



## Requirements for Outpatient Opioid Prescriptions

**Updated 12/19/2023**

[Section 4729.46 of the Ohio Revised Code](#) places the following limitations on the dispensing of outpatient opioid prescriptions:

### **90-day Supply Limit**

The law limits the authority of a pharmacist to dispense an opioid analgesic pursuant to a prescription for a drug to be used on an outpatient basis. It prohibits dispensing or selling more than a 90-day supply of the drug, as determined according to the prescription's instructions for use of the drug, regardless of whether the prescription was issued for a greater amount.

- The limit does not apply to an opioid analgesic that is to be delivered outside this state by mail, parcel post, or common carrier to a patient who resides outside this state.
- The limit does not apply to an opioid medication that is to be used as part of an individual's treatment for opioid dependence or addiction. **NOTE:** Buprenorphine products prescribed to treat pain are subject to the limit.

**NOTE:** The law specifically applies to pharmacists. It does not prohibit a prescriber from writing more than a 90-day supply. Therefore, the enforcement of this provision falls to the dispensing pharmacist.

## **14-day Prescription Limit**

The law generally prohibits a pharmacist from dispensing an opioid analgesic pursuant to a prescription if the drug is to be used on an outpatient basis and more than 14 days have elapsed since the prescription was issued. The law includes the following exceptions:

- A pharmacist may dispense the opioid analgesic after more than fourteen days have elapsed since the prescription was issued if the prescription is one of multiple prescriptions for the drug issued by a single prescriber to the patient on a single day and all of the following apply:
  1. When combined, the prescriptions do not authorize the patient to receive an amount that exceeds a ninety-day supply of the drug, as determined according to the directions for use.
  2. The prescriber provided written instructions on the prescription specifying the earliest date on which the prescription may be filled (i.e. “do not fill until”).
  3. Not more than 14 days have elapsed since the “do not fill until” date indicated on the prescription. **IMPORTANT:** A specific “do not fill until” date is required.
  
- A pharmacist may dispense the opioid analgesic after more than fourteen days have elapsed since the prescription was issued if, on the date the prescription was issued, the prescriber issued only one prescription for the drug to the patient and both of the following apply:
  1. The prescriber provided written instructions on the prescription specifying the earliest date on which the prescription may be filled (i.e. do not fill until date).
  2. Not more than 14 days have elapsed since the “do not fill until” date indicated on the prescription. **IMPORTANT:** A specific “do not fill until” date is required.

- The limit does not apply to refills for opioid analgesics in schedule III-V.
- If the prescription for the opioid analgesic was partially filled within the applicable fourteen-day period (including for those indicating a “do not fill until” date), a pharmacist may dispense the remaining amount of the opioid analgesic after more than fourteen days have elapsed since the prescription was issued. **NOTE: The dispensing should comply with the [partial fill rule](#).**
- The limit does not apply to an opioid analgesic that is to be delivered outside this state by mail, parcel post, or common carrier to a patient who resides outside this state.
- The limit does not apply to an opioid medication that is to be used as part of an individual's treatment for opioid dependence or addiction. **NOTE:** Buprenorphine products prescribed to treat pain are subject to the limit.

**IMPORTANT:** For the purposes of enforcement, "day" means a calendar day. Therefore, a prescription issued on May 1<sup>st</sup> is only valid through May 14<sup>th</sup>.

For questions regarding this provision, please review the following frequently asked questions. If you need additional information, the most expedient way to have your questions answered will be to e-mail the Board office by visiting:

<http://www.pharmacy.ohio.gov/contact.aspx>.