



Bureau of Narcotics and Dangerous Drugs

Index of Citations (09/01/2024)

Citations apply to controlled substances only

Statutes are in Chapter 195 and Chapter 579, RSMo.

Regulations are in 19 CSR 30 Chapter 1

DEA Federal Regulations are in Title 21 CFR Section 1300

REGISTRATION ISSUES

Registration required before activities take place	195.030.2 RSMo 19 CSR 30-1.017(2)(A)
Activity must be within authority of license and registration	195.030.3 RSMo 19 CSR 30-1.026(2)
When registrations are required at multiple locations	195.030.6 RSMo 19 CSR 30-1.026(3)
Fees for registration & exemptions & fees not refundable	19 CSR 30-1.015(3)
Missouri practice locations required for full registrations	19 CSR 30-1.019(2)
Requirement to notify BNDD of change in address or name	19 CSR 30-1.023(1)(c)
Failure to notify BNDD of change in address within 30 days	19 CSR 30-1.023(2)
DEA Certificate must be on site and retrievable	21 CFR 1301.35(c)
Disposal drug box requires registration modification	19 CSR 30-1.078(1)(D)

PROMOTING HEALTH AND SAFETY

The Missouri Department of Health and Senior Services' vision is optimal health and safety for all Missourians, in all communities, for life.

GROUND FOR DENYING/REVOKING REGISTRATION

Person abusing drugs cannot have a registration	195.040.2 RSMo
No registration for 7 years if guilty plea to felony drug crime	195.040.2 RSMo
No registration for 2 years if guilty plea to misdemeanor drug crime	195.040.2 RSMo
Applicant did not maintain controls to prevent diversion	195.040.3(1) RSMo
Noncompliance with applicable state and local laws	195.040.3(2) RSMo
Conviction(s) under state or federal laws	195.040.3(3) RSMo
Establishment lacks controls against diversion	195.040.3(4) RSMo
Provided false information on application	195.040.3(5) RSMo
DEA registration has been revoked/suspended	195.040.3(6) RSMo
Other factors consistent with public health	195.040.3(7) RSMo
Professional license not currently active	19 CSR 30-1.017(5)(H)
Application not completed – no response in 60 days	19 CSR 30-1.017(3)(D)

DEA FORM 222 – OFFICIAL ORDER FORMS

C2 purchasing/receipt procedures not followed	195.050.3 RSMo
Order form not used to obtain/transfer C2	21 CFR 1305.03
Agent/employee executing forms without power of attorney	21 CFR 1305.04/1305.05
Electronic 3 rd copy off computer – no date of receipt	21 CFR 1305.22(g)

AGENCIES WITH ACCESS TO RECORDS

BNDD has access to drug record	195.050.6 RSMo 195.375.5 RSMo 579.084 RSMo 19 CSR 30-1.041(2)
Law Enforcement has access to drug records	195.375.5 RSMo
Records must be produced to BNDD within 3 days	19 CSR 30-1.044(5)

