



OKLAHOMA

State Board of Pharmacy

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To: All Medical Gas Suppliers & Distributors

Date: July 28, 2015

Subject: Oklahoma licensure requirements

It has become apparent that many of our medical gas suppliers and distributors are not aware of important Board regulations regarding licensure.

- **BOARD PERMITS ARE NON-TRANSFERABLE.** Any medical gas supplier or distributor, in-state or out-of-state, that changes their **name, ownership or location** must apply for a new permit and pay the required fee as found on the appropriate Board application form. [go to http://www.ok.gov/OSBP/Forms_for_Download/Facilities/index.html for application form]
- A currently licensed medical gas facility must submit an application form & fee **AND** a Board inspection* of the new location must occur **prior to moving medical gas products.** Under no circumstances may any cylinders containing gas be maintained at a non-licensed location. At the time of a satisfactory inspection*, a Board of Pharmacy Compliance Officer will present the registrant with a new permit. (**inspection occurs for in-state facilities only*)
- A new medical gas facility must submit an application form & fee **AND** a Board inspection* of the new facility must occur **prior to obtaining medical gas products.** Under no circumstances may any cylinders containing gas be maintained at a non-licensed location. At the time of a satisfactory inspection*, a Board of Pharmacy Compliance Officer will present the registrant with a permit. (**inspection occurs for in-state facilities only*)
- Any other changes that are made, such as managerial changes, must be reported to the Board within 10 days.
OAC 535:20-9-3(a)(1-2) Medical gas suppliers
 - 1) A medical gas supplier permit is only valid for the name, ownership and location listed on the permit. Changes of name, ownership or location shall require a new medical gas supplier permit.
 - 2) Changes in any information required for licensure must be reported to the Board within ten (10) days (e.g. manager, contact person, phone, etc.)OAC 535:20-9-4(a)(1-2) Medical gas distributors
 - 1) A medical gas distributor permit is only valid for the name, ownership and location listed on the permit. Changes of name, ownership or location shall require a new medical gas distributor permit.
 - 2) Changes in any information required for licensure must be reported to the Board within ten (10) days (e.g. manager, contact person, phone, etc.)
- Oxygen orders must be updated, at least, annually due to state law, regardless of insurance requirements.
- Prescription records must be maintained for a period of 5 years, be readily retrievable and be available for inspection at the licensed facility from which they are dispensed. A digital copy may be maintained at the branch if the original is sent to the main office.
- Invoices/delivery tickets for medical gases received must be maintained for a period of 2 years.
- Medical Gas Suppliers may sell medical gases pursuant to a prescription only. Medical Gas Distributors may sell medical gases pursuant to a prescription and/or to other licensed facilities.
- All medical gases that are NOT sold pursuant to a prescription must be sold based on a valid license such as a physician, dentist, veterinarian, nursing home, etc. You must verify or acquire a copy of such license prior to sale.
- Full oxygen cylinders that are provided to a patient pursuant to a prescription may NOT be re-distributed after the patient has died or if they are no longer needed. The cylinders must be emptied and refilled again before the cylinder may be provided to a new patient.

Questions? Contact Chief Compliance Officer Cindy Hamilton at chamilton@pharmacy.ok.gov

A Constitutional Board Established in 1907

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