating to controlled dangerous substances.
(b) Medical marijuana manufacturers shall post a sign at the entrance of the medical marijuana manufacturing location. The sign shall include, at a minimum, business name, business address, contact phone number, and OBN registration number. This information may be placed on other existing signs of a similar nature if otherwise allowed by law.

475:10-1-19. Surrender of certificate of registration [REVOKED]
~~(a) Upon the revocation, suspension, or retirement of the registrant's Certificate of Registration, the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall require that the registrant immediately deliver the assigned Certificate of Registration to an officer of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and shall further require the registrant to surrender, destroy, or provide the security deemed necessary by the Director for all stocks of controlled dangerous substances in control of the registrant.~~
~~(b) In the event of limitation of a registrant's authority to handle controlled dangerous substances ordered by the Director or the authorized appropriate State of Oklahoma professional licensing board which may limit the registrant's professional services regarding controlled dangerous substances, the registrant shall be issued a new Certificate of Registration. No fee shall be required to be paid for the new Certificate of Registration.~~

475:10-1-20. Modification of registration
(a) Any registrant may apply to modify the registration to authorize the handling of additional controlled dangerous substances by submitting a ~~letter of~~ request to the Registration Division of the OBN. The ~~letter~~request shall contain the registrant's name, address, state and federal registration numbers as printed on the registrant's State of Oklahoma and Federal Certificates of Registration, the substances and/or schedules to be added to the registration, and shall be ~~signed~~certified by the registrant. If the registrant is seeking to handle additional controlled dangerous substances listed in Schedule I of the Uniform Controlled Dangerous Substances Act for the purpose of analytical laboratory activities, scientific research, or institutional instructional

activities, the registrant shall attach one (1) copy of the protocol describing each anticipated activity involved with the additional substances or, in the event of institutional instructional activities, a statement describing the nature, extent, and duration of such institutional instructional activity, as appropriate. No fee shall be required to be paid for the modification.
(b) Change of name or ownership shall require a new registration for all businesses. Notice shall be submitted in writing on a form prescribed by OBN at least fourteen (14) days prior to the proposed change being submitted to the appropriate licensing board or authority.
(1) A change of ownership occurs when:
(A) Any new beneficial owner, not previously recorded on the registration, is added to the business; or
(B) A change in the form of ownership occurs (for example, from a sole proprietor ownership to a partnership, limited liability company, or corporation).
(2) For publicly traded corporations, a routine sale of stock is not a change of ownership. (Note: a publicly traded corporation is a corporation owned by stockholders who are members of the general public and who trade shares publicly, often through a listing on a stock exchange. Publicly traded corporations do not include any entity engaged in activities involving federally prohibited substances.)
(3) A change to the registered business name as a result of government entities making changes to the name or to correct typographical errors does not require a new registration.
(c) Any change in the existing ownership percentage of a registered business shall be reported to the OBN within one (1) business day, if ownership disclosure is a legal requirement or condition to any licensing or registration.
(d) OBN registrations are only valid for the individual or entity to which the registration is issued including all beneficial owners of a registered entity or business. An OBN registration shall never be utilized by another individual or entity unless specifically authorized to do so by this Title or the Uniform Controlled Dangerous Substances Act. This provision shall be strictly construed to guard against theft and diversion of controlled dangerous substances.

475:10-1-21. Change to registrant details

The registrant shall notify the Registration Division of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, ~~in writing, sent via U.S. certified mail, return receipt requested, or~~ through the registrant's online account, within ~~fourteen (14) calendar days~~one (1) business day of any change to information on the current registration. This includes, but is not limited to, changes in contact information, ownership information, or changes to the registered premises where physical security controls are impacted such as the addition of, expansion of, or destruction of structures on the registered premises.

475:10-1-22. Termination of registration

(a) The registration of any person or entity shall terminate if and when such registrant dies, ceases legal existence, or discontinues business or professional practice including, but not limited to, full retirement. Any registrant who discontinues business or professional practice and/or no longer holds a valid Oklahoma license of the profession or occupation shall notify the ~~Director within fourteen (14) calendar days~~ OBN within one (1) business day of such fact.
(b) Pursuant to 63 O.S. § 2-302(L), failure to maintain an active, valid professional or occupational license, will result in automatic termination of the OBN registration.

(c) For registered businesses, any owner, manager, board member, officer, or legal counsel may terminate or discontinue the applicable OBN registration on behalf of the registered business.