RECORD KEEPING

Required records must be maintained	195.050.6 RSMo
Pharmacy prescription records not readily available	195.060.1 RSMo
Pharmacy prescription records not maintained for 2 years	195.060.1 RSMo
Failure to keep, maintain or furnish any drug record	579.084 RSMo
Drug records not kept for 2 years	19 CSR 30-1.041(2)
Drug records not maintained at registered location	19 CSR 30-1.041(2)
Drug records stored at central location without permit	19 CSR 30-1.041(2)
Drug records not available for inspection	19 CSR 30-1.041(2)
C2 records not separate from C3-C5 – pharmacy	19 CSR 30-1.041(4)
C2 records not separate from C3-C5 – pract, dist, import, export	19 CSR 30-1.041(3)
Manuf, Distrib, Import and Export records not readily retrievable	19 CSR 30-1.041(3)
Pharmacy records not readily retrievable	19 CSR 30-1.041(4)
Separate inventory lacking for separate location	19 CSR 30-1.042(1)(B)
Initial Inventory lacking (must be within 2 years)	19 CSR 30-1.042(2)(A)
Annual Inventory lacking	19 CSR 30-1.042(3)
New controlled substance not on inventory	19 CSR 30-1.042(4)
Drug records are to be current, complete and accurate	19 CSR 30-1.044(1)
Dispensing log – what information is required	19 CSR 30-1.048(1)
Dispensing log non-existent	19 CSR 30-1.048(1)
Receipt records incomplete- what is required	19 CSR 30-1.048(1)
Receipt records non-existent	19 CSR 30-1.048(1)
Disposal/waste/destruction records incomplete	19 CSR 30-1.048(1)
Disposal/waste/destruction records non-existent	19 CSR 30-1.048(1)
Administration records C2-C5 incomplete-what is required	19 CSR 30-1.048(2)
Prescribing records for C2 incomplete	19 CSR 30-1.048(2)
Drug transfer records incomplete	19 CSR 30-1.048(4)
Drug transfer records non-existent	19 CSR 30-1.048(4)
DEA Order Form 222 not used to transfer C2	19 CSR 30-1.048(5)
Practitioner not filing faxed scripts in separate chronological file	19 CSR 30-1.048(7)
LTCF not maintaining E-kit transfer records	19 CSR 30-1.052(1)
Expired drug destruction records incomplete/non-existent	19 CSR 30-1.078(1)
Pharmacy computer system unable to retrieve records	21 CFR 1306.22(b)
Records not available for inspection	19 CSR 30-1.041(2)
Daily printout of electronic communicated transmissions Not maintained properly	19 CSR 30-1.048(9)

PRACTITIONERS REQUIRED TO MAINTAIN PATIENT CHARTS

Requirements for charts and contents by physicians	334.097 RSMo
Requirements for charts and contents by dentists	332.052 RSMo
Requirements for charts and contents by veterinarians	340.284 RSMo 20 CSR 2270-4.041 20 CSR 2270-6.011(8)

CONTROLLED SUBSTANCE SECURITY

Controls and procedures must be adequate to detect and prevent diversion	19 CSR 30-1.031(1)
Physical security not commensurate with types and quantities of drugs	19 CSR 30-1.031(2)
Non-practitioner lacks system to detect suspicious orders	19 CSR 30-1.032(2)
Non-practitioner fails to notify BNDD of loss/theft	19 CSR 30-1.032(3)
Practitioner must lock C2 drugs	19 CSR 30-1.034(1)(A)
Practitioner must lock C3-C5 drugs	19 CSR 30-1.034(1)(B)
Person with guilty pleas for drug crimes must have waivers to access drugs	19 CSR 30-1.034(2)(A)
Practitioner failed to notify BNDD of loss/theft	19 CSR 30-1.034(2)(B)(1)
Records inadequate to conduct audit of drugs	19 CSR 30-1.031(1)
Prescription pads left out unattended in patient area	19 CSR 30-1.031(1)
Pre-signing a blank prescription-still found blank	19 CSR 30-1.062(3)
Pre-signing a blank prescription-drugs were dispensed	19 CSR 30-1.062(3)

PACKAGING AND LABELING

Childproof containers required	19 CSR 30-1.066(1)(B)
Labeling requirements for containers	195.100.5 RSMo 19 CSR 30-1.066(1)(C)
Label that warns patient against illegal transfer	195.100.3 RSMo

RETAIL PHARMACY DISPENSING

Prescription valid for only 6 months	195.060.1 RSMo
Dispensed fraudulent/invalid or incomplete prescription	195.060.1 RSMo
Dispensed C2 prescription without practitioner's signature	195.060.1 RSMo 19 CSR 30-1.062(1)
Dispensed Rx must document pharmacy employee and date dispensed	195.060.1 RSMo
Dispensing must occur in good faith	195.060.1 RSMo
Unauthorized refill of C2 prescription	195.060.1 RSMo
C3-C5 prescriptions refilled more than 5 times	195.060.1 RSMo
Dispensing more than allowable supply	195.080.2 RSMo
Fail to notify BNDD when prescriber did not supply original C2 prescription for emergency	19 CSR 30-1.070(1)(D)
Practice pharmacy without license	338.010.2 RSMo
Partial dispensing of prescriptions	19 CSR 30-1.064
Prescriber must fill out prescription/pharmacy cannot fill out	21 CFR 1306.04 21 CFR 1306.05

