

Alabama State Board of Pharmacy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pharmacy

RULE NO. & TITLE:

680-X-2-.26 Emergency Prescription Refills

INTENDED ACTION:

Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama State Board of Pharmacy proposes to amend Rule 680-X-2-.26 Emergency Prescription Refills to comply with §34-23-75, allowing for a pharmacist to dispense a one-time emergency refill of the smallest dispensable package size of a medication if a 72-hour supply is not feasible to dispense. This will result in more patients obtaining vital medications in an emergency situation to improve quality of patient care and overall health, safety, and welfare of the citizens of Alabama.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Oppositions can be submitted to the Alabama State Board of Pharmacy, 111 Village Street, Birmingham Alabama 35242. Office business hours are 8:00am - 4:00pm Monday through Friday. Please present your views in writing or email. Public hearing will be October 25th, 2023 at 9:00am

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Comments concerning this change must be received by the Alabama State Board of Pharmacy no later than October 5th, 2023.

CONTACT PERSON AT AGENCY:

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Donna Yeatman, R.Ph. Executive Secretary

Emergency Prescription Refills.

(1) If a pharmacist receives a request for a prescription refill, ~~the original of which is maintained in the pharmacy files, and the pharmacist is unable to readily obtain refill authorization from the prescriber, the pharmacist may dispense a one-time emergency refill of up to a 72 hour supply of the prescribed medication or the smallest dispensable package size if a 72 hour supply is not readily available, of the prescribed medication, provided that:~~ under the following conditions:

(a) The prescription is not a medicinal agent listed in Schedule I or II appearing in pursuant to Title 20, Chapter 2, or the controlled substance list for Schedule I or II maintained by the State Board of Health.

~~(b) The prescription is not a medicinal agent listed in Schedule III appearing in Title 20 Chapter 2.~~

~~(c) The medication is essential to the maintenance of life or the continuation of therapy in a chronic condition including but not limited to drugs listed in the following categories, according to the latest edition of Facts and Comparisons, U.S.P./N.F., P.D.R. or A.M.A. Drug evaluation:~~

~~1. Blood Modifiers~~

~~(i) Iron Products~~

~~(ii) Oral Iron~~

~~(II) Parenteral Iron~~

~~(III) Iron Combinations (with Vitamins, with Liver, with B12 and Intrinsic Factor)~~

~~(ii) Folic Acid~~

~~(I) Leucovorin Calcium~~

~~(iii) Vitamin B12~~

~~(I) Cyanocobalamin~~

~~(II) Hydroxocobalamin~~

~~(III) Liver Preparations~~

~~(iv) Vitamin K~~

~~(v) Recombinant Human Erythropoietin~~

- ~~(vi) Colony Stimulating Factors~~
- ~~(I) Filgrastim~~
- ~~(II) Sargramostim~~
- ~~(vii) Antiplaquet Agents~~
- ~~(I) Dipyridamole~~
- ~~(II) Ticlopidine~~
- ~~(viii) Anticoagulants~~
 - ~~(I) Heparin~~
 - ~~(II) Coumarin and Indandione Derivatives~~
 - ~~(ix) Heparin Antagonist~~
 - ~~(I) Protamine Sulfate~~
 - ~~(x) Tissue Plasminogen Activator~~
 - ~~(xi) Thrombolytic Enzymes~~
 - ~~(xii) Hemorheologic Agent~~
 - ~~(xiii) Antithrombin~~
 - ~~(xiv) Antihemophilic Products~~
 - ~~(I) Antihemophilic factor~~
 - ~~(II) Anti-inhibitor coagulant complex~~

 - ~~(III) Factor IX complex (Human)~~
 - ~~(xv) Hemostatics~~
 - ~~(I) Systemic~~
 - ~~(II) Topical~~
 - ~~(xvi) Plasma Protein Fractions~~
 - ~~(xvii) Dextran Adjunct~~
 - ~~(xviii) Plasma Expanders~~
 - ~~(xix) Perfluorochemical Emulsion~~
 - ~~(xx) Hemin~~
- ~~2. Hormones~~
 - ~~(i) Sex Hormones~~

