

Drug Enforcement Administration
Diversion Control Division
Guidance Document

Title: Communication Between Pharmacists for the Transfer of Electronic Prescriptions for Controlled Substances (EPCS) for Initial Dispensing

Summary: The Drug Enforcement Administration (DEA) amended its regulations to allow the transfer of EPCS between registered retail pharmacies for initial filling, upon request from the patient, on a one-time basis.¹ That final rule requires the transfer to be communicated directly between two licensed pharmacists.² This guidance clarifies regulatory requirements regarding the form of communication used between pharmacists when transferring EPCS from one pharmacy to another for initial dispensing.

Activity: Transfer of EPCS Between Pharmacies for Initial Dispensing

To Whom It Applies: DEA-Registered Pharmacies

Question: Do DEA’s regulations stipulate the *form* of communication that must be used by two pharmacists when communicating about the transfer of an EPCS from one pharmacy to another for initial dispensing?

Answer: DEA regulations require that an EPCS be transferred in its electronic form and may not be converted to another form (e.g., facsimile) for transmission.³ Moreover, the contents of the prescription must not be altered during transfer between retail pharmacies.⁴

Otherwise, DEA regulations do not specify the form of communication that must be utilized by the two pharmacists to communicate the transfer of an EPCS from one pharmacy to another for initial dispensing. The communication must, however, be made directly between two licensed pharmacists, which includes any other person (e.g., pharmacist intern) authorized by a State to dispense controlled substances under the supervision of a pharmacist licensed by such State.⁵

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or Department of Justice policies.

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¹ See DEA’s final rule titled “[Transfer of Electronic Prescriptions for Schedules II-V Controlled Substances Between Pharmacies for Initial Filling](#).” 88 Fed. Reg. 48365 (July 27, 2023).

² See [21 CFR 1306.08\(f\)\(3\)](#).

³ See [21 CFR 1306.08\(f\)\(1\)](#).

⁴ See [21 CFR 1306.08\(f\)\(2\)](#).

⁵ See definition of “pharmacist” in [21 CFR 1300.01\(b\)](#).