

CHAPTER 13. EMERGENCY/ DISASTER PRESCRIPTION DRUG RULES

Section

535:13-1-1. Purpose

535:13-1-3. Declaration of emergency

535:13-1-4. Prescription Drug Emergency / Disaster Response

[Authority: Title 59 O.S. Section 353.7, 353.13, 353.13A, 353.16A, 353.17, 353.18, 353.20, 353.22, 353.24-353.26, 353.29 and 354.]

[Source: Codified 7-01-07]

535:13-1-1. Purpose

(a) The rules of this chapter define what procedures pharmacies, pharmacists, medical gas suppliers, and medical gas distributors may use to accommodate patient medication needs in the event of an emergency / disaster situation which disrupts the normal prescription drug distribution channels.

(b) The rules of this chapter will maintain controls to protect public health while allowing emergency actions to accommodate patient medication needs during such emergencies or disasters.

[Source: Added at 24 Ok Reg 2256, eff 7-01-07; Amended at 30 Ok Reg 2009, eff 7-25-13]

535:13-1-3. Declaration of emergency

Emergency / disaster prescription drug rules may be used when the governor of Oklahoma makes a disaster or emergency declaration and the Board finds this disaster or emergency disrupts the normal prescription drug distribution channels in the state of Oklahoma.

[Source: Added at 24 Ok Reg 2256, eff 7-01-07; Amended at 30 Ok Reg 2009, eff 7-25-13]

535:13-1-4. Prescription Drug Emergency / Disaster Response

(a) If a patient from the area affected by the emergency / disaster declaration requests a refill of a non-controlled maintenance medication, the pharmacist, medical gas supplier, or medical gas distributor should make an attempt to contact the original prescriber for authorization to dispense refills.

(1) If the prescriber cannot be contacted; and if in the pharmacist's professional judgment, or in the medical gas supplier's or medical gas distributor's sound judgment, the dispensing of the medication is essential to the patient's health and safety, the pharmacist, or in the case of a medical gas supplier or medical gas distributor may dispense a one-time emergency supply up to a 30-day supply of such medication.

(2) Only prescription medical gases may be dispensed by medical gas supplier and medical gas distributors under these rules.

(3) The prescription should be marked as an "Emergency" prescription for a person displaced or affected by such disaster.

(b) If a patient from the area affected by the emergency / disaster requests refills of controlled dangerous substance (CDS), the pharmacist should make an attempt to contact the original prescriber for authorization to dispense refills.

(c) If the pharmacist is unable to contact the prescriber regarding a CDS prescription, then they must check with the federal Drug Enforcement Agency (DEA) and Oklahoma Bureau of Narcotics (OBN) to see if they have approved an emergency dispensing of CDS for patients affected by the emergency / disaster.

(1) If the federal DEA and OBN approve dispensing CDS in an emergency or disaster situation; and, if in the pharmacist's professional judgment the dispensing of the medication is essential to the patient's health and safety, the pharmacist may dispense up to the allowed limit set by DEA and OBN not to exceed a ten (10) day supply of CDS medication.

(A) The patient should provide identification and a prescription vial or some means of determining the person has been prescribed such medication.

(B) The prescription should be marked as an "Emergency" prescription for a person displaced or affected by the disaster.

(2) If emergency CDS dispensing is NOT approved by the federal DEA and OBN the patients will have to be referred to a healthcare professional.

[Source: Added at 24 Ok Reg 2256, eff 7-1-07; Amended at 30 Ok Reg 2009, eff 7-25-13; Amended at 32 Ok Reg 1228, eff 8-27-15]