

# Prescription Transfer Discussion

T = Transferring Pharmacy

R = Receiving Pharmacy

## Primary issues:

- Identification of transferring and receiving pharmacist
- Format of transfer: telephonic, fax, electronic
- Rules only speak to oral transfers or fax unless database is under common ownership or a signed agreement between two pharmacies/companies is in place
- Accountability – pharmacist versus pharmacy
- Establish consistency
- Bulk transfers

## Scenarios to consider

### **Telephonic**

- Can be initiated by either T or R
- Person to person
- Accurate exchange of information

### **Fax**

- Copy of prescription – Is a screen print from the monitor acceptable?
- T -----) R
- R receives all the required information from T
- How does T get all the required information from R, especially the R Pharmacist information

### **Electronic – Common Database**

- R “pulls” from T
- Technician pulls from T
- Who is the T Pharmacist? Who is the R Pharmacist?

### **Electronic – between two different pharmacies not sharing a common database**

- Sources of Data could be numerous
  - Individual pharmacy files
  - Corporate enterprise databases – Walgreens Transfer Safe
  - Third party vendors – such as Surescripts
  - Health Information Exchanges
- Do current rules address at all?
- Data requirements, especially Pharmacist information
- Security requirements

### **Batch Transfers**

- Drivers:
  - Patient/family complete profile transfer
  - New store openings
  - Store closings
  - Insurance changes
- Copies – how delivered
- Attachments via email
- Other?
- Data requirements, especially Pharmacist information
- Technician initiates?

### **New prescription to another Pharmacy**

- Same requirements as other transfers
- Requires prescription to be placed on file in order to transfer – confirm
- If not on file, can Pharmacist dictate new order information to another Pharmacy – assumption is Pharmacist is not agent of Physician so prohibited
- If not on file, can prescription be faxed to other Pharmacy
- If not on file, any different documentation requirements

### **General Questions**

Limitations of controlled substance prescription transfers to allow only one fill unless using a common database. What is the basis for this restriction?

What is important in the transfer process?

- Accurate communication
- Prevention of prescription being active at more than one pharmacy
- Accountability
- Recordkeeping

## Discussion

### Texas Pharmacy Rules – Transfer of prescription requirements – Class A

Note underlined sections

TAC 291.34(g)

(g) Transfer of prescription drug order information. For the purpose of initial or refill dispensing, the transfer of original prescription drug order information is permissible between pharmacies, subject to the following requirements.

(1) The transfer of original prescription drug order information for controlled substances listed in Schedule III, IV, or V is permissible between **one-time basis only**. However, pharmacies electronically **sharing a real-time, on-line pharmacies on a database** may transfer up to the maximum refills permitted by law and the prescriber's authorization.

(2) The transfer of original prescription drug order information for dangerous drugs is permissible between pharmacies **without limitation** up to the number of originally authorized refills.

(3) The transfer is **communicated orally by telephone or via facsimile** directly by a pharmacist to another pharmacist; by a pharmacist to a student intern, extended intern, or resident intern; or by a student intern, extended intern, or resident intern to another pharmacist.

(4) Both the original and the transferred prescription drug orders are maintained for a period of two years from the date of last refill.

(5) **The individual transferring** the prescription drug order information shall ensure the following occurs:

(A) write the word "void" on the face of the invalidated prescription or the prescription is voided in the data processing system; and

(B) the following information is recorded on the reverse of the invalidated prescription drug order or stored with the invalidated prescription drug order in the data processing system:

(i) the name, address, and if a controlled substance, the DEA registration number of the pharmacy to which such prescription is transferred;

(ii) **the name of the individual receiving** the prescription drug order information;

(iii) **the name of the individual transferring** the prescription drug order information; and

(iv) the date of the transfer.

(6) The individual receiving the transferred prescription drug order information shall ensure the following occurs:

(A) write the word "transfer" on the face of the prescription or the prescription record indicates the prescription was a transfer; and

(B) the following information if recorded on the prescription drug order or is stored with the prescription drug order in the data processing system:

(i) original date of issuance and date of dispensing or receipt, if different from date of issuance;

(ii) original prescription number and the number of refills authorized on the original prescription drug order;

