

2.1 dispenses legend drugs for profit, the general circumstances under which the practitioner
2.2 dispenses for profit, and the types of legend drugs generally dispensed. It is unlawful to
2.3 dispense legend drugs for profit after July 31, 1990, unless the statement has been filed
2.4 with the appropriate licensing board. For purposes of this paragraph, "profit" means (1)
2.5 any amount received by the practitioner in excess of the acquisition cost of a legend drug
2.6 for legend drugs that are purchased in prepackaged form, or (2) any amount received
2.7 by the practitioner in excess of the acquisition cost of a legend drug plus the cost of
2.8 making the drug available if the legend drug requires compounding, packaging, or other
2.9 treatment. The statement filed under this paragraph is public data under section 13.03.
2.10 This paragraph does not apply to a licensed doctor of veterinary medicine or a registered
2.11 pharmacist. Any person other than a licensed practitioner with the authority to prescribe,
2.12 dispense, and administer a legend drug under paragraph (a) shall not dispense for profit.
2.13 To dispense for profit does not include dispensing by a community health clinic when the
2.14 profit from dispensing is used to meet operating expenses.

2.15 (c) A prescription or drug order for a legend drug is not valid unless it is issued
2.16 for a legitimate medical purpose arising from a prescriber-patient relationship that
2.17 includes a documented patient evaluation adequate to establish diagnoses and identify
2.18 underlying conditions and contraindications to the treatment. Treatment, including issuing
2.19 a prescription or drug order, based solely on an online questionnaire does not constitute a
2.20 legitimate medical purpose.