~~(I) Estrogens~~
~~(II) Progestins~~
~~(III) Estrogens and Progestins, Combined~~
~~(IV) Oral Contraceptives~~
~~(V) Levonorgestrel Implant~~
~~(VI) Intrauterine Progesterone~~
~~(VII) Androgens~~
~~(VIII) Anabolic Steroids~~
~~(IX) Estrogen and Androgen Combinations~~
~~(X) Ovulation Stimulants~~
~~(XI) Gonadotropins~~
~~(XII) Chorionic Gonadotropin~~
~~(XIII) Gonadotropin Releasing Hormones~~
~~(XIV) Danazol~~
~~(ii) Growth Hormone~~
~~(iii) Pituitary (Growth Hormone) Test~~
~~(iv) Octreotide Acetate~~
~~(v) Posterior Pituitary Hormones~~
~~(I) Vasopressin Derivatives~~
~~(II) Oxytocics~~
~~(vi) Uterine Relaxant~~
~~(vii) Abortifacients~~
~~(I) Prostaglandins~~
~~(III) Sodium Chloride~~

~~(viii) Adrenal Cortical Steroids~~
~~(I) Corticotropin (ACTH)~~
~~(II) Mineralocorticoids~~
~~(III) Glucocorticoids~~

~~(ix) Adrenal Steroid Inhibitors~~

~~(x) Pituitary Function Test~~

~~(xi) Antidiabetic Agents~~

~~(I) Insulin~~

~~(II) Sulfonylureas~~

~~(xii) Glucose Elevating Agents~~

~~(I) Glucagon~~

~~(II) Diazoxide~~

~~(III) Glucose~~

~~(xiii) Alglucerase~~

~~(xiv) Thyroid Drugs~~

~~(I) Thyroid Hormones~~

~~(II) Iodine Products~~

~~(III) Antithyroid Agents~~

~~(xv) Calcitonin~~

~~(xvi) Etidronate Disodium~~

~~(xvii) Gallium Nitrate~~

~~3. Diuretics and Cardiovasculars~~

~~(i) Diuretics~~

~~(I) Carbonic Anhydrase Inhibitors~~

~~(II) Thiazides and Related Diuretics~~

~~(III) Loop Diuretics~~

~~(IV) Potassium Sparing Diuretics~~

~~(V) Diuretics Combinations~~

~~(VI) Osmotic Diuretics~~

~~(VII) Nonprescription Diuretics~~
~~(ii) Cardiac Glycosides~~
~~(iii) Amrinone~~
~~(iv) Antianginal Agents~~
~~(I) Combinations~~
~~(v) Antiarrhythmic Agents~~
~~(vi) Calcium Channel Blocking Agents~~
~~(vii) Peripheral Vasodilators~~
~~(I) Combinations~~
~~(viii) Drugs used in shock~~
~~(ix) Beta Adrenergic Blocking Agents~~
~~(x) Alpha-Beta Adrenergic Blocking Agents~~
~~(xi) Antihypertensives~~
~~(I) Antiadrenergic Agents~~
~~I. Centrally Acting~~
~~II. Peripherally Acting~~
~~(II) Vasodilators~~

~~(III) Angiotensin Converting Enzyme Inhibitors~~
~~(IV) Agents for Pheochromocytoma~~
~~(V) Agents for Hypertensive Emergencies~~
~~(VI) Miscellaneous Agents~~
~~(VII) Combinations~~

~~(xii) Potassium Removing Resins~~
~~(xiii) Cardioplegia Solution~~
~~(xiv) Salt Substitutes~~
~~(xv) Edentate Disodium~~
~~(xvi) Antihyperlipidemic Agents~~

4. ~~Respiratory Drugs~~
~~(i) Bronchodilators~~
~~(I) Sympathomimetics~~
~~(II) Xanthine Derivatives~~

- ~~(ii) Respiratory Inhalant Products~~
 - ~~(I) Corticosteroids~~
 - ~~(II) Mucolytics~~
 - ~~(III) Anticholinergics~~
 - ~~(IV) Miscellaneous~~
- ~~(iii) Nasal Decongestants~~
 - ~~(I) Combinations~~
- ~~(iv) Intranasal Steroids~~
- ~~(v) Alpha Proteinase Inhibitor~~
- ~~(vi) Lung Surfactants~~
- ~~(vii) Antihistamines~~
 - ~~(I) Miscellaneous Preparations~~
 - ~~(II) Combined Preparations~~
- ~~(viii) Antitussives~~
 - ~~(I) Narcotic~~
 - ~~(II) Nonnarcotic~~
- ~~(ix) Expectorants~~
- ~~(x) Respiratory Combination Products~~
 - ~~(I) Antiasthmatic Combinations~~
 - ~~I. Xanthine Combinations~~
 - ~~A. Capsules and Tablets~~
 - ~~B. Liquids~~
 - ~~II. Xanthine Sympathomimetic Combinations~~
 - ~~A. Capsules and Tablets~~
 - ~~B. Liquids~~
 - ~~(xi) Upper Respiratory Combinations~~
 - ~~(I) Decongestant Combinations~~
 - ~~(II) Pediatric Decongestant Combinations~~
 - ~~(III) Antihistamine and Analgesic Combinations~~
 - ~~(IV) Decongestants and Antihistamines~~
 - ~~I. Sustained Release~~
 - ~~II. Pediatric sustained release~~
 - ~~III. Capsules and Tablets~~
 - ~~IV. Liquids V. Pediatric~~

