

# HB314 INTRODUCED



1 FIY6D5-1

2 By Representatives Rigsby, Whitt, Crawford, Shirey, Daniels,

3 Cole, Lipscomb, Lomax, Underwood, Colvin, Kitchens, Woods

4 RFD: Health

5 First Read: 13-Apr-23

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SYNOPSIS:

Under existing law, if a pharmacist receives a request for a prescription refill and a refill authorization is not readily available from the prescriber, the pharmacist may dispense a one-time emergency refill containing up to a 72-hour supply under certain conditions.

This bill would increase the amount of supply of medication in an emergency prescription refill to include the smallest dispensable package size of a medication.

The bill would also specify that an emergency refill does not apply to a Schedule I or II controlled substance and would require the pharmacist to notify the prescriber within 24 hours after dispensing the prescription rather than within 72 hours.

A BILL  
TO BE ENACTED  
AN ACT

Relating to pharmacists and the dispensing of emergency refills of medication; to amend Section 34-33-75 of the Code



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29 of Alabama 1975, to increase the supply of medication that may  
30 be dispensed in a one-time emergency refill to include the  
31 smallest dispensable package size of a medication; and to  
32 further provide for the notice to the prescriber after  
33 dispensing.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

35 Section 1. Section 34-23-75 of the Code of Alabama  
36 1975, is amended to read as follows:

37 "§34-23-75

38 (a) In the event a pharmacist receives a request for a  
39 prescription refill and the pharmacist is unable to readily  
40 obtain refill authorization from the prescriber, the  
41 pharmacist may dispense a one-time emergency refill of up to a  
42 72-hour supply or the smallest dispensable package size,  
43 whichever is less, of the prescribed medication, providing  
44 that all of the following apply:

45 (1) The prescription is not a medicinal agent listed in  
46 Schedule I or II ~~appearing in~~ pursuant to Title 20, Chapter 2,  
47 or the list of controlled substances maintained by the State  
48 Board of Health.

49 (2) The medication is essential to the maintenance of  
50 life or the continuation of therapy in a chronic condition.  
51 Only those drugs designated by a joint rule adopted by the  
52 Board of Pharmacy and Board of Medical Examiners shall be  
53 refilled, according to the procedure established in this  
54 section.

55 (3) The dispensing pharmacist creates a written order  
56 containing all of the prescription information required by



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57 this chapter and Title 20, Chapter 2.

58 (4) The dispensing pharmacist notifies the prescriber  
59 of the emergency dispensing within ~~72~~ 24 hours after ~~such~~ the  
60 dispensing.

61 (b) The Board of Pharmacy and the Board of Medical  
62 Examiners, through joint rule, may adopt additional rules and  
63 regulations to implement this section."

64 Section 2. This act shall become effective on the first  
65 day of the third month following its passage and approval by  
66 the Governor, or its otherwise becoming law.