TITLE 475. OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL
CHAPTER 30. LABELING REQUIREMENTS

475:30-1-1. Purpose

The rules of this Chapter describe the procedures to be followed for issuance of a valid prescription, and the information required to be placed on labels for controlled dangerous substances. Labeling for Schedule I medical marijuana shall be in accordance with ~~OAC 310:681-7-1~~the requirements set forth by the OMMA.

475:30-1-2. Persons entitled to issue prescriptions

Only a registered individual practitioner may issue a prescription for a Schedule II, III, IV and V controlled dangerous substance. ~~Except as otherwise prohibited by law or rule~~As authorized by Title 63 Okl.St.Ann.§ 2-309(A)(1), an individual practitioner, an authorized employee of the practitioner, or an authorized employee of the facility at which the practitioner works may communicate by telephone an oral prescription for any controlled dangerous substance in Schedules ~~III, IV or V~~II being prescribed by the individual practitioner. It remains the responsibility of the practitioner to guard against the diversion of CDS by employees authorized by him/her to call in such prescriptions.

475:30-1-4. Manner of issuance of prescriptions

(a) The practitioner shall sign a prescription in the same manner he/she would sign a check or legal document and shall also type, stamp, or print the practitioner's name on the face of each prescription. Where an oral order is not permitted or an electronic prescription is not utilized, prescriptions shall be written with ink. All written prescriptions shall be manually signed by the practitioner. The prescriptions may be prepared by an agent for the signature of a practitioner, but the prescribing practitioner is responsible in the event the prescription does not conform in all essential respects to the Uniform Controlled Dangerous Substances Act and this Chapter.

(b) A ~~resident or staff practitioner, an intern of a teaching hospital, or a limited institutional practitioner of a federal, state, or local government hospital or institution,~~practitioner exempted from registration or registered in fee-exempt status with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (OBN), shall include on all prescriptions issued by him/her the hospital or institutional Federal Drug Enforcement Administration (DEA) registration number with the special internal code number assigned by the hospital or other institution; or include on all prescriptions he/she issues his/her personal DEA registration number. Such prescriptions issued by interns of a teaching hospital, if for outpatients, must be countersigned by a practitioner licensed by the practitioner's appropriate State of Oklahoma licensing board.

(c) A practitioner must state on a prescription for any controlled dangerous substance the name, address, and DEA registration number of the practitioner; the date of delivery of the prescription; the name, dosage, and strength per dosage unit of the controlled dangerous substance; the name and address of the patient, or if it is a veterinary prescription, the species of the animal and the name and address of the owner; the directions for use and any cautionary statements required; and if allowable, the number of times to be refilled.

(1) The face of a prescription must not be materially altered; if an error is made in filling out the prescription, a new prescription must be issued by the prescribing practitioner.

(A) A pharmacist may add to the prescription the patient's address or age, the prescribing practitioner's DEA registration number, or the generic drug name if used.

(B) After confirming with the prescribing practitioner, the pharmacist may add information indicating the strength, whether tablet or capsule form, and whether it is compounded if such additions would not materially alter the prescription.

(C) If omitted, the directions (Sig) or the quantity, may be added by the pharmacist after confirming with the prescribing practitioner.

(D) Documentation of contacting the prescribing practitioner will be noted on the back of the prescription regarding (B) and (C) above.

(2) A prescription for a controlled dangerous substance in Schedule II becomes invalid thirty (30) days after the earliest date on which a pharmacy may fill the prescription, with day one (1) of the thirty (30) day period being the first day after the earliest date on which a pharmacy may fill the prescription. After issuing an initial prescription pursuant to Section 2-309I of Title 63, an individual practitioner may issue one (1) subsequent prescription for an immediate-release opioid drug in Schedule II in a quantity not to exceed seven (7) days if:

(A) The subsequent prescription is due to a major surgical procedure and/or "confined to home" status as defined in 42 U.S.C. 1395n(a);

(B) The practitioner provides the subsequent prescription on the same day as the initial prescription;

(C) The practitioner provides written instruction on the subsequent prescription indicating the earliest date on which the prescription may be filled (i.e. "do not fill until" date); and,

(D) The subsequent prescription is dispensed no more than five (5) days after the "do not fill until" date indicated on the prescription.

(3) Each scheduled drug shall be written on a single prescription form, and no other prescriptions (controlled or non-controlled) shall be written on the same prescription form.

(d) Upon receiving an oral prescription, pursuant to Title 63 Okl.St.Ann.§ 2-309(A)(1), the pharmacist must reduce the oral prescription to the form specified in (c) of this Section, including the typewritten name of the prescribing practitioner. The pharmacist filling any prescription for any controlled dangerous substance must enter the date of filling and handwrite the initials of the pharmacist on the prescription. If the practitioner is not known to the pharmacist, he/she must make a reasonable effort to determine that the oral authorization came from a registered practitioner.

(e) Upon receiving an oral prescription, pursuant to Title 63 Okl.St.Ann.§ 2-309(A)(1), the pharmacist may use a computer printout label if the label meets all requirements for a prescription as set out by the Uniform Controlled Dangerous Substances Act and this Chapter. On computer labeling for oral prescriptions, it is not necessary that the DEA registration number be on the label used as an oral prescription, but it must be recorded on the document prepared by the pharmacist.