~~(V) Decongestant, Antihistamine and Analgesic~~
I. ~~Pediatric~~

~~(VI) Decongestant, Antihistamine and Anticholinergic~~
I. ~~Sustained release~~
II. ~~Miscellaneous~~
III. ~~Pediatric~~

~~(VII) Cough Preparations~~
I. ~~Antitussive combinations~~
A. ~~Capsules and Tablets~~
B. ~~Liquids~~
II. ~~Expectorant Combinations~~
A. ~~Capsules and Tablets~~
B. ~~Liquids~~
III. ~~Antitussive and Expectorants~~
A. ~~Narcotic~~
B. ~~Nonnarcotic~~
IV. ~~Antitussive and Expectorant Combinations~~
A. ~~With Decongestants~~
B. ~~With Antihistamines~~
C. ~~With Decongestants and Antihistamines~~
V. ~~Pediatric~~

~~5. Central Nervous System Drugs~~
~~(i) CNS Stimulants~~
~~(I) Analeptics~~
~~(II) Amphetamines~~
~~(III) Anorexiant~~
~~(IV) Nonprescription Diet Aids~~
~~(ii) Analgesics~~
~~(I) Narcotic Agonist Analgesics~~
~~(II) Narcotic Anagenic Combinations~~
~~(III) Narcotic Agonist-Antagonist Analgesics~~
~~(IV) Central Analgesics~~
~~(V) Acetaminophen~~

~~(VI) Salicylates~~
~~(VII) Nonnarcotic Analgesic Combinations~~
~~(VIII) ——— Nonsteroid Anti-Inflammatory Agents~~
~~(IX) Antirheumatic Agents~~
~~(X) Agents for Gout~~
~~(XI) Agents for Migraines~~
I. ——— Combinations

~~(iii) ——— Antiemetic/Antivertigo Agents~~

~~(I) Antidopaminergics~~
~~(II) Anticholinergics~~
~~(III) Miscellaneous~~
~~(IV) Combinations~~

~~(iv) Psychotherapeutic Drugs~~

~~(I) Antianxiety Agents~~

I. ——— Benzodiazepines
II. ——— Miscellaneous

~~(II) Antidepressants~~

I. ——— Tricyclics
II. ——— MAO Inhibitors

~~(III) ——— Antipsychotic Agents~~

I. ——— Phenothiazines
II. ——— Thioxanthenes

~~(IV) Miscellaneous Psychotherapeutic Agents~~

I. ——— Agents

~~(V) Sedative and Hypnotics~~

~~(VI) Nonbarbiturates~~

I. ——— Benzodiazepines

~~(VIII) ——— Nonprescription Sleep Aids~~

~~(VIII) ——— Barbiturates~~

~~(v) General Anesthetics~~

~~(I) Barbiturates~~
~~(II) Nonbarbiturates~~

~~(IV) Gases~~
~~(V) Volatile Liquids~~

~~(vi) Anticonvulsants~~

~~(I) Hydantoins~~
~~(II) Succinimides~~
~~(III) Oxazolidinediones~~
~~(IV) Benzodiazepines~~
~~(V) Miscellaneous~~

~~(vii) Muscle Relaxants~~

~~(I) Adjuncts to Anesthesia~~
I. ~~Nondepolarizing Agents~~
II. ~~Depolarizing Agents~~

~~(II) Skeletal~~

~~(III) Skeletal Combinations~~

~~(viii) Antiparkinson Agents~~

~~(I) Anticholinergics~~
6. ~~Gastrointestinal Drugs~~

~~(i) Antacids~~

~~(I) Combinations~~

~~(ii) Sucralfate~~

~~(iii) Gastrointestinal Anticholinergics/Antispasmodics~~

~~(I) Combinations~~

~~(iv) Histamine H₂ Antagonists~~

~~(v) Prostaglandins~~

~~(vii) GI Stimulants~~

~~(I) Metoclopramide~~
~~(II) Dexpanthenol~~

~~(viii) Digestive Enzymes~~

~~(ix) Gastric Acidifiers~~

~~(x) Cholagogues~~

~~(xi) Hydrocholeretics~~

~~(I) Combinations~~

~~(xii) Miscellaneous Digestive Products~~

~~(xiii) Gallstone Solubilizing Agents~~

~~(I) Chenodiol~~

~~(II) Ursodiol~~
~~(III) Monoctanoïn~~

~~(xiv) Laxatives~~

~~(I) Saline~~
~~(II) Stimulant~~
~~(III) Bulk~~
~~(IV) Emollient~~
~~(V) Fecal Softeners~~
~~(VI) Hyperosmolar Agents~~
~~(VII) Enemas~~
~~(VIII) C02 Releasing Suppositories~~
~~(IX) Bowel Evacuants~~
~~(X) Lactulose~~
~~(XI) Combinations~~

