

by Tom Engels, PSW Vice President of Public Affairs

At the request of our readers, JPSW will periodically publish answers to questions that have been submitted to the Pharmacy Examining Board. We acknowledge the assistance of Attorney William Black, legal counsel to the PEB. Please submit any questions or suggestions regarding this feature directly to the Pharmacy Examining Board at the Wisconsin Department of Regulation and Licensing, 1400 E. Washington Avenue, PO Box 8935, Madison, WI 53708; dorl@mail.state.wi.us.

What are the requirements for a prescription that has been transmitted electronically?

Wis. Admin. Code § Phar 7.08 requires either an electronic signature or other secure method for validation.

Wis. Admin. Code § Phar 7.08 (3) provides:

“The prescribing practitioner’s electronic signature, or other secure method of validation shall be provided with a prescription order electronically transmitted via computer modem or other similar electronic device.”

a. Acceptable security procedures to validate both an electronic signature or “other secure method” used in Wis. Admin. Code § Phar 7.08

1. The pharmacy maintains a practitioner signature file for comparison where a computer generated facsimile signature is affixed. By pre-agreement with the pharmacist a practitioner may place a signature on file for comparison.

2. The pharmacy maintains a code file from practitioners wishing to use electronic transmission utilizing a signature that is not a computer generated facsimile signature, but rather an alpha numeric string or other numbering system for validation, but not constituting public key infrastructure. Vendors of such systems can assist the acceptance process by educating practitioners to contact a pharmacy prior to using such systems and submit the practitioner’s alpha numeric string for addition to the pharmacy’s code file.

3. A public key infrastructure system could certainly be used by agreement but is not required.

b. Drug Enforcement Agency (DEA) rules related to controlled substances prescription orders

The DEA does not currently allow the electronic transmission of a prescription order for controlled substances. A practitioner must continue to follow the current requirement of orally communicating the prescription order to a pharmacist for a schedule III-V controlled substance where a written order is neither signed and faxed to the pharmacy or provided directly to the patient. An unsigned fax prescription order for a schedule III-V controlled substance sent by a practitioner to the pharmacy will require a return telephone call by the pharmacist to the practitioner to verify the order, in similar manner to receiving an oral order.

Editor’s note: Also see related article, January/February 2004 JPSW, page 56.

Should controlled substances orders be initialed?

Yes, Phar 8.05(2) requires the order to be initialed and dated by the dispensing pharmacist as of the date the prescription is dispensed. Initialing can be done on the hard copy or computer generated record if your pharmacy uses a computer tracking system.

May a pharmacy sign be lighted even if a pharmacy is closed?

Yes.

May I keep sandwiches in the fridge along with prescription drugs? The Joint Commission law doesn’t allow it.

No similar “law” in the PEB rules restricts the storage of food in a refrigerator where drugs are stored. The Joint Commission requirement also is not “law” in the traditional sense, ie. as opposed to a statute or administrative rule.

Does Wisconsin allow multiple lot numbers to be dispensed to the same cassette when using an ADS?

Yes.