

DISTRICT OF COLUMBIA OFFICIAL CODE
TITLE 7. HUMAN HEALTH CARE AND SAFETY
SUBTITLE A. GENERAL
CHAPTER 7A. FUNCTIONS OF THE DEPARTMENT OF HEALTH
SUBCHAPTER I. GENERAL POWERS, FEES, AND FUNDS

§ 7-731. Exclusive agency powers

(a) Notwithstanding the licensing powers and responsibilities given to other District of Columbia agencies and officials in subchapters I-A and I-B of Chapter 28 of Title 47 of the District of Columbia Official Code, the Department of Health, as established by Reorganization Plan No. 4 of 1996, effective July 17, 1996 (part A of subchapter XIV of Chapter 15 of Title 1), shall be the exclusive agency to:

(6) Regulate pharmacies and pharmacy personnel;

(7) Determine which drugs and other substances shall be classified as controlled substances, and identify persons and facilities that handle, manage, distribute, dispense, and conduct research with controlled substances;

(8) Regulate radiological and medical devices;

(9) Regulate the manufacture, distribution, and dispensing of controlled substances;

(b) For the purpose of this section, the term "regulate" shall include all licensing, certification, investigation, inspection, permitting, registration, and enforcement functions, including the issuance of civil infractions, except that the Department of Consumer and Regulatory Affairs shall continue to issue licenses for businesses engaged in functions as set forth in subsection (a)(3), (a)(5), (a)(10), (a)(11), and (a)(12) of this section.

(c) The Mayor shall establish fees to implement this section. All fines and fees collected pursuant to this section shall be deposited as nonlapsing funds in the Department of Health Regulatory Enforcement Fund to the credit of the administration within the Department of Health

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responsible for collecting the fees to support the activities of those programs, except that fines and fees collected pursuant to Chapter 21 of Title 8 shall be deposited in the Rodent Control Fund. After September 30, 2002, fines and fees generated through rodent control activities shall be deposited in the Department of Health Regulatory Enforcement Fund.