

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.

Hospitals often write discharge orders on one sheet with C-IIs and other medications all on the same script. Can a pharmacy accept C-II prescriptions written that way and how can these C-II prescriptions be filed? Can the pharmacy rewrite the C-II to another prescription to file it separately?

Wisconsin Administrative Code Phar. 8.03 (2) reads in part: "Under no circumstances may schedule II orders be filed together with those for non-controlled drugs. Paragraph three (3) of that rule does allow for schedule III, IV and V to be filed with non-controlled drugs if marked with a "C".

A fact often missed is that if this is a discharge order, it needs to be by a written prescription as per 21 CFR 1306.11 (a). This is considered outpatient dispensing by the PEB and the DEA.

Therefore, if the script contains C-IIs mixed with non-controlled medications, the original prescription should be filed as per the pharmacy's C-II filing system and also copied for filing in the non-controlled prescription filing system. The process should be documented and cross-referenced for accountability and tracking.

Can a pharmacist administer a prescription drug as part of a collaborative practice agreement with a physician?

Yes. Wis. Stats. § 448.03(2)(e) provides the statutory basis for the physician delegation of a medical act. Under this section collaborative practice agreements between pharmacists and physicians are generally permissible, constrained by Wis. Stats. § 450.02(4)(b).

Wis. Stats. § 450.035 allows administration of drug products and devices as the independent practice of pharmacy, but limited to the context of teaching self-administration to a patient.

Therefore, there are two means by which a pharmacist may administer a prescribed drug product by injection: 1) independently as a part of the defined practice of pharmacy in the limited context of teaching self-administration; or 2) Dependently in all other contexts as a delegated medical act by a physician.

What are the labeling requirements for a pharmacy when asked by a patient to provide more in-depth information on a prescription received from a physician?

The physician is required to label a prescription dispensed by the physician to a patient following the requirements set forth by the medical examining board

rule at Wis. Admin. Code Ch. MED 17. So as an initial matter, the pharmacy may wish to contact the physician regarding following the requirements of that chapter.

A pharmacist is not required to create any additional labeling in this instance. However, for patient safety and convenience, the pharmacy could have a collaborative agreement to "fix" the label on behalf of a physician, but the pharmacy takes a risk to ensure the product is labeled correctly. It is not the pharmacy dispensing the drug, it is an incomplete physician dispensing and the pharmacy is being asked to meet a patient's need with information that should have been provided by the physician. Pharmacists should insist that they have all the necessary information from the prescribing physician before they agree to create a label that comports with the regulatory requirements. Again, it should be stressed that prior to the pharmacist's involvement, the label in this instance is not the responsibility of the pharmacist. In the effort to meet patient need, the pharmacist is communicating with the physician, and by agreement, the pharmacist will be completing the labeling. If the legally required information can't be obtained, a pharmacist should reconsider participating in the process. ●