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SC Department of Labor, Licensing & Regulation – Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

South Carolina Board of Nursing Telephone and Electronic Prescriptions Position Statement

There have been inquiries regarding the status of telephone and electronic prescriptions from advanced practice registered nurses (APRNs) with prescriptive authority. The South Carolina Pharmacy Act does not prohibit a pharmacist from accepting a telephoned or faxed prescription from an APRN. APRNs have the option of utilizing the telephone for issuing a prescription or for authorizing a refill. Contact with the pharmacist is supposed to be directly with the APRN. However, a registered nurse or licensed practical nurse may be authorized by the prescribing APRN to transmit a prescription drug order orally or via facsimile to the pharmacist, provided that the identity of the licensed nurse is included in the order.

Telephoned prescriptions must be documented in the patient's medical record as either a copy of a facsimile or as a narrative to include the medication, dosage, quantity, directions for use, and number of refills. Under no circumstances should a prescription be given to a patient and then the same drug called into the pharmacy as a telephone order.

Additionally, Policy and Procedure #66 from the South Carolina Board of Pharmacy, modified in June 2001, allows the use of computer-generated electronic and replicated signatures on prescriptions for legend non-controlled medications. The Board of Nursing recognizes and supports the June 2001 change in Policy and Procedure #66 from the Board. APRNs may utilize computer-generated electronic and replicated signatures on prescriptions for legend non-controlled medications. In keeping with Policy #66, the only approved method of electronic transfer of prescriptions is facsimile. Rubber-stamped signatures are not acceptable.

Telephone or electronic orders, when used, must designate the APRN as the prescriber, rather than as a verbal order from the physician. This will provide a clear audit trail for who authorized the prescription. Telephone or electronic orders from an APRN should be treated like a prescription from any other practitioner.

Please contact the Nurse Consultant for Practice if there are any concerns.

Adopted by the Board of Pharmacy January 24, 2002.

It's Time for Permit Renewals

If you are a permit holder and have not received your permit renewal application, contact the South Carolina Board of Pharmacy office immediately. Applications for renewal must be filed on or before June 1 as required by §40-43-110(A) of the Pharmacy Practice Act; otherwise, your existing permit will expire on June 30, 2002. Section 40-43-110(A) of the Pharmacy Practice Act states:

For permits not renewed by the expiration date specified on the permit, the Board may charge late penalties as follows: (1) ten dollars a day if renewed during the first thirty days following expiration; (2) failure to renew by the end of thirty days following the expiration shall result in automatic cancellation for the permit and application for a new permit is required.

Correctly completed applications, along with the renewal fee, must be postmarked on or before June 1. Postage meter imprints are not acceptable as proof of mailing. It is recommended that you send the applications via certified mail with return receipt requested, so that you will have proof of mailing by the deadline.

If the Board staff documents operation under an expired permit, civil penalties will be assessed.

Technician Renewals

Pharmacy technician renewal applications were mailed to all registered technicians at their designated mailing address before May 1, 2002. The completed renewal application and fee must be received at the Board office no later than June 1, 2002. If you supervise an employee who functions as a pharmacy technician who is currently not registered, the Board strongly urges you to remind the technician to register immediately.

As a reminder, it is the responsibility of the pharmacist-in-charge to ensure that all technicians employed hold a current registration. Because technicians do not receive the *South Carolina Board of Pharmacy News*, the Board asks that you share this information with the technicians with whom you work.

Important Date Change

The Pharmacy Board meeting date has been changed from June 25 and 26, 2002 to June 19 and 20, 2002.

News Update on Bioterrorism

Pharmacists interested in volunteering to help in Emergency Response related to bioterrorism are asked to contact the South Carolina Department of Health and Environmental Control and the South Carolina Pharmacy Association. You may also contact Don Ray at the South Carolina Pharmacy Association. The address is 1350 Browning Rd, Columbia, SC 29210.

New Inspector Welcomed at Board of Pharmacy

The Board of Pharmacy recently welcomed a new inspector, Karen C. McKinnon, to the team. Karen McKinnon, RPh, began employment on March 4, 2002. She graduated from the Medical University of South Carolina in 1987 with a bachelor of science degree in pharmacy. Karen has practiced retail pharmacy at the Medicine Shoppe for the past 10 years. She also previously worked at the Department of Health and Environmental Control, Bureau of Drug Control. Karen, her husband Clayton, son Trey, age 12, and daughter Martha, age 9, reside in Florence. They are members of Central United Methodist Church in Florence.

Prescription Issued Based on Internet Consultation

At its July 17-18, 2000 Board meeting, the South Carolina Board of Medical Examiners approved and issued a policy on Internet prescribing.

It is unprofessional conduct for a physician to initially prescribe drugs to an individual without first establishing a proper physician-patient relationship. A proper relationship, at a minimum, requires that the physician make an informed medical judgment based on the circumstances of the situation and on his/her training and experience. This will require that the physician:

1. personally perform an appropriate history and physical examination, make a diagnosis, and formulate a therapeutic plan. This process must be documented appropriately;
2. discuss with the patient the diagnosis and the evidence for it, and the risks and benefits of various treatment options; and
3. insure the availability of the physician or coverage for the patient for appropriate follow-up care.

Prescribing for a patient whom the physician has not personally examined may be suitable under certain circumstances.

These may include, but are not be limited to, admission orders for a newly hospitalized patient, prescribing for a patient of another physician for whom the prescriber is taking call, prescribing for a patient examined by a licensed advanced practice registered nurse, a physician assistant or other physician extender authorized by law and supervised by the physician, or continuing medication on a short-term basis for a new patient prior to the patient's first appointment.

Prescribing drugs to individuals the physician has never met based solely on answers to a set of questions, as is common in Internet or toll-free telephone prescribing, is inappropriate and unprofessional.

Section 40-47-200 (F)(8) of the South Carolina Medical Practice Act authorizes the Board to discipline a licensed South Carolina physician who is **guilty of engaging in dishonorable, unethical, or unprofessional conduct that is likely to deceive, defraud, or harm the public.**

Paragraph 40-43-86 (F) of the South Carolina Pharmacy Practice Act states: "A prescription drug order must be issued for a legitimate medical purpose by a practitioner acting within the course of legitimate professional practice."

Paragraph 40-43-86 (F), (4) of the Pharmacy Practice Act states: "the pharmacist shall exercise professional judgment regarding the accuracy or authenticity of the transmitted drug order consistent with existing federal or state laws or regulations."

The Board of Pharmacy strongly supports the policy of the Board of Medical Examiners. Pharmacists are responsible for ensuring that all prescriptions comply with laws and regulations of South Carolina. Prescriptions issued by authorized practitioners on the basis of an Internet consultation are inappropriate and unprofessional and should not be filled.

Page 4 – May 2002

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