



## PIC QUESTION OF THE WEEK: 11/26/07

Q: What is the new DEA regulation regarding writing multiple prescriptions for the same schedule II controlled substance?

A. The Drug Enforcement Administration (DEA) has finalized a Notice of Proposed Rulemaking that will allow practitioners to provide individual patients with multiple prescriptions, to be filled sequentially, for the same Schedule II controlled substance. The effective date of this ruling is December 19, 2007. The following is a synopsis of some of the major aspects of the revised regulation. Pharmacists are encouraged to review this notice as published in the Federal Register (Drug Enforcement Administration (US). Issuance of multiple prescriptions for Schedule II Controlled Substances. *Federal Register*. 2007 (Nov 19);72:64921-30) and to keep abreast of individual state rules and regulations.

1. The *refilling* of a prescription for a Schedule II substance continues to be prohibited.
2. Individual practitioners may issue multiple prescriptions authorizing the patient to receive a total of up to a 90-day supply of a Schedule II substance provided the following conditions are met:
  - Each separate prescription is issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice;
  - The practitioner provides written instructions on *each prescription* (other than the first prescription, if the practitioner intends for that prescription to be filled immediately) *indicating the earliest date on which a pharmacy may fill each prescription*;
  - The practitioner concludes that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse;
  - The issuance of multiple prescriptions is permissible under the applicable state laws; and
  - The practitioner complies with all other requirements under the Act as well as state law.
3. Nothing in the new regulation should be construed as mandating or encouraging individual practitioners to issue multiple prescriptions or to see their patient only once every 90 days when prescribing Schedule II controlled substance. The individual practitioner must determine whether it is appropriate to issue multiple prescriptions on an individual case basis.

It should be noted that this section of the Act has also been amended to include a statement that pharmacist's cannot fill a multiple prescription before the date listed by the prescriber.

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