



## **Dispensing Multiple Simultaneous Refills of Prescriptions**

**Updated 6/19/2019**

[Section 4729.40](#) of the Ohio Revised Code authorizes a pharmacist who is filling or refilling a prescription that has one or more refills to dispense the drug in a quantity or amount that varies from the quantity or amount that would otherwise be dispensed. This authority is contingent on meeting conditions specified in the law, including conditions concerning the quantity or amount that may be dispensed and the type of drug prescribed.

For questions regarding this law, please review the following frequently asked questions. Other questions not addressed here may be emailed to the Board by visiting:

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

### **Q1) What type of drugs are eligible for simultaneous refills?**

- The prescription must **not** be for a controlled substance.
- The prescription must be for one of the following: (1) A maintenance drug to be taken on a regular, recurring basis to treat a chronic condition; (2) A drug to be taken on a regular, recurring basis to prevent disease; (3) A contraceptive.

**NOTE:** If the prescription is for a maintenance drug, all the following must apply: (1) the patient has used an initial 30-day supply or a 90-day supply has previously been prescribed to the patient; and (2) the pharmacist determines, after consulting with the patient, that the drug has stabilized the patient's condition.

### **Q2) Is there a day supply limit for providing simultaneous refills?**

- The total quantity or amount of the drug that may be dispensed by filling and refilling the prescription must not exceed a 90-day supply.
- The pharmacist's action must not result in more of the drug being dispensed than the total quantity or amount that may be dispensed by filling and refilling the prescription.

### **Q3) Can a physician prohibit the dispensing of multiple simultaneous refills?**

Yes. The prescriber may include limiting language on the prescription, such as "dispense as written," or otherwise specified that the quantity or amount to be dispensed may not vary from the quantity or amount specified in the prescription.



**Q4) Is the pharmacist required to consult the patient prior to providing simultaneous refills?**

Yes. The law states the following:

*"In the exercise of the pharmacist's professional judgment **after consulting with the patient**, taking the action authorized by this section is appropriate for the patient."*

**Q5) Am I required to provide multiple simultaneous refills?**

No. Dispensing the drug in an amount that varies from the prescription must be appropriate for the patient, as determined by the pharmacist's professional judgment after consulting with the patient.

**Q6) Will insurance cover the dispensing of multiple simultaneous refills?**

The law specifies that it does not require a health care insurer, government health care program, pharmacy benefit manager, or other entity that offers health benefit plans to provide coverage for a drug in a manner that is inconsistent with the patient's benefit plan.

**Q7) Can the required patient consultation be performed by a pharmacy intern or technician?**

No. The law does not permit this.

**Q8) Can I take the last refill from a prior prescription and combine it with the new prescription?**

No. Each prescription stands alone and cannot be combined with other prescriptions.