



## Ohio Administrative Code

### Rule 4729:5-2-03 Change in description of a terminal distributor of dangerous drugs.

Effective: August 1, 2019

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(A) Any change in the ownership, business or trade name, category, or address of a terminal distributor of dangerous drugs requires a new application, required fee, and license. The new application and required fee shall be submitted within thirty days of any change in the ownership, business or trade name, category, or address.

(B) A change of ownership includes any of the following:

- (1) A change of controlling interest of ten per cent or more of a licensed corporation's outstanding shares of voting stock.
- (2) Any business entity change from its original form, as licensed, to a sole proprietorship, partnership, limited liability company, corporation or any other business entity.
- (3) An existing corporation ceases and a new corporation or other business entity is formed.
- (4) An existing corporation continues and there is a one hundred per cent stock purchase by another corporation or other business entity.
- (5) Two wholly-owned subsidiaries of a parent company are merged.
- (6) A currently licensed terminal distributor is purchased or operated by a different business entity than what is listed on the original application, even if the location maintains the original "doing business as" (DBA) and/or responsible person.
- (7) Any partnership change other than that which was originally licensed.
  - (a) A partnership change is deemed to have occurred when:



(i) There is an addition or removal of one or more partners in a partnership to which a license is issued.

(ii) The entity is sold and the sale becomes final.

(b) For partnerships, a transfer of a portion of ownership among existing partners is not a change of ownership, if there is no addition or removal of a partner.

(8) Any other business model change as determined by the board to be a change of ownership.

(C) For publicly traded corporations, a routine sale of stock is not a change of ownership.

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.

(D) If any change of ownership in accordance with paragraph (B) of this rule results in a new or different DBA or a new or different employer identification number (EIN), a new application fee is required.

(E) A change of ownership may require the board to issue a new license number.

(F) A change of ownership, as described in paragraph (B) of this rule, of a licensee's parent or holding company shall not require a new application, required fee, and license.

(G) A change of credential class shall require notification to the board in a manner determined by the board. A change of credential class shall not require an application or full application fee but the board may charge a nominal processing fee.