PRACTITIONER PRESCRIBING

Prescription must bear the date it was issued – no post dating	195.060.1 RSMo
Prescription must be signed by prescriber	195.060.1 RSMo
Prescribed outside of scope of professional practice	195.070.1 RSMo
Prescribed without established practitioner/patient relationship	195.070.1 RSMo
Prescribed outside scope of veterinary practice	195.070.2 RSMo
Practitioner cannot prescribe or dispense to self	195.070.4 RSMo
Cannot prescribe to obtain office stock for administering and dispensing in office	19 CSR 30-1.048(6)
Pre-signing a blank prescription – found blank	19 CSR 30-1.062(3)
Pre-signing a blank prescription – drugs were dispensed	19 CSR 30-1.062(3)
Emergency oral C2 prescription issued in a non-emergency	19 CSR 30-1.070(1)
Prescribed opiates to addict for unauthorized detoxification	21 CFR 1306.07
Requirements of a prescription – prescriber must complete	21 CFR 1306.05(a)
Use of false DEA number	USC CSA 843(c)(a)(2)
Refills overlapping too soon causes diversion	19 CSR 30-1.031(1)
Patient chart not documented to determine if a refill is timely	19 CSR 30-1.048(2) 19 CSR 30-1.031(1)
Written C2 prescription must be written to cover emergency oral prescription within 7 days	19 CSR 30-1.070(1)(D)
Physical examination required by practitioner	DEA case law
Faxed prescription must bear fax number, date and time of transmission	19 CSR 30-1.048(7)
Prescriber must fill out prescription/pharmacy can not	21 CFR 1306.04 21 CFR 1306.05
Mid-Level practitioners limited to only a 5 day supply of opiates	195.070.2 RSMo
Mid-Level's only C2 drug authority is for hydrocodone only	195.070.2 RSMo
First time or new prescription for opiates is limited to 7 days	195.080.2 RSMo
Patients receiving opiate prescriptions must receive counseling	195.080.2 RSMo
C2 prescriptions must be issued to patient or pharmacy on same date issued	19 CSR 30-1.062(3) 21 CFR 1306.05
Electronic prescribing required unless practitioner has waiver	195.550 RSMo
Practitioner may take possession of patient prescription for office use, only if authorized by DEA	195.070 RSMo

PRACTITIONER DISPENSING

Dispense without established practitioner-patient relationship	195.070.1 RSMo 19 CSR 30-1.066(1)(D)
Dispense outside of scope of practice	195.070.1 RSMo
Unsupervised dispensing by staff	195.070.1 RSMo 19 CSR 30-1.066(1)(A)
Dispensing outside of scope of veterinary practice	195.070.3 RSMo
Dispensing drugs to self for personal use	195.070.5 RSMo
For non-controlled drugs, physician must follow State Regulation	20 CSR 2150-5.020
Dispensing log must have required information	19 CSR 30-1.048(2)
Disposing of partial doses contaminated by patient contact	19 CSR 30-1.078(2)
Disposing of drugs that are expired, not contaminated by patient	19 CSR 30-1.078(1)

CRIMINAL VIOLATIONS

Drug activities without a registration	579.084 RSMo
Fraudulently obtain a drug by fraud/misrepresentation	579.045 RSMo
Fail to make, keep, maintain or provide a drug record	579.084 RSMo
Falsifying a drug record for theft/diversion	579.045 RSMo
Possess or utter a forged prescription	579.045 RSMo
Possess illegal drug paraphernalia	579.074 RSMo
Practicing pharmacy without a license	338.010.2 RSMo
Practicing medicine without a license	334.010 RSMo
Stealing a controlled substance	570.030.5(m) RSMo