

Oral Prescription of Schedule II Controlled Substances

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A pharmacist can accept an oral prescription from a practitioner during an emergency on when the immediate administration of the drug is necessary for proper treatment, there is no alternative treatment available, and it is not reasonable for a practitioner to provide a written prescription to the pharmacist.

Within 72 hours of authorizing an emergency Schedule II prescription, the prescribing practitioner must write a prescription for the dispensing pharmacist to attach to the oral prescription.

Emergency Situations in Which Controlled Substances in Schedule II May be Dispensed upon Oral Prescription

(A) "Emergency situations", for the purpose of permitting the dispensing of any controlled substance in Schedule II upon oral prescription, means those situations in which the practitioner who proposes to prescribe a controlled substance in Schedule II determines:

- (1) That the immediate administration of the controlled substance is necessary for proper treatment of the intended ultimate user, and
- (2) That no appropriate alternative treatment is available, including administration of a controlled substance which is not in Schedule II, and
- (3) That it is not reasonably possible for the practitioner to provide a written prescription to be presented to the person dispensing the controlled substance prior to the dispensing.

(B) In case of an emergency situation as defined above, a pharmacist may dispense a controlled substance in Schedule II upon receiving oral authorization of a prescribing individual practitioner; provided that:

- (1) The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the

emergency period; and

(2) The prescription is immediately reduced to writing by the pharmacist and contains all information required in M.G.L. c. 94C, § 20(a), except for the signature of the prescribing individual practitioner; and

(3) If the prescribing individual practitioner is not known to the pharmacist, he makes reasonable good faith effort to determine that the oral authorization came from a registered individual practitioner, including a callback to the prescribing individual practitioner using his phone number listed in the telephone directory or other good faith efforts to insure his identity.

(C) Within 72 hours after authorizing an emergency oral prescription, the prescribing individual practitioner shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. In addition to conforming to the requirements of M.G.L. c. 94C, § 20(a), the prescription shall have written on its face "Authorization for Emergency Dispensing". The written prescription may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the 72-hour period.

(D) Upon receipt of the written prescription the dispensing pharmacist shall attach the prescription to the oral emergency prescription which had earlier been reduced to writing. The pharmacist shall notify the nearest office of the Bureau of Narcotics and Dangerous Drugs, U.S. Department of Justice and the Commissioner of Public Health if the prescribing individual practitioner fails to deliver a written prescription to him within seven days.