Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII: Pharmacists

Chapter 27. Controlled Dangerous Substances

Subchapter F. Production, Distribution, and Utilization

§2745. Prescriptions

A. – B.3. …

C. Manner of Issuance

1. – 2.e. ….

~~3. A prescription issued for a schedule III, IV, or V narcotic drug approved by FDA specifically for "detoxification treatment" or "maintenance treatment" must include the identification number issued by the DEA or a written notice stating that the practitioner is acting under the good faith exception of 21 CFR §1301.28(d).~~

~~4.~~ 3. Where an oral order is not permitted, prescriptions shall be written with ink or indelible pencil or typewriter, and they shall be manually signed by the prescriber.

a. The prescriptions may be prepared by the secretary or agent for the signature of the prescriber, but the prescriber is responsible in case the prescription does not conform in all essential respects to the law and regulations.

b. A corresponding liability rests upon the pharmacist who dispenses a prescription not prepared in the form prescribed by DEA regulations or these rules.

~~5.~~ 4. A prescriber exempted from registration under 21 CFR §1301.22(c) shall include on all such prescriptions issued by him the registration number of the hospital or other institution and the special internal code number assigned to him by the hospital or other institution, in lieu of the registration number of the practitioner required by this Section. Each such written prescription shall have the name of the physician stamped, typed, or hand printed on it, as well as the signature of the physician.

~~6.~~ 5. An official exempted from registration under ~~21 CFR §1301.22(c)~~ 21 CFR §1301.23 shall include on all prescriptions issued by him his branch of service or agency and his service identification number, in lieu of the registration number of the practitioner required by this Section. Each such prescription shall have the name of the officer stamped, typed, or hand printed on it, as well as the signature of the officer.

~~7.~~ 6. Format Requirements. With the exception of medical orders written for patients in facilities licensed by the department, prescription forms shall adhere to the following requirements.

a. Written Prescriptions

i. The prescription form shall not be smaller than 4 inches by 5 inches, provided however, that forms used by pharmacists to record telephoned or transferred prescriptions shall be exempt from this requirement.

ii. The prescription form shall clearly indicate the authorized prescriber's name, licensure designation, address, telephone number, and DEA registration number. In the event multiple prescribers are identified on the prescription form, the prescriber's specific identity shall be clear and unambiguous. This identification may be indicated by any means, including but not limited to, a marked check box next to, or circling, the prescriber's printed name.

iii. The prescription form shall contain no more than four prescription drug or device orders. While nothing in these rules shall prohibit the pre-printing of any number of prescription drugs or devices on the prescription form, no prescription form issued by a prescriber shall identify more than four prescription drugs or devices to be dispensed.

iv. For each prescription drug or device ordered on a prescription form, there shall be a pre-printed check box labeled “Dispense as Written”, or “DAW”, or both.

v. For each prescription drug or device ordered on a prescription form, there shall be a refill instruction, if any.

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vi. The prescription form shall bear a single printed signature line, and the prescriber shall manually sign the prescription.

b. Oral Prescriptions

i. With the exception of prescriptions for controlled substances listed in schedule II, a prescription issued by a prescriber may be communicated to a pharmacist by an employee or agent of the prescriber.

ii. Upon the receipt of an oral prescription from a prescriber or his agent, the pharmacist shall reduce the order to a written form prior to dispensing the controlled substance.

iii. The pharmacist shall record all of the information identified in this Subsection on the prescription form.

D. – D.3. …

E. Administering Narcotic Drugs

1. – 3. …

~~4. A practitioner may prescribe, administer or provide directly any narcotic drug listed in schedule III, IV, or V approved by the FDA specifically for use in maintenance or detoxification treatment to a narcotic dependent person if the practitioner complies with the requirements of 21 CFR §1301.28.~~

F. – G.3.c …

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