- (iii) number of valid refills remaining and the date of last refill, if applicable;
- (iv) name, address, and if a controlled substance, **the DEA registration number** of the pharmacy from which such prescription drug order information is transferred; and
- (v) name of the individual transferring** the prescription drug order information.
- (7) **Both** the individual transferring the prescription and the individual receiving the prescription **must engage in confirmation** of the prescription information by such means as:
- (A) the transferring individual faxes **the hard copy prescription** to the receiving individual; or
- (B) the receiving individual repeats the **verbal information** from the transferring individual and the transferring individual verbally confirms that the repeated information is correct.
- (8) Pharmacies **using a data processing system** shall comply with the following:
- (A) Prescription drug orders may not be transferred by non-electronic means during periods of downtime except on consultation with and authorization by a prescribing practitioner; provided however, during downtime, a hard copy of a prescription drug order may be made available for informational purposes only, to the patient or a pharmacist, and the prescription may be read to a pharmacist by telephone.
- (B) The original prescription drug order shall be invalidated in the data processing system for purposes of filling or refilling, but shall be maintained in the data processing system for refill history purposes.
- (C) If the data processing system does not have the capacity to store all the information required in paragraphs (5) and (6) of this subsection, the pharmacist is required to record this information on the original or transferred prescription drug order.
- (D) The data processing system shall have a mechanism to **prohibit the transfer or refilling** of controlled substance prescription drug orders that have been previously transferred.
- (E) Pharmacies electronically accessing the same prescription drug order records may electronically transfer prescription information if the following requirements are met.
- (i) The original prescription is voided and the pharmacies' data processing systems shall store all the information required in paragraphs (5) and (6) of this subsection.
- (ii) Pharmacies not owned by the same person may electronically access the same prescription drug order records, provided the owner, chief executive officer, or designee of each pharmacy signs an agreement allowing access to such prescription drug order records.
- (iii) An electronic transfer between pharmacies **may be initiated by a pharmacist intern, pharmacy technician, or pharmacy technician trainee** acting under the direct supervision of a pharmacist.
- (9) An individual may not refuse to transfer original prescription information to another individual who is acting on behalf of a patient and who is making a request for this information as specified in this subsection. The transfer of original prescription information must be done in a timely manner.

1 **TITLE 21 CODE OF FEDERAL REGULATIONS**

2 **PART 1306 — PRESCRIPTIONS**

3 **CONTROLLED SUBSTANCES LISTED IN SCHEDULES III, IV, and V**

4 **§1306.25 Transfer between pharmacies of prescription information for Schedules III, IV,**  
5 **and V controlled substances for refill purposes.**

6 (a) The transfer of original prescription information for a controlled substance listed in  
7 Schedule III, IV, or V for the purpose of refill dispensing is permissible between pharmacies  
8 on a one-time basis only. However, pharmacies electronically sharing a real-time, online  
9 database may transfer up to the maximum refills permitted by law and the prescriber's  
10 authorization.

11 (b) Transfers are subject to the following requirements:

12 (1) The transfer must be communicated directly between two licensed pharmacists.

13 (2) The transferring pharmacist must do the following:

14 (i) Write the word "VOID" on the face of the invalidated prescription; for electronic  
15 prescriptions, information that the prescription has been transferred must be  
16 added to the prescription record.

17 (ii) Record on the reverse of the invalidated prescription the name, address, and  
18 DEA registration number of the pharmacy to which it was transferred and the  
19 name of the pharmacist receiving the prescription information; for electronic  
20 prescriptions, such information must be added to the prescription record.

21 (iii) Record the date of the transfer and the name of the pharmacist transferring  
22 the information.

23 (3) For paper prescriptions and prescriptions received orally and reduced to writing by  
24 the pharmacist pursuant to §1306.21(a), the pharmacist receiving the transferred  
25 prescription information must write the word "transfer" on the face of the transferred  
26 prescription and reduce to writing all information required to be on a prescription  
27 pursuant to §1306.05 and include:

28 (i) Date of issuance of original prescription.

29 (ii) Original number of refills authorized on original prescription.

30 (iii) Date of original dispensing.

31 (iv) Number of valid refills remaining and date(s) and locations of previous refill(s).

32 (v) Pharmacy's name, address, DEA registration number, and prescription  
33 number from which the prescription information was transferred.

34 (vi) Name of pharmacist who transferred the prescription.

- 35 (vii) Pharmacy's name, address, DEA registration number, and prescription  
36 number from which the prescription was originally filled.
- 37 (4) For electronic prescriptions being transferred electronically, the transferring  
38 pharmacist must provide the receiving pharmacist with the following information in  
39 addition to the original electronic prescription data:
- 40 (i) The date of the original dispensing.
- 41 (ii) The number of refills remaining and the date(s) and locations of previous  
42 refills.
- 43 (iii) The transferring pharmacy's name, address, DEA registration number, and  
44 prescription number for each dispensing.
- 45 (iv) The name of the pharmacist transferring the prescription.
- 46 (v) The name, address, DEA registration number, and prescription number from  
47 the pharmacy that originally filled the prescription, if different.
- 48 (5) The pharmacist receiving a transferred electronic prescription must create an  
49 electronic record for the prescription that includes the receiving pharmacist's name  
50 and all of the information transferred with the prescription under paragraph (b)(4) of  
51 this section.
- 52 (c) The original and transferred prescription(s) must be maintained for a period of two years  
53 from the date of last refill.
- 54 (d) Pharmacies electronically accessing the same prescription record must satisfy all  
55 information requirements of a manual mode for prescription transferal.
- 56 (e) The procedure allowing the transfer of prescription information for refill purposes is  
57 permissible only if allowable under existing State or other applicable law.
- 58 [75 FR 16309, Mar. 31, 2010]