

New laws regarding Schedule II's:

(Title 18 V.S.A. § 4215. AUTHORIZED SALES BY PHARMACISTS)

In the last three years the Pharmacy Board has received numerous comments and complaints about the rule which required that prescriptions for schedule II drugs be filled within 10 days. After consultation with physicians and others affected by the limitation, the Board drafted a proposal to change this law. Because of the way the statutes were written by the legislature, a mere change of the Board's rules would not alone permit the change. Last fall the Pharmacy Board gave its proposal to the Office of Professional Regulation which included it in its yearly bill.

To change the 10 day limitation the Board suggested the language quoted below. The legislature adopted the Board's suggestions. And, effective July 1, 2008 Vermont law now permits more flexible prescribing of schedule II drugs.

The discussion of the old limitations on schedule II drugs prompted the Board of Pharmacy to review all its rules. Its final draft proposal will soon appear on its website at <http://vtprofessionals.org> .

The new law. 18 V.S.A. § 4215:

- Prescriptions for schedule II drugs written without a future fill date, may be filled anytime up to 30 days after the prescription issuance date, but not thereafter.
- Prescriptions for schedule II drugs may now be written with a future fill date and may not be filled before the fill date. Prescriptions must show the date the prescriber actually issues the prescription. In no event can a future fill date prescription be filled more than 90 days after the prescription issuance date.

Under the old law the prescriber who wanted to prescribe a long term prescription had to write the prescription so that the entire amount was dispensed at once. This led to obvious abuse potential.

Under the new law, the prescriber can have more control over the amount of the drug put into the patient's hands.

Examples:

#1 On July 1, 2008 a prescription is written for Ritalin. The prescription has no fill date. The prescription may be filled by a pharmacist any time up to July 31, 2008.

Or using future date prescribing:

#2 On July 1, 2008 multiple issue prescriptions are written for Ritalin to be filled as follows:

- One prescription for 30 dosage units immediately,
- One prescription for 30 dosage units for a future fill date of August 1st,
- One prescription for 30 dosage units for a future fill date on September 1st.

The first 30 dosage units may be dispensed anytime within the first 30 days. (Note: the prescriber may write that the prescriptions must be filled within a certain amount of time shorter than the 30 days, or the prescription will be void). The second 30-day prescription may be dispensed after August 1st, the third 30-day prescription on September 1st.

Note: Multiple issue prescriptions can not exceed a 90 day supply. The statute, 18 V.S.A § 4125 may be found through the OPR main page

<http://vtprofessionals.org> under the title “Legislative Amendments, Effective July 1, 2008.”