



KENTUCKY BOARD OF PHARMACY

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OPINION AND DECLARATORY RULING: REMOTE VERBAL ORDER RECEIPT PROCEDURE

Issued on: February 23, 2022

The Kentucky Board of Pharmacy issues this declaratory ruling to clarify whether a pharmacist working remotely can receive a verbal order from a prescriber if it is immediately reduced to writing in the pharmacy medication management system. The Board of Pharmacy is authorized to issue Opinion and Declaratory Judgments pursuant to KRS 13A.130(3) and 13A.010(2)(b). A declaratory ruling does not create a new law or modify an existing one. Board of Pharmacy declaratory rulings are not binding, and are only offered as a guideline to licensees, permit-holders and registrants who wish to engage in a safe practice of pharmacy that promotes, preserves and protects public health, safety and welfare of the citizens of the Commonwealth.

The Kentucky Board of Pharmacy is authorized by Kentucky Revised Statute (KRS) 315 to regulate pharmacies, pharmacists, pharmacist interns, pharmacy technicians, manufacturers, wholesalers, outsourcing facilities and third-party logistics providers within the Commonwealth of Kentucky or transacting business within the Commonwealth of Kentucky in order to promote, preserve, and protect public health, safety and welfare of the citizens of the Commonwealth.

The Kentucky Board of Pharmacy has been asked by a pharmacy permit holder if a pharmacist working remotely can receive a verbal order for a prescription if the pharmacist immediately reduces the order to writing by placing it in the pharmacy medication management system.

A pharmacist working remotely pursuant to KRS 315.020 can receive a verbal order for a prescription if the pharmacist follows the same procedures that would be utilized if the pharmacist was located within the four walls of the pharmacy. The pharmacist must enter the prescription directly into the pharmacy medication management system. Once the data is entered into the pharmacy medication management system, the information should be utilized to generate a prescription image that can be printed and maintained in the pharmacy for the required period of time, in compliance with 201 KAR 2:171(1)(3)(A).

Best practice would include ensuring that the prescription details have been received correctly and verified by the pharmacist and therefore, the pharmacist should recite the prescription information back to the prescriber to ensure it is correct and then apply an electronic signature and date to the hard copy. A duplicate handwritten copy of the prescription should be avoided. Rather, the prescription details should be entered directly into the pharmacy medication management system. KRS 315.020(5)(f) demands that there should be no hardcopy prescriptions outside the permitted pharmacy facility. A duplicate handwritten copy of the prescription should be avoided. Rather, the prescription details should be entered directly into the pharmacy

medication management system. KRS 315.020(5)(f) demands that there should be no hardcopy prescriptions outside the permitted pharmacy facility.”

Lastly, pursuant to 201 KAR 2:171(1)(8)(a), the pharmacy must maintain a log, either electronically or manually, of all remote work with the full name of the pharmacist along with all prescriptions received and entered by the pharmacist working remotely.

Sincerely,



Christopher Harlow, Executive Director
Kentucky Board of Pharmacy

APPLICABLE LAW

KRS 315.020(5)

(a)(1) "Order entry" means the process by which pharmacy personnel validate prescription data and enter that data into a pharmacy's dispensing or medication management system. Prescription data includes but is not limited to patient demographics, prescriber demographics, drug name, strength, dosage form, quantity, the directions for use, refill authorization, or any clarifications of the same;

(f) Nothing in this subsection permits pharmacists, pharmacy technicians, or pharmacy interns to receive hard copy prescriptions outside of the premises of a permitted pharmacy.

201 KAR 2:171

Section 1. The following information shall be entered into the system: (1) All information pertinent to a prescription shall be entered into the system, including items such as each of the following: (a) The prescription number; (b) The patient's name and address; (c) The prescriber's name and address; (d) The prescriber's Federal Drug Enforcement Administration number, if appropriate; (e) Refill authorization; (f) Any prescriber's instructions or patient's preference permitted by KRS Chapters 217, 218A, and 315, or 201 KAR Chapter 2; (g) The name, strength, dosage form, and quantity of the drug dispensed originally and upon each refill; and (h) The date of dispensing of the prescription and the identifying designation of the dispensing pharmacist for the original filling and each refill.

(3)(a) The original prescription and a record of each refill, if received written or oral, shall be preserved as a hard copy for a period of three (3) years and thereafter be preserved as a hard copy or electronically for no less than an additional two (2) years. (b) The original prescription and a record of each refill, if received by facsimile, shall be preserved as a hard copy, the original electronic image, or electronically for a period of three (3) years and thereafter be preserved as a hard copy, the original electronic image, or electronically for no less than an additional two (2) years. (c) The original and electronic prescription shall be subject to inspection by authorized agents. An original and electronic prescription shall not be obstructed in any manner. (4) The original prescription and a record of each refill, if received as an e-prescription, shall be preserved electronically for a period of no less than five (5) years. The electronic prescription shall be subject to inspection by authorized agents. An original and electronic prescription shall not be obstructed in any manner

(8) The system shall maintain a record of each day's prescription data as follows: (a) This record shall be verified, dated, and signed by the pharmacist or pharmacists who filled those prescription orders either: 1. Electronically; 2. Manually; or 3. In a log. (b) This record shall be maintained for no less than five (5) years; and (c) This record shall be readily retrievable and shall be subject to inspection by authorized agents.