(f) Written prescriptions may be transmitted by a practitioner to a dispensing pharmacy by facsimile. In such cases, the prescribing practitioner shall print "FAXED" on the face of the prescription, and the facsimile received must be on non-fading standard paper. Thermographic paper is not acceptable for any prescriptions for drugs in any Schedule.

(1) For drugs in Schedules III, IV, and V, a facsimile of a written, signed prescription transmitted directly by the prescribing practitioner to the pharmacy can serve as an original prescription.

(2) For drugs in Schedule II, the original written prescription must still be presented and verified against the facsimile at the time the substance is actually dispensed and the original

document must be properly annotated and retained for filing subject to the exceptions listed in (3) below.

(3) Exception to (2): A facsimile copy of a prescription for a Schedule II drug when sent by facsimile by the prescribing practitioner:

(A) To a Home Infusion Pharmacy.

(B) When the prescription is for a patient in a Long Term Care Facility (LTCF).

(C) When the prescription is for a patient in a Hospice program certified by Medicare under Title XVIII or licensed by the state.

(D) If the facsimile is sent from a LTCF or hospice instead of the prescribing practitioner's office, the original must be presented at the time any controlled dangerous substance is dispensed.

(g) The pharmacist still bears the responsibility for ensuring that prescriptions for controlled dangerous substances have been issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his/her professional practice. This responsibility applies equally to an order transmitted by facsimile. Measures to be considered in authenticating prescriptions sent by facsimile equipment would include maintenance of a practitioner's facsimile number reference file, verification of the telephone number of the originating facsimile equipment, and/or telephone verification with the practitioner's office that the prescription was both written by the practitioner and transmitted by the practitioner or the practitioner's agent.

(h) Electronic prescriptions are permitted as provided by 21 CFR §§ 1311 et. seq.

475:30-1-10. Requirements of prescriptions for controlled dangerous substances listed in Schedules III and IV

(a) A pharmacy may dispense controlled dangerous substances listed in Schedules III or IV only pursuant to either a prescription signed by a registered or otherwise authorized individual practitioner, except as otherwise prohibited by law or rule, ~~an oral prescription made by a prescribing registered or otherwise authorized individual practitioner and promptly reduced to writing by the pharmacist,~~ containing all the information required by Title 63 Okl.St.Ann.§ § 2-309 and 2-314, and this Chapter, or pursuant to an electronic prescription in compliance with the terms of 21 CFR §§ 1311 et. seq. Computer labels meeting these requirements are acceptable.

(b) A registered or otherwise authorized individual practitioner may administer or dispense directly a controlled dangerous substance listed in Schedule III or IV in the course of his/her professional practice without a prescription, subject to 475:30-1-5.

(c) An institutional practitioner limited in practice by the individual's appropriate State of Oklahoma professional licensing board, other than those registered as fee-exempt by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, may administer or dispense directly (but not prescribe) a controlled dangerous substance listed in Schedule III or IV pursuant to a prescription signed by the "Limited Institutional Practitioner's" supervising chief medical practitioner, or, ~~except as otherwise prohibited by law or rule, pursuant to oral prescription made by the "Limited Institutional Practitioner's" supervising chief medical practitioner and promptly reduced to writing by the pharmacist containing all information required by 475:30-1-4, except for the signature of the "Limited Institutional Practitioner's" supervising chief medical practitioner or pursuant to an order for medication made by an individual supervising chief medical practitioner which is dispensed for immediate administration to the ultimate user, subject to 475:30-1-5~~ pursuant to an electronic prescription in compliance with the terms of 21 CFR §§ 1311 et. seq.

475:30-1-13. Requirements of prescriptions for controlled dangerous substances listed in Schedule V

(a) A pharmacist of a registered or otherwise authorized pharmacy may dispense directly a controlled dangerous substance listed in Schedule V pursuant to a prescription as required for controlled dangerous substances listed in Schedules III and IV. A prescription for a controlled dangerous substance listed in Schedule V may be refilled only the number of times expressly authorized by the prescribing registered individual practitioner on the face of the prescription, and such prescription may not be refilled more than six (6) months after the date of issuance. If no such authorization is given, the prescription may not be refilled. A pharmacist dispensing such substance pursuant to a prescription shall label the substance and file the prescription.

(b) A registered individual practitioner may administer or dispense directly a controlled dangerous substance listed in Schedule V, in the course of his/her professional practice, without a prescription.

(c) An institutional physician limited in practice by the individual's appropriate State of Oklahoma professional licensing board, other than those registered as fee-exempt with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, may administer or dispense directly (but not prescribe) a controlled dangerous substance listed in Schedule V only pursuant to a written prescription signed by the "Limited Institutional Practitioner's" supervising chief medical practitioner, or pursuant to an ~~oral prescription made by a "Limited Institutional Practitioner's" supervising chief medical practitioner and promptly reduced to writing by the pharmacist (containing all information required in 475:30-1-4, except for the signature of the "Limited Institutional Practitioner's" supervising practitioner)~~electronic prescription in compliance with the terms of 21 CFR §§ 1311 et. seq, or pursuant to an order for medication made by a "Limited Institutional Practitioner's" supervising chief medical practitioner which is dispensed for immediate administration to the ultimate user.