

**HB314 ENROLLED**



1 FIY6D5-3

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 Enrolled

1 Enrolled, An Act,

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A BILL

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TO BE ENACTED

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AN ACT

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

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 34-23-75 of the Code of Alabama  
18 1975, is amended to read as follows:

19 "§34-23-75

20 (a) In the event a pharmacist receives a request for a  
21 prescription refill and the pharmacist is unable to readily  
22 obtain refill authorization from the prescriber, the  
23 pharmacist may dispense a one-time emergency refill of up to a  
24 72-hour supply or the smallest dispensable package size of the  
25 prescribed medication, providing that all of the following  
26 apply:

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



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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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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 25-Apr-23 asamended.

John Treadwell  
Clerk

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Senate **11-May-23**

Passed