

4729:5-9-02.7**Medication orders for inpatients and outpatient prescriptions.**

(A) Dangerous drugs shall be dispensed by a pharmacist for inpatients pursuant to an original patient-specific order issued by a prescriber or a protocol or pre-printed order as authorized in accordance with rule 4729:5-3-12 of the Administrative Code. All controlled substance prescriptions or medication orders shall be issued in accordance with 21 CFR Part 1306 (7/1/2019) and 21 CFR Part 1311 (7/1/2019).

(1) Medication orders for inpatients of an institutional facility transmitted to a pharmacy by use of an electronic drug record keeping system may be considered an original order for the dispensing of drugs. Access to such system for entering and transmitting original orders shall be restricted to personnel authorized in accordance with written policies and procedures of the institutional facility. If the authorized personnel entering the order into the system is not the prescriber, there shall be a system in place requiring the positive identification of the prescriber for each order within a reasonable period of time which shall be made readily retrievable.

(2) Oral orders issued by a prescriber for inpatients of an institutional facility may be transmitted to a pharmacist by personnel authorized in accordance with written policies and procedures of the institutional facility. Such orders shall be transcribed by the pharmacist, noting the full name(s) of the authorized personnel transmitting the order. Oral orders issued by a prescriber and transmitted by authorized personnel shall be verified by the prescriber using positive identification within a reasonable time and as required by the written policies and procedures of the facility.

(a) Oral orders for non-controlled substances issued by a prescriber for inpatients of an institutional facility may be transmitted to a pharmacy intern by personnel authorized by, and in accordance with, written policies and procedures of the facility if the pharmacist on duty who is personally supervising the activity of the intern determines that the intern is competent to perform this function.

(i) The intern shall immediately transcribe the order, document the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent and shall review the order with the pharmacist on duty. Prior to dispensing, positive identification of the intern and the pharmacist on duty shall be recorded to identify the responsibility for the receipt of the oral order.

(ii) The pharmacist on duty is responsible for the accuracy of the prescription.

(iii) The pharmacist on duty must be immediately available to answer questions or discuss the prescription with the prescriber or the prescriber's agent.

(b) Oral orders for non-controlled substances issued by a prescriber for inpatients of an institutional facility may be transmitted to a certified pharmacy technician in pursuant to rule 4729:3-3-04 of the Administrative Code by personnel authorized by, and in accordance with, written policies and procedures of the facility. Oral orders issued by a prescriber and transmitted by authorized personnel shall be verified by the prescriber using positive identification within a reasonable time and as required by the written policies and procedures of the facility.

(3) Medication orders for inpatients of an institutional facility transmitted to a pharmacy by use of a facsimile machine shall be transmitted by personnel authorized by, and in accordance with, written policies and procedures of the facility.

A facsimile shall only be valid as an order if a pharmacy retains a printed copy of a facsimile prescription or an electronic copy of the facsimile prescription in accordance with paragraph (B) of this rule.

(B) All non-controlled hard copy medication orders, including facsimiles, may be electronically maintained, provided that the system creates and maintains electronic records in accordance with the following:

(1) All hard copy medication orders for non-controlled dangerous drugs may be electronically filed and then destroyed after one hundred and eighty days from the date of creation or receipt. Disposal of the hard copy shall use a secure method of destruction to ensure privacy and confidentiality of the contents.

(2) All hard copy medication orders electronically filed in accordance with this rule shall be scanned front and back in full color (i.e. retains color information and/or color graphics in the document) via technology designed to capture information in one form and reproduce it in an electronic medium presentable and usable to an end user. Prior to scanning, the written or faxed order shall be clearly notated to indicate it has been received by the pharmacy in a manner that does not destroy any of the original information contained on the prescription but prevents the unauthorized duplication of the prescription.

(3) A record or image once created shall be unalterable but may be annotated as necessary so long as the original record or image is still available for review and the individual that made the annotation is noted.

(4) The electronic form shows the exact and legible image of the original hard copy medication order.

(5) All hard copy orders filed electronically in accordance with this rule shall be deemed the original prescription.

(C) All orders for drugs for inpatients shall include the following:

(1) Name of patient;

(2) Name, strength, and dosage form of drug;

(3) Directions for use, including route of administration;

(4) Date prescribed;

(5) The ordering prescriber's positive identification; and

(6) If applicable, the positive identification of the authorized individual transmitting the order on behalf of the prescriber.

(D) An institutional pharmacy shall develop and maintain written stop order policies or other methods of assuring that drug orders are not continued inappropriately in accordance with the status of the patient.

(E) Drugs may be dispensed for outpatients by an institutional pharmacy pursuant to an original prescription of a prescriber in accordance with rule 4729:5-5-15 of the Administrative Code. All outpatient prescriptions dispensed by an institutional pharmacy shall comply with the following outpatient pharmacy requirements:

(1) Labeling requirements in accordance with rule 4729:5-5-06 of the Administrative Code;

(2) Record keeping requirements in accordance with rule 4729:5-5-04 of the Administrative Code;

(3) Patient counseling requirements pursuant to rule 4729:5-5-09 of the Administrative Code;

(4) Prescription filing requirements pursuant to rule 4729:5-5-03 of the Administrative Code;

(5) Manner of processing requirements pursuant to rule 4729:5-5-10 of the Administrative Code;

- (6) Serial numbering requirements pursuant to rule 4729:5-5-13 of the Administrative Code;
- (7) Pick-up station requirements pursuant to rule 4729:5-5-14 of the Administrative Code;
- (8) Patient profile requirements pursuant to rule 4729:5-5-07 of the Administrative Code;
- (9) Reporting of all drugs pursuant to division 4729:8 of the Administrative Code; and
- (10) Prospective drug utilization review requirements pursuant to rule 4729:5-5-08 of the Administrative Code.
- (F) Outpatient prescriptions may be transferred by an inpatient pharmacy to an outpatient pharmacy in accordance with rule 4729:5-5-11 of the Administrative Code.
- (G) A pharmacist may modify an outpatient prescription pursuant to rule 4729:5-5-16 of the Administrative Code.
- (H) An original signed prescription for a schedule II controlled substance prepared in accordance with federal and state requirements and issued for a resident in a long-term care facility may be transmitted by the prescriber or the prescriber's agent to the dispensing pharmacy by facsimile. The facsimile shall serve as the original written prescription and shall be received and maintained pursuant to rules 4729:5-5-10 and 4729:5-5-15 of the Administrative Code. The original signed prescription must remain with the patient's records at either the prescriber's office or the long-term care facility.
- (I) A prescription or medication order, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of the prescriber's professional practice. The responsibility for the proper prescribing is upon the prescriber, but a corresponding responsibility rests with the pharmacist who dispenses the prescription. An order purporting to be a prescription issued not in the usual course of bona fide treatment of a patient is not a prescription and the person knowingly dispensing such a purported prescription, as well as the person issuing it, shall be subject to the penalties of law.
- (J) A pharmacy providing emergency kits for use by a nursing home or residential care facility pursuant to rule 4729:5-9-03.1 of the Administrative Code must receive a valid outpatient prescription issued in accordance with rule 4729:5-5-15 of the Administrative Code prior to the administration of the initial dose contained in the kit. The pharmacy providing the emergency kit shall be responsible for generating and maintaining a record of the dispensing of the initial dose obtained from the kit

in compliance with the record keeping requirements set forth in rule 4729:5-9-02.3 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

Certification

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Date

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