



The Clock - Duquesne University



PIC QUESTION OF THE WEEK: 8/25/08

Q: What are the regulations in Pennsylvania regarding transmission of prescriptions from a physician to a pharmacy via facsimile machine?

A: The use of facsimile (fax) machines to transmit prescriptions to pharmacies is a widely used practice and provides convenience for prescriber, pharmacist, and the patient. As a result, several laws are in place to regulate this practice. Pennsylvania defines these laws in the Professional and Vocational Standards established by the State Board of Pharmacy. There may be some variance among states and the reader should consult their specific local laws related to this topic. Like all prescriptions, a pharmacist should use professional judgment to verify the authenticity and accuracy of a faxed prescription. When a fax is received for a non-controlled drug, the pharmacist may fill and dispense the prescription as long as it is signed by the physician and contains all of the information required of a standard prescription. The fax may be maintained as the original pharmacy record and should be kept for at least two years. These same regulations apply to Schedule III, IV, and V controlled substances. Schedule II controlled substances have more stringent laws in relation to the faxing of prescriptions. When a prescription for a Schedule II controlled substance is received in the community setting, a pharmacist may fill the prescription, but cannot dispense it to the patient until the original prescription, signed by the prescriber, is presented to the pharmacist for review. The original copy must be maintained as the pharmacy record. A faxed prescription for a Schedule II substance can be used as the original pharmacy record without a follow-up hard copy under three circumstances. The *first* of these applies to a prescription that is to be compounded for direct administration by parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion in the patient's home. The *second* applies to the use of these drugs in a patient who is a resident of a long-term care facility. A *third* exception applies to the administration of these drugs to patients enrolled in a hospice care program. Hospice patients do not require hospitalization to be eligible under this exception, but must be enrolled in a Medicare-certified or state-licensed hospice program. There are two additional general guidelines related to fax machines. The first prohibits a pharmacy or pharmacist from influencing the installation of a fax machine in an institution or physician's office. The other guideline states that this section on fax machines does not apply to medications that will be dispensed to a patient for immediate use in an institution.

References:

- Pennsylvania Code. 27.20 Facsimile Machines. <http://www.pacode.com/secure/data/049/chapter27/s27.20.html> (accessed 2008 August 19)
- Multiple C-II prescriptions: new federal regulations. Pharmacist's Letter/Prescriber's Letter 2008; 24(1):240101.

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