



COMPLIANCE BULLETIN 97-002

TO: OHIO REGISTERED PHARMACISTS

DATE: SEPTEMBER 2, 1997

RE: TRANSFER OF PRESCRIPTION INFORMATION

Ohio Administrative Code Rule 4729-5-24 allows for the transfer of prescription information between pharmacies. As stated in paragraph (A) of this rule "A pharmacist may transfer a copy of a prescription." Over the last year the Board has received numerous complaints from both pharmacists and the public outlining the refusal of certain pharmacies to transfer prescription information to another pharmacy when valid refills remain for that prescription. The Board has always stated that the original prescription record is maintained by the pharmacy dispensing the drug but that the prescription information is the property of the patient and if the patient requests a transfer of their prescription information, the pharmacist should honor that request.

Due to the increased frequency of refusal, the Board has amended Rule 4729-5-24 to mandate the transfer of prescription information upon the request of the patient. The new language, EFFECTIVE JULY 1, 1997, is found in paragraph (D) of the prescription copy rule and reads as follows:

- (D) Information on a prescription is the property of the patient and is intended to authorize the dispensing of a specific amount of medication for use by the patient. Original copies of prescriptions shall be maintained by pharmacies for the purpose of documenting the dispensing of drugs to a particular patient.
- (1) In the event that the pharmacy is not able to provide the medication when needed by the patient pursuant to an authorized refill, the pharmacist shall, upon the request of the patient, transfer the prescription information to the pharmacy designated by the patient.
 - (2) No pharmacy shall refuse to transfer information about a previously dispensed prescription to another pharmacy when requested by the patient. Prescription information shall be transferred in accordance with this rule as soon as possible in order to assure that the patient's drug therapy is not interrupted.

Please note: This rule allows the transfer of prescription information after the initial dispensing. If the prescription was never dispensed, then the prescription information may not be transferred by the pharmacist. The original prescription may be returned to the patient unless it contains another prescription that has been dispensed.

Since July 1994, the Board has licensed out-of-state pharmacies that have sent prescription medication directly to patients that live within Ohio's borders. Thus, these pharmacies are bound by this rule the same as in-state providers.

If you are refused a prescription copy transfer, after the patient has requested the transfer, please advise the refusing pharmacy of this rule change and fax or send them a copy of this bulletin. If refusal continues, contact the Board office at 614/466-4143.

Remember, the *patient* must be requesting the transfer, not just the pharmacy. Also, this rule does not mandate insurance payment at your pharmacy for the prescription. Board of Pharmacy laws and rules do not cover insurance payment.

If you have questions, please contact the Board office.