Drug Enforcement Administration Diversion Control Division Civil Unrest Emergency Guidance Document

Title: Civil Unrest Q&A Pharmacy Prescription Transfer

**Question:** I am a pharmacist who is unable to dispense prescriptions due to civil unrest. How can my patients obtain their controlled substance medications?

Answer: If you are unable to conduct business, it is recommended that you advise your patients of the following regarding how they may obtain their controlled substance medications from another pharmacy.

DEA regulations allow for the transfer of original prescription information for a schedule III-V controlled substance to another pharmacy for refill purposes on a one-time basis only. However, if your pharmacy electronically shares a real-time, online database with another pharmacy, original prescription information may be transferred to allow that pharmacy to refill the prescription up to the maximum number of refills permitted by law and the prescriber's authorization. 21 CFR 1306.25(a).

Please note, all transfers must be communicated directly between two licensed pharmacists and comply with all other applicable requirements of 21 CFR 1306.25(b) - (e).

DEA recommends that you contact your state pharmacy authority to ensure that you remain in compliance with state pharmacy laws and guidance. Please contact your <u>local field office</u> for additional information.

Guidance documents, like this document, are not binding and lack the force and effect of law, unless expressly authorized by statute or expressly incorporated into a contract, grant, or cooperative agreement. Consistent with Executive Order 13891 and the Office of Management and Budget implementing memoranda, the Department will not cite, use, or rely on any guidance document that is not accessible through the Department's guidance portal, or similar guidance portals for other Executive Branch departments and agencies, except to establish historical facts. To the extent any guidance document sets out voluntary standards (e.g., recommended practices), compliance with those standards is voluntary, and noncompliance will not result in enforcement action. Guidance documents may be rescinded or modified in the Department's complete discretion, consistent with applicable laws.

EO-DEA 164, June 10, 2020