



OKLAHOMA STATE BOARD OF PHARMACY

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Physician Dispensing by Machine

Physicians are allowed to dispense prescription medications by their practice acts. A dispensing machine may be utilized for this purpose based upon these DEA, OBND, and Oklahoma regulations and rules:

1. The medications in the machine are the sole responsibility of the physician whose name, address, and DEA number for CDS, are noted on the invoice as the recipient.
2. The machine must be located in the physician's office.
3. All medications dispensed from the machine must be dispensed under the physician's name that is responsible for the medications.
4. A valid physician-patient relationship must exist for a medication to be dispensed to a patient under the physician's name and authority.
5. The label on the medication container must list the physician's name that is responsible for the medications, as well as all other information required by law: OS 355.1.A Only a licensed practitioner¹ may dispense dangerous drugs to such practitioner's patients and only for the expressed purpose of serving the best interests and promoting the welfare of such patients. The dangerous drugs shall be dispensed in an appropriate container to which a label has been affixed, such label to include the name and office address of the licensed practitioner, date dispensed, name of patient, directions for administration, prescription number, the trade or generic name and the quantity and strength, not meaning ingredients, of the drug therein contained; provided, this requirement shall not apply to compounded medicines. The licensed practitioner shall keep a suitable book, file or record in which shall be preserved for a period of not less than five (5) years a record of every dangerous drug compounded or dispensed by the licensed practitioner. Note: in most cases an appropriate container must be child-resistant by CPSC regulations.
6. The responsible physician must keep appropriate logs, invoices and records as required by law, including DEA and OBND if applicable.

7. If the physician dispenses controlled drug substances, whether from a machine or in another way, the physician is responsible for assuring a positive, approved ID be presented and that Prescription Monitoring Program data is submitted to the appropriate agencies.
8. A Physician Assistant may NOT dispense medications for a patient to take home, whether from a machine or any other way, the only exception being sample medications in the original manufacturer's sample packaging.
9. An Advanced Practice Nurse may NOT dispense medications for a patient to take home, whether from a machine or any other way, with the only exception being sample medications in the original manufacturer's sample packaging.
10. Use due diligence in billing insurance plans for medications dispensed by a physician. Utilization of a licensed pharmacy to bill insurance plans for physician-dispensed medications may not be within the insurance company's contract specifications and may violate state regulations.

¹ The Oklahoma Pharmacy Act defines "licensed practitioner" means an allopathic physician, osteopathic physician, podiatric physician, dentist, veterinarian, or optometrist licensed to practice and authorized to prescribe medication within the scope of practice of such practitioner. Okla. Stat. Tit. 59, §355, 2.