

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII. Pharmacists

Chapter 25. Prescriptions, Drugs, and Devices

Subchapter B. Prescriptions

§2523. Transfer of Prescription or Prescription Information

A. Prescription Transfer Requirements

1. Prescriptions for Controlled Dangerous Substances

a. The transfer between pharmacies of a prescription or prescription information for controlled substances is permissible in conformance with 21 CFR Part 1306. ~~of original prescription information for a controlled substance listed in Schedules III, IV, or V for the purpose of refill dispensing is permissible between pharmacies on a one-time basis only. However, pharmacies electronically sharing a real-time, on-line database may transfer up to the maximum refills permitted by law and the prescriber's authorization, whether or not the pharmacy from which the prescription is transferred is open for business. Transfers are subject to the following requirements:~~

~~i. The transfer is communicated directly between two licensed pharmacists and the transferring pharmacist records the following information:~~

~~(a) invalidation of the prescription;~~

~~(b) record on the invalidated prescription the name, address, and DEA registration of the pharmacy to which it was transferred and the name of the pharmacist receiving the prescription information;~~

~~(c) record the date of the transfer and the name of the pharmacist transferring the information.~~

b. The pharmacist receiving the transferred prescription shall record the following:

~~i. Indication of the transferred nature of the prescription.~~

~~ii. Provide all information required for a prescription for a controlled substance (full name and address of patient; drug name, strength, and dosage form; quantity prescribed and directions for use; and the name, address, and DEA registration number of the prescriber) and include:~~

~~(a) date of issuance of original prescription;~~

~~(b) original number of refills authorized on original prescription;~~

~~(c) date of original dispensing;~~

~~(d) number of valid refills remaining and date(s) and location(s) of previous refill(s);~~

~~(e) pharmacy's name, address, DEA registration number and prescription number from which the prescription information was transferred;~~

~~(f) name of pharmacist who transferred the prescription; and~~

~~(g) pharmacy's name, address, DEA registration number and prescription number from which the prescription was originally filled.~~

~~iii. The original and transferred prescription(s) shall be maintained for a period of two years from the date of the last refill.~~

e. Pharmacies electronically accessing the same prescription record shall satisfy all information requirements of a manual mode for prescription transferal.

2. Prescriptions for Drugs Other Than Controlled Dangerous Substances

a. The transfer of ~~original~~ a prescription or prescription information for the purpose of initial filling or refill dispensing is permissible between pharmacies, subject to the following requirements.

i. Prescriptions may be transferred for the life of the prescription. ~~up to the maximum number of refills permitted by the prescriber on the original prescription.~~

ii. The transferring pharmacist, pharmacy intern, or certified pharmacy technician shall do the following: ~~record the information itemized in Clause 1.a.i above, with the exception of DEA registration numbers.~~

(a). Invalidate the prescription.

(b). Record on the invalidated prescription record the name and address of the pharmacy to which it was transferred and the name of the pharmacist, pharmacy intern, or certified pharmacy technician receiving the prescription information.

(c). Record the date of the transfer and the name of the pharmacist, pharmacy intern, or certified pharmacy technician transferring the information.

iii. The receiving pharmacist, pharmacy intern or certified pharmacy technician shall record the following: ~~itemized in Subparagraph 1.b above, with the exception of DEA registration numbers.~~

(a). Indication of the transferred nature of the prescription.

(b). Provide all information required for a prescription and include:

(i). Date of issuance of original prescription.

(ii). Date of last dispensing, if applicable.

(iii). Original number of refills authorized on original prescription.

(iv). Number of refills remaining, if applicable.

(v). Pharmacy's name, address, and prescription number from which the prescription information was transferred.

(vi). Name of pharmacist, pharmacy intern, or certified pharmacy technician who transferred the prescription.

b. The original and transferred prescription(s) shall be maintained in compliance with Chapter 11 of this Part. ~~for a period of two years from the date of the last refill.~~

c. Pharmacies electronically accessing the same prescription record shall satisfy all information requirements of a manual mode for prescription transferal.

~~B. Pharmacies Using Common Electronic Files~~

~~1. Pharmacies using a common electronic file are not required to physically or electronically transfer prescriptions for information dispensing purposes between or among pharmacies participating in the same common prescription file; provided, however, any such common file must contain complete and adequate records of such prescriptions, and further, that a hard copy of each prescription transferred or accessed for purposes of refilling shall be generated and maintained at the pharmacy refilling the prescription or to which the prescription is transferred.~~

~~2. This accommodation shall comply with all state and federal laws and regulations regarding controlled dangerous substance prescription transfers.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2104 (October 2003), effective January 1, 2004, LR 33:1133 (June 2007), LR 36:756 (April 2010), amended by the Department of Health, Board of Pharmacy, LR 49:67 (January 2023).

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Chapter 27. Controlled Dangerous Substances

Subchapter F. Production, Distribution, and Utilization

§2747. Dispensing Requirements

A. – C.6.e. ...

7. The transfer between pharmacies of a prescription or prescription information for controlled substances is permissible in conformance with 21 CFR Part 1306. Transfer between pharmacies of prescription information for Schedule III, IV, or V for refill purposes

~~a. The transfer of prescription information for a controlled substance listed in Schedule III, IV, or V for the purpose of refill dispensing is permissible between pharmacies on a one time basis only. However, pharmacies electronically sharing a real time, on line database may transfer up to the maximum refills permitted by law and the prescriber's authorization, whether or not the pharmacy from which the prescription is transferred is open for business. Transfers are subject to the following requirements:~~

~~i. The transfer is communicated directly between two licensed pharmacists and the transferring pharmacist records the following information:~~

~~(a). invalidation of the prescription;~~

~~(b). on the reverse of the invalidated prescription, the name, address, and DEA registration number of the pharmacy to which it was transferred, and the name of the pharmacist receiving the prescription information;~~

~~(c). the date of the transfer and the name of the pharmacist transferring the information.~~

~~ii. The pharmacist receiving the transferred prescription information shall reduce to writing the following:~~

~~(a). indication of the transferred nature of the prescription;~~

~~(b). provide all information required for a prescription for a controlled substance (full name and address of the patient; drug name, strength, and dosage form; quantity prescribed and directions for use; and the name, address, telephone number, and DEA registration number of the prescribing practitioner) and include:~~

~~(i). date of issuance of original prescription;~~

~~(ii). original number of refills authorized on original prescription;~~

~~(iii). date of original dispensing;~~

~~(iv). number of valid refills remaining and date(s) and locations of previous refill(s);~~

~~(v). pharmacy's name, address, and DEA registration number and prescription number from which the prescription information was transferred;~~

~~(vi). name of pharmacist who transferred the prescription; and~~

~~(vii). pharmacy's name, address, and DEA registration number and prescription number from which the prescription was originally filled.~~

~~iii. The original and transferred prescription(s) shall be maintained for a period of two years from the date of the last refill.~~

~~iv. Pharmacies electronically accessing the same prescription record shall satisfy all information requirements of a manual mode for prescription transferal.~~

8. – F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2152 (October 2008), amended LR 41:685 (April 2015), amended by the Department of Health, Board of Pharmacy, LR 46:577 (April 2020), LR 47:1645 (November 2021), amended LR 49:681 (April 2023).