

Checklist of Legal Requirements to be Followed for Pharmacy Sales, Changes of Ownership, Name Changes or Address Changes

Moving a Pharmacy (i.e. a Relocation)

Resident Pharmacy

A new pharmacy application shall be made on a standard form available from the Board office or online at <https://mn.gov/boards/pharmacy/>. The application must be submitted at least 60 days prior to the move to the new physical location, along with blueprints or a sketch showing dimensions of the area designated as licensed space, layout, and security. The drawing or sketch must include elevations of the consultation area to meet [MN rule 6800.0700](#), subpart 1, E, as applicable. Compounding pharmacies must include a detailed description of necessary elements to meet USP 795, USP 797, and/or USP 800. A new pharmacy license number will be issued for the pharmacy.

Non-Resident Pharmacy

A new pharmacy application indicating a relocation has occurred must be submitted after the home state has issued an updated license showing the new address. The application can be found on the Board's website. An inspection report for the new location must be submitted with the application. A relocation application will be returned if sent in advance of the home state's regulatory agency issuing a license/permit with the new location. The documents must be submitted to the Board's office within 30 days of an address change. Once approved, a new pharmacy license number will be issued for the pharmacy.

Change of Name

A pharmacy application form must be completed for this change and no fee is required. The form can be found on the Board's website. Name changes should be submitted 30 days prior to the change for pharmacies located in Minnesota. Non-resident pharmacies will need to report the name change on the application form and include a copy of the license issued by the home state regulatory agency showing the new name. The documents must be submitted to the Board's office within 30 days of a name change for non-resident pharmacies.

Ownership Changes

A change of ownership requires a new pharmacy application to be submitted to the Board 30 days prior to the effective date of the change. The application is available on the Board's website. **A new license number is issued for the ownership change and a fee must be submitted with the application. Importantly, any previous variances or Board approved policies do not automatically transfer under new ownership to the new license number. The pharmacist-in-charge will need to reapply for any variances and policy approvals that are applicable under the new ownership.**

A non-resident pharmacy change of ownership requires a new pharmacy application to be submitted to the Board prior to the effective date of transfer but after the home state's regulatory agency has processed the change of ownership.

Effective with the selling date, the pharmacist-in-charge must return the old pharmacy license to the Board office noting the selling date and new owner's name.

Resident Pharmacies

- The pharmacy which is selling should contact the local DEA office to obtain DEA's requirements.
- If the former pharmacy received authority to accept returns for reuse of unit dose packaged medications from long term care facilities or other entities, new written procedures for handling of these returns must be submitted to the Board for approval.
- Previous variances or Board approved policies do not automatically transfer under new ownership to the new license number. The pharmacist-in-charge will need to reapply for any variances and policy approvals that are applicable under the new ownership.

The following are some examples of ownership changes that require a new license (See Minnesota Rule 6800.0500):

- Any change in business structure (i.e., sole proprietorship to LLC or Inc., etc.).
- The sale of all or substantially all of the assets of the pharmacy.
- The addition to or deletion of one or more partners in a partnership.
- Stock transfer in which a cumulative 20% or more of the stock changes hands since the issuance of the license.

An inventory of drugs covered under the State and Federal Controlled Substances Acts should be taken when there is a change in pharmacist-in-charge.

Minnesota pharmacists changing their place of practice or residence address must immediately change this information on their personal record with the Board or notify the Board of these changes. (Mn Rule 6800.2500; Mn Statute 151.071). Updates can be made via Online Services at <https://pha.hlb.state.mn.us/#/Login> or using the form found on the website.

Each pharmacy shall notify the Board of Pharmacy immediately upon knowledge of the termination of the services of the pharmacist-in-charge and further, shall immediately designate a successor pharmacist-in-charge and immediately notify the Board of Pharmacy of such designation. The pharmacist-in-charge responsibility form must be completed by the successor pharmacist-in-charge and be filed with the Board of Pharmacy within ten days after assuming the pharmacist-in-charge position. (Mn Rule 6800.2400) These forms can be found on the website.

Link to our rules: <https://www.revisor.mn.gov/rules/6800/>

Link to laws 151: <https://www.revisor.mn.gov/statutes/cite/151>

Link to laws 152: <https://www.revisor.mn.gov/statutes/cite/152>