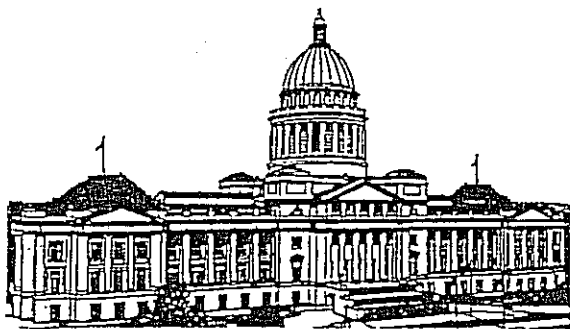


ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

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Name of Agency Arkansas State Board of Pharmacy

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Contact Person John T. Douglas, P.D. Phone (501) 682-0190

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REGULATION 56

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November 6, 1997

Adopted by State Agency

10/14/97

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

John T Douglas P.D.
Signature

(501) 682-0190

Phone Number

Executive Director

Title

November 6, 1997

Date

BY

SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS

97 NOV -7 AM 9:38

FILED

56. Schedule II Prescription Drugs

- 97 NOV -7 AM 38
FILED
RECORDED
STATE OF ARKANSAS
- I. Emergency Prescriptions -- In the case of an emergency situation, as defined by this regulation, a pharmacist may dispense a controlled substance listed in Schedule II upon receiving oral authorization of a prescribing individual practitioner -- provided that the quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period (never more than 72 hours). Dispensing, beyond the emergency period, must be pursuant to a written prescription signed by the prescribing individual practitioner. For the purposes of authorizing an oral prescription for a controlled substance listed in Schedule II of the Arkansas Controlled Substance List, the term "emergency situation" means those situations in which the prescribing practitioner determines that:
- (A) Immediate administration of the controlled substance is necessary for proper treatment of the intended ultimate user;
 - (B) No appropriate alternative treatment is available (which includes the administration of a drug which is not a Schedule II), and
 - (C) It is not reasonably possible for the prescribing practitioner to provide a written prescription to be presented to the pharmacist dispensing the drug prior to the dispensing.

The prescription shall be immediately reduced to writing by the pharmacist. Within ~~72 hours~~ seven (7) days after authorizing an emergency oral prescription, the prescribing practitioner shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The statement "Authorization for Emergency Dispensing," and the date of the oral order, must be on the face of the prescription. Upon receipt, the dispensing pharmacist shall attach this prescription to the oral emergency prescription which had earlier been reduced to writing. The pharmacist shall notify the nearest office of the D.E.A. if the prescribing practitioner fails to deliver a written prescription--failure of the pharmacist to do so shall void the authority conferred by this regulation to dispense without a written prescription of a prescribing practitioner.

- II. Partial Filling of a Schedule II Prescription -- The partial filling of a prescription for a controlled substance listed in Schedule II is permissible, if the pharmacist is unable to supply the full quantity called for in a written or emergency oral prescription and he makes a notation of the quantity supplied on the face of the written prescription (or written record of the emergency oral prescription). The remaining portion of the prescription may be filled within 72 hours of the first partial filling; however, if the remaining portion is not or cannot be filled within the 72 hour period, the pharmacist shall so notify the prescribing practitioner. No further quantity may be supplied beyond 72 hours without a new prescription.

A prescription, for a Schedule II controlled substance written for a patient in a long-term care facility (LTCF) or for a patient with a medical diagnosis documenting a terminal illness, may be filled in partial quantities to include individual dosage units. If there is any question whether a patient may be classified as having a terminal illness, the pharmacist may contact the practitioner prior to partially filling the prescription. Both the pharmacist and the prescribing practitioner have a corresponding responsibility to assure that the controlled substance is for a terminally ill patient. The pharmacist must record, on the prescription, whether the patient is "terminally ill" or an "LTCF patient". For each partial filling, the dispensing pharmacist shall record, on the back of the prescription (or on another appropriate record, uniformly maintained, and readily retrievable), the date of the partial filling, quantity dispensed, remaining quantity authorized to be dispensed, and the identification of the dispensing pharmacist. Prior to any subsequent partial filling, the pharmacist is to determine that the additional partial filling is necessary. The total quantity of Schedule II controlled substances dispensed, in all partial filling, must not exceed the total quantity prescribed. A Schedule II prescription for a patient in a LTCF or a patient with a medical diagnosis documenting a terminal illness, if partially filled, shall be totally dispensed within 60 days and dispensing cannot occur after 60 days or after the medication has been discontinued by the prescriber.

- III. Computer Records For Partial Filling -- Information, pertaining to current Schedule II prescriptions for patients in a LTCF or for patients with a medical diagnosis documenting a terminal illness, may be maintained in a computerized system -- if the system has the capability to permit:
- (1) Output (display or print) of the original prescription number, date of issue, identification of prescribing individual practitioner, identification of patient, address of the LTCF or address of the hospital or residence of the patient, identification of medication authorized (to include dosage, form, strength and quantity) and listing of the partial fillings that have been dispensed under each prescription.
 - (2) Immediate (real time) updating of the prescription record each time a partial filling of the prescription is conducted.
 - (3) Retrieval of partially filled Schedule II prescription information is the same as required for Schedule III and IV prescription refill information.

The authority to dispense Schedule II prescriptions for partial quantities does not apply to other classes of patients -- such as a patient with severe intractable pain who is not diagnosed as terminal.

- IV. Time Limit On a New Schedule II Prescription -- Prescriptions written for Schedule II controlled substances may be dispensed up to six (6) months from the date written if the pharmacist is certain of the

validity of the prescription.

An exception to this would be prescriptions written for a patient classified as terminally ill or a long term care facility patient and these prescriptions are valid for 60 days from date of issue and be my partially filled. (2/15/95)

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