

ALABAMA BOARD OF PHARMACY

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To: Pharmacists/Pharmacies
From: Alabama Board of Pharmacy/Donna C. Yeatman, RPh
Date: March 30, 2020
RE: Coronavirus (COVID-19) Schedule II Requirements/Clarifications UPDATE

The DEA has issued a guidance letter clarifying the circumstances under which oral schedule II prescriptions are permitted and provides temporary exceptions due to the Public Health Emergency declared by the Secretary of Health and Human Services.

The Controlled Substances Act, 21 U.S.C. 801 et seq., provides that a pharmacist may not dispense a Schedule II controlled substance without a written prescription with the exception of an oral prescription in emergency situations.

According to 21 CFR 1603.11(d), to issue an emergency oral prescription, the quantity prescribed and dispense is to be limited to the amount adequate for treatment of the patient during the emergency period; prescription shall be immediately reduced to writing by pharmacist and contain all information required in 1306.05, except for prescribing practitioner's signature; if pharmacist does not know the individual prescribing practitioner, the pharmacist must make a reasonable effort to determine that the oral authorization came from a registered individual practitioner; and within 7 days after authorizing an emergency oral prescription, the individual prescribing practitioner shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist.

In addition to the exception stated above, DEA announces two temporary exceptions: (1) practitioners have 15 days to deliver the follow-up paper prescription to the dispensing pharmacy; and (2) practitioners are allowed to send the follow-up prescription via facsimile, photograph, or scan to the pharmacy in place of the paper prescription. The practitioner must ensure that for whichever method they use, the prescription contains all required information stated in 1306.05 and 1306.11(d), including a statement that prescription is "Authorized for Emergency Dispensing." Practitioners who choose to send this specific type of prescription to the pharmacy via facsimile, photograph, or scan must maintain the original paper prescription in the patient file. There is no numerical limit to the amount of Schedule II controlled substance to be prescribed.

This exception to regulations was signed on March 28, 2020 by Assistant Administrator Tim McDermott. This document will be placed for public view on the DEA COVID-19 website.