~~(xv) Antidiarrheals~~

~~(I) Diphenoxylate/Atropine~~
~~(II) Loperamide~~
~~(III) Bismuth Subsaliçylate~~
~~(IV) Combinations~~

~~(xvi) Mesalamine~~

7. ~~Antineoplastic Agents~~

~~(i) Chemotherapeutic Regimens~~

~~(ii) Alkylating Agents~~

~~(I) Nitrogen Mustards~~

I. ~~Mechlorethamine HCl~~

II. ~~Chlorambucil~~

III. ~~Melphalan~~

IV. ~~Cyclophosphamide~~

IV. ~~Uracil Mustard~~

~~(II) Nitrosoureas~~

I. ~~Lomustine~~
II. ~~Carmustine~~
III. ~~Streptococci~~

~~(III) Thiotepa~~

~~(IV) Busulfan~~
~~(V) Pipobroman~~
~~(VI) Cisplatin~~

~~(iii) — Antimetabolite~~

~~(I) — Methotrexate~~
~~(II) — Fluorouracil and Floxuridine~~
~~(III) — Cytarabine~~
~~(IV) — Mercaptopurine~~
~~(V) — Thioguanine~~

~~(iv) — Hormones~~

~~(I) — Androgens~~

~~I. — Testolactone~~

~~(II) — Progestins~~

~~I. — Megestrol Acetate~~
~~II. — Medroxyprogesterone Acetate~~

~~(III) — Estrogens~~

~~I. — Diethylstilbestrol Diphosphate~~
~~II. — Polyestradiol Phosphate~~

~~(IV) — Estrogen/Nitrogen Mustard~~

~~I. — Estramustine Phosphate~~

~~(V) — Antiestrogen~~

~~I. — Tamoxifen~~

~~(VI) — Gonadotropin Hormone-Releasing Antigen~~

~~I. — Leuprolide Acetate~~

~~(v) — Antibiotics~~

~~(I) — Bleomycin Sulfate~~

~~(II) — Doxorubicin HCl~~

~~(III) — Daunorubicin HCl~~
~~(IV) — Mitoxantrone HCl~~
~~(V) — Mitomycin~~
~~(VI) — Dactinomycin~~
~~(VII) — Plicamycin~~

~~(vi) — Mitotic Inhibitors~~

~~(I) — Etoposide~~
~~(II) — Vincristine Sulfate~~
~~(III) — Vinblastine Sulfate~~

~~(vii) — Radiopharmaceuticals~~

~~(I) — Sodium Iodide I~~

~~(II) Sodium Phosphate P~~

~~(III) Chromic Phosphate P~~

~~(viii) ——— Miscellaneous~~

~~(I) Interferon Alfa-2a~~

~~(II) Interferon Alfa-2b~~

~~(III) Hydroxyurea~~

~~(IV) Procarbazine HCl~~

~~(V) Dacarbazine~~

~~(VI) Mitotane~~

~~(VII) Asparaginase~~

~~(vix) ——— NCI Investigational Agents~~

(b) The medication is essential to the maintenance of life or the continuation of therapy and in the pharmacist's professional judgement, the interruption of therapy might reasonably produce undesirable health consequences or may cause physical or mental discomfort.

(c) The pharmacist has a record of a prescription at the pharmacy or has been presented proof of a prescription filled within the last 90 days in the name of the patient for whom the request of the emergency supply is being made.

(d) A pharmacist or pharmacy shall not dispense or sell the same drug to the same patient, as provided in this section, more than one time in any 12-month period.

(e) The pharmacist must inform the patient or the patient's representative at the time of dispensing that the refill is being provided without the practitioner's authorization, and that practitioner authorization is required for any future refill.

~~(d)~~ (f) The dispensing pharmacist shall create a written prescription order containing all of the prescription information required by federal and state statutes, rules and regulations and shall also include the statement "Emergency Fill".

~~(e)~~ (g) The dispensing pharmacist shall notify the prescriber, orally or in writing, of the emergency dispensing within ~~seventy-two (72)~~ twenty-four (24) hours after such dispensing.

(2) This rule is adopted jointly by the Board of Pharmacy and Board of Medical Examiners.