

NOTE: The only proposed change to these rules is to extend the effective date to 7/1/2016 for the Auto Refill rules reflected in (5)-(8).

## 855-041-1120

### Prescription Refills

(1) Where refill authority is given other than by the original prescription, documentation that such refill authorization was given, the date of authorization, and name of the authorizing prescriber or the prescriber's agent must be recorded. This documentation must be readily retrievable. Prescriptions for controlled substances in Schedules III and IV are limited to five refills or six months from date of issue, whichever comes first.

(2) If the practitioner is not available and in the professional judgment of the pharmacist an emergency need for the refill of a prescription drug has been demonstrated, the pharmacist may dispense a sufficient quantity of the drug consistent with the dosage regimen, provided it is not a controlled substance, to last until a practitioner can be contacted for authorization, but not to exceed a 72-hour supply. The practitioner shall be promptly notified of the emergency refill.

(3) Each refilling of a prescription must be accurately documented, readily retrievable, and uniformly maintained for three years. This record must include.;

(a) The identity of the responsible pharmacist;

(b) Name of the patient;

(c) Name of the medication;

(d) Date of refill; and

(e) Quantity dispensed.

(4) Refill quantities may be combined into a single filling if the prescription is not for a controlled substance or psychotherapeutic drug and the prescriber is notified of the change.

(5) A retail pharmacy may only dispense a prescription refill upon request of the patient or patient's agent. A request specific to each medication is required.

(6) Auto-Refill Programs. A retail pharmacy may only use a program that automatically refills non-controlled prescriptions that have existing refills available and are consistent with the patient's current medication therapy when the following conditions are met:

(a) Authorization for each prescription refill by a patient or patient's agent is received before the pharmacy begins the filling process;

(b) The prescription is not a controlled substance; and

(c) The pharmacy must discontinue auto-refill program enrollment at the request of the patient or patient's agent.

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(7) An automated reminder cannot be used to generate a prescription refill unless the patient or patient's agent provides authorization for each individual prescription refill. The content of each reminder must include:

(a) Drug name and strength; and

(b) Date of last fill.

(8) Pick-up notification to a patient or patient's agent may only be generated upon full completion of the prescription refill.

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.505 & 689.515

Hist.: 1PB 2-1979(Temp), f. & ef. 10-3-79; 1PB 2-1980, f. & ef. 4-3-80; 1PB 3-1984, f. & ef. 4-16-84; 1PB 1-1986, f. & ef. 6-5-86; PB 8-1987, f. & ef. 9-30-87; PB 10-1989, f. & cert. ef. 7-20-89; PB 1-1991, f. & cert. ef. 1-24-91; PB 4-1991, f. & cert. ef. 9-19-91; PB 1-1992, f. & cert. ef. 1-31-92 (and corrected 2-7-92); PB 4-1992, f. & cert. ef. 8-25-92; PB 1-1995, f. & cert. ef. 4-27-95; PB 1-1996, f. & cert. ef. 4-5-96; PB 3-1997(Temp), f. & cert. ef. 11-12-97; BP 1-1998(Temp), f. & cert. ef. 1-27-98 thru 5-4-98; BP 2-1998, f. & cert. ef. 3-23-98; BP 2-1999(Temp), f. & cert. ef. 8-9-99 thru 1-17-00; BP 2-2000, f. & cert. ef. 2-16-00; BP 3-2000, f. & cert. ef. 2-16-00; BP 6-2000, f. & cert. ef. 6-29-00; BP 1-2002, f. & cert. ef. 1-8-02; BP 1-2003, f. & cert. ef. 1-14-03; BP 12-2010, f. & cert. ef. 12-23-10; Renumbered from 855-041-0065, BP 7-2012, f. & cert. ef. 12-17-12; BP 12-2014, f. 12-30-14, cert. ef. ~~1-1-16~~ **7-1-16**