

GUIDANCE FROM THE GEORGIA BOARD OF PHARMACY RELATING TO DISPENSING ADDRESSED IN THE GOVERNOR'S EXECUTIVE ORDER ON MARCH 20, 2020

Ordered: That all licensed Georgia pharmacists are hereby permitted to dispense a 90-day supply of a prescription drug in the event that the patient has no remaining refills and the pharmacist is unable to contact the issuing practitioner to obtain refill authorization. This emergency authorization may be used only once per prescription and shall not apply to prescriptions for Schedule II controlled substances.

The Georgia Board of Pharmacy offers this guidance in order to ensure that pharmacies are in compliance with federal and state law. Please be aware of the following:

- The refill is for a dangerous drug and not for a controlled substance. The order shall not apply to prescriptions for Schedule II, III, IV or V controlled substances;
- The pharmacist must make a good faith effort to document the refill information specifically indicating it was for an emergency refill prescription and maintain the record as required by state and federal law;
- The pharmacist must inform the patient or the patient's agent at the time of dispensing that the prescription drug is being provided without the practitioner's authorization and that authorization of the practitioner is required for future refills; and
- As emergency conditions permit, the pharmacist must notify the practitioner that the refill has occurred.

Ordered: That all licensed Georgia pharmacists are hereby permitted to dispense early refill prescriptions for prescription drugs. This emergency authorization shall not apply to prescriptions for Schedule II controlled substances.

The Georgia Board of Pharmacy offers this guidance in order to ensure that pharmacies are in compliance with federal and state law. Please be aware of the following:

- The early refill prescriptions are for dangerous drugs or Schedule III, IV, or V controlled substance prescriptions that have refills remaining;
- The pharmacist must make a good faith effort to document the early refill information specifically indicating it was for an emergency early refill and maintain the record as required by state and federal law;
- The pharmacist must inform the patient or the patient’s agent at the time of dispensing that the prescription drug is being refilled early without the practitioner’s authorization; and
- As emergency conditions permit, the pharmacist must notify the practitioner that the early refill has occurred.

The language below is an excerpt the March 20, 2020 statement from the DEA to the General Public and the Registrant Community:

“With respect to schedule III through V controlled substances, which can be refilled under the CSA, some states have issued orders allowing pharmacies to dispense early refills of prescriptions. Subject to the provisions of 21 CFR 1306.06, requiring a pharmacy only to dispense controlled substances in the usual course of professional pharmacy practice, and if the prescription meets the requirements of 21 CFR 1306.04(a), this practice may be permitted if the early dispensing is allowed by state law and regulation. In all cases, it bears repeating that every prescription for a controlled substance must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice and that a pharmacist bears a corresponding responsibility for the proper dispensing of controlled substances. See 21 CFR 1306.04(a). All prescriptions must also comply with applicable state laws.”