

**HB314 ENGROSSED**



1 FIY6D5-2

2 By Representatives Rigsby, Whitt, Crawford, Shirey, Daniels,

3 Cole, Lipscomb, Lomax, Underwood, Colvin, Kitchens, Woods

4 RFD: Health

5 First Read: 13-Apr-23

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7 2023 Regular Session



## HB314 Engrossed

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A BILL  
TO BE ENACTED  
AN ACT

Relating to pharmacists and the dispensing of emergency refills of medication; to amend Section 34-33-75 of the Code of Alabama 1975, to increase the supply of medication that may be dispensed in a one-time emergency refill to include the smallest dispensable package size of a medication; and to further provide for the notice to the prescriber after dispensing.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-23-75 of the Code of Alabama 1975, is amended to read as follows:

"§34-23-75

(a) In the event a pharmacist receives a request for a prescription refill and the pharmacist is unable to readily obtain refill authorization from the prescriber, the pharmacist may dispense a one-time emergency refill of up to a 72-hour supply or the smallest dispensable package size of the prescribed medication, providing that all of the following apply:

(1) The prescription is not a medicinal agent listed in Schedule I or II ~~appearing in~~ pursuant to Title 20, Chapter 2,



## HB314 Engrossed

29 or the controlled substances list for Schedule I or II  
30 maintained by the State Board of Health.

31 (2) The medication is essential to the maintenance of  
32 life or the continuation of therapy in a chronic condition.  
33 Only those drugs designated by a joint rule adopted by the  
34 Board of Pharmacy and Board of Medical Examiners shall be  
35 refilled, according to the procedure established in this  
36 section.

37 (3) The dispensing pharmacist creates a written order  
38 containing all of the prescription information required by  
39 this chapter and Title 20, Chapter 2.

40 (4) The dispensing pharmacist ~~notifies~~ shall provide  
41 notification to the prescriber of the emergency dispensing  
42 within ~~72~~ 24 hours after ~~such~~ the dispensing.

43 (b) The Board of Pharmacy and the Board of Medical  
44 Examiners, through joint rule, may adopt additional rules and  
45 regulations to implement this section."

46 Section 2. This act shall become effective on the first  
47 day of the third month following its passage and approval by  
48 the Governor, or its otherwise becoming law.



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House of Representatives

Read for the first time and referred .....13-Apr-23  
to the House of Representatives  
committee on Health  
  
Read for the second time and placed .....19-Apr-23  
on the calendar:  
0 amendments  
  
Read for the third time and passed .....25-Apr-23  
as amended  
Yeas 103  
Nays 0  
Abstains 0

John Treadwell  
Clerk