

URGENT:

Emergency Refill Time Expanded for Relief Efforts

TSBP Extends Pharmacists' Ability to Supply Emergency Refills for Up to 30 Days

The city of New Orleans is evacuating 25,000 displaced citizens to Houston's Astrodome. In light of this situation, the Texas State Board of Pharmacy (TSBP) is extending emergency refill supply time to aid emergency relief.

Normally, pharmacists may not dispense more than a 72-hour supply of medication. However, TSBP recognizes the emergency situation caused by Hurricane Katrina and will not enforce the 72-hour supply limit. Pharmacists may use professional judgment to provide up to a 30-day supply of medication (other than a Schedule II controlled substance) for patients relocated into Texas by Hurricane Katrina.

The laws and rules governing the practice of pharmacy in Texas allow pharmacists to provide emergency refills when the prescriber cannot be reached. Specifically, in an emergency, a pharmacist may use his/her professional judgment in refilling a prescription drug order for a drug (other than a Schedule II controlled substance) provided failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering.

For more information, visit:
<http://www.tsbp.state.tx.us/hurricaneinfo.htm>.

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LOUISIANA MEDICAID INFORMATION

Texas pharmacists filling prescriptions for Louisiana Medicaid participants must fax enrollment forms to 225-216-6392 or 225-216-6335. Forms are available at <http://www.hhsc.state.tx.us/hcf/vdp/vdpstart.html>. Disregard instructions that prohibit faxed applications. To verify patient eligibility, call 800-473-2783.

Portion of Texas Pharmacy Act Dealing with Emergency Refills:

Texas Pharmacy Act, Occupations Code, Subchapter J.
Sec. 562.054. Emergency Refills.

A pharmacist may exercise the pharmacist's professional judgment in refilling a prescription for a prescription drug, other than a controlled substance listed in Schedule II as established by the commissioner of public health under Chapter 481, Health and Safety Code, without the authorization of the prescribing practitioner if:

1. failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering;
2. either:
 - A. a natural or manmade disaster has occurred that prohibits the pharmacist from being able to contact the practitioner; or
 - B. the pharmacist is unable to contact the practitioner after reasonable effort;
3. the quantity of prescription drug dispensed does not exceed a 72-hour supply;
4. the pharmacist informs the patient or the patient's agent at the time of dispensing that the refill is being provided without the practitioner's authorization and that authorization of the practitioner is required for a future refill; and
5. the pharmacist informs the practitioner of the emergency refill at the earliest reasonable time.

Texas Pharmacy Association would like to thank everyone who has responded to this emergency. We have received a tremendous response and greatly appreciate your willingness to help in this time of need. We will continue to keep you updated as we receive further information and instruction.