



Extension of Emergency Refills

Updated 6/8/2020

To promote patient access to needed medications during the COVID-19 outbreak, the State of Ohio Board of Pharmacy has adopted the following guidance extending the authority of a pharmacist to issue refills pursuant to section [4729.281](#) of the Revised Code.

This guidance is being issued in accordance with a Board resolution adopted on March 2, 2020.

The Board hereby authorizes the following for emergency refills dispensed under section 4729.281 of the Revised Code:

- Extends the emergency refill of schedule III-V controlled substances to not exceed a thirty-day supply or the days' supply as indicated in the pharmacy's records, whichever is less (as opposed to a 72-hour supply limitation).
- Permits a pharmacist to authorize emergency refills for a particular drug up-to three times in any twelve-month period (as opposed to once in any twelve-month period). This applies to both schedule III-V controlled substances and non-controlled substances.
- In lieu of three 30-day emergency refills, a pharmacist may dispense a one-time emergency refill of a 90-day supply for a particular non-controlled substance medication.

Aside from the exceptions authorized in this guidance, pharmacists and terminal distributors must still comply with the requirements set forth in section 4729.281 of the Revised Code.

The Board also authorizes the use of oral prescriptions for schedule II controlled substances as permitted in [21 CFR 1306.11\(d\)](#). As a reminder, the regulations permit oral prescriptions for schedule II controlled substances only for an emergency situation as described in [21 CFR 290.10](#), which states:

§ 290.10 Definition of emergency situation.

For the purposes of authorizing an oral prescription of a controlled substance listed in schedule II of the Federal Controlled Substances Act, the term emergency situation means those situations in which the prescribing practitioner determines:

(a) That immediate administration of the controlled substance is necessary, for proper treatment of the intended ultimate user; and

(b) That no appropriate alternative treatment is available, including administration of a drug which is not a controlled substance under schedule II of the Act, and



(c) That it is not reasonably possible for the prescribing practitioner to provide a written prescription to be presented to the person dispensing the substance, prior to the dispensing.

This guidance is in effect until rescinded by the Board.

For questions regarding this guidance, please e-mail the Board office by visiting:

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