

**TITLE 475. OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS
DRUGS CONTROL
CHAPTER 30. LABELING REQUIREMENTS**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

475:30-1-11. Refilling of prescriptions [AMENDED]

475:30-1-12. Partial filling of Schedules III, IV and V prescriptions [AMENDED]

AUTHORITY:

The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, 63 O.S. §§ 2-301, 2-309H.

COMMENT PERIOD:

February 3, 2014 through March 5, 2014

PUBLIC HEARING:

March 5, 2014

ADOPTION:

March 5, 2014

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 5, 2014

APPROVED BY GOVERNOR'S DECLARATION:

Approved by Governor's declaration on June 19, 2014

FINAL ADOPTION:

June 19, 2014

EFFECTIVE:

September 12, 2014

SUPERSEDED EMERGENCY ACTIONS:

Superseded rules:

475:30-1-11. Refilling of prescriptions [AMENDED]

475:30-1-12. Partial filling of Schedules III, IV and V prescriptions [AMENDED]

Gubernatorial approval:

December 3, 2013

Register publication:

31 Ok Reg 9

Docket number:

13-1401

INCORPORATIONS BY REFERENCE:

n/a

ANALYSIS:

475:30-1-11. Refilling of prescriptions [AMENDED]- Adds the prohibition of refilling a hydrocodone prescription. This amendment is pursuant to the recent statutory change to 63 O.S. section 2-309(B)(3).

475:30-1-12. Partial filling of Schedules III, IV and V prescriptions [AMENDED]- Adds section addressing partial refills of hydrocodone products. This amendment is pursuant to the recent statutory change to 63 O.S. section 2-309(B)(3).

CONTACT PERSON:

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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 12, 2014:

475:30-1-11. Refilling of prescriptions

(a) No prescription for a controlled dangerous substance in Schedules III or IV shall be filled or refilled more than six (6) months after the date such prescription was issued, and no such prescription authorized to be refilled may be refilled more than five (5) times. Each refilling of a prescription shall be maintained by the pharmacy, which indicated by the number of the prescription the following information: the name and dosage form of the controlled dangerous substance; the date of each refilling; the quantity dispensed; the identity or initials of the dispensing pharmacist in each refilling; and the total number of refills for that prescription. If the pharmacist merely initials and dates the back of the prescription, he/she shall be deemed to have dispensed a refill for the full face amount of the prescription. Additional quantities of controlled dangerous substances listed in Schedule III or IV may only be authorized by a prescribing practitioner through issuance of a new and separate prescription. Refills shall not be obtained at the same time as the initial filling of the prescription and only one (1) refill shall be obtained at any one time. A new prescription for a specific CDS voids any existing refills or other prescriptions for the same drug.

(b) A pharmacy registrant may elect to use an automated data processing system to maintain prescription files; however, if such a system is used, there must also be written files kept which meet the requirements of Title 59 Okl.St. Ann. § 353.20, OAC 535:15-3-21 and 21 CFR § 1306.22.

(c) Prescriptions for hydrocodone containing products may not be refilled.

475:30-1-12. Partial filling of Schedules III, IV and V prescriptions

The partial filling of a prescription for a controlled dangerous substance listed in Schedules III, IV or V is permissible; PROVIDED that:

(1) Each partial filling is recorded in the same manner as a refilling.

(2) The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

(3) No dispensing occurs after six (6) months after the date on which the prescription was issued.

(4) Prescriptions for hydrocodone containing products are partially filled pursuant to 475:30-1-7.

ATTESTATION

I, the undersigned, do hereby attest that the copy enclosed herewith is a true and correct copy of amendments to Chapter 30, Labeling Requirements, which were considered finally adopted by

the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control on June 19, 2014 under permanent rulemaking provisions of the Administrative Procedures Act, 75 O.S., Sections 250 et seq.

I, the undersigned, do hereby attest that such rule was finally adopted in substantial compliance with the Administrative Procedures Act.

s/Marie Schuble
Marie Schuble
Staff Attorney
Oklahoma State Bureau of Narcotics
and Dangerous Drugs Control
June 19, 2014