

**NOTICE OF INTENT TO ADOPT RULE IN THE GEORGIA STATE BOARD OF
PHARMACY RULES,
RULE 480-22-.11 TRANSFER BETWEEN PHARMACIES OF CONTROLLED
SUBSTANCE PRESCRIPTION DRUG ORDER INFORMATION FOR REFILL
PURPOSES, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Pharmacy (hereinafter "Board") proposes adoption of new Georgia Board of Pharmacy Rules, Rule 480-22-.11 TRANSFER BETWEEN PHARMACIES OF CONTROLLED SUBSTANCE PRESCRIPTION DRUG ORDER INFORMATION FOR REFILL PURPOSES (hereinafter "proposed amendments").

This notice, together with an exact copy of the proposed amendments and a synopsis of the proposed amendments, is being forwarded to all persons who have requested, in writing, that they be placed on an interested parties list. A copy of this notice, an exact copy of the rule including the proposed amendments, and a synopsis of the rule including the proposed amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Department of Community Health at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. These documents will also be available for review on the Georgia State Board of Pharmacy's web page at www.gbp.georgia.gov.

A public hearing is scheduled to begin at 9:00 AM on December 13, 2023 at Department of Community Health, 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, Georgia 30334 to provide the public an opportunity to comment upon and provide input into the proposed amendments. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received prior to December 6, 2023. Written comments should be addressed to the Executive Director of the Georgia State Board of Pharmacy at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. You may email your comments to elacefield@dch.ga.gov.

The proposed amendments will be considered for adoption by the Georgia State Board of Pharmacy at its meeting scheduled to begin at 9:00 AM on December 13, 2023 at Department of Community Health, 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, Georgia 30334