**ALABAMA BOARD OF MEDICAL EXAMINERS**
**ADMINISTRATIVE CODE**

**CHAPTER 540-X-4**
**CONTROLLED SUBSTANCES CERTIFICATE**

## 540-X-4-.07 Emergency Prescription Refill.

(1) If a pharmacist receives a request for a prescription refill, 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, under the following conditions:

(a) The prescription is not a medicinal agent listed in Schedule I or II 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 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 the 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.

(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".

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

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

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**Ed. Note:** Original Rule 540-X-4-.06 was renumbered to .07 as per certification filed November 14, 2013; effective December 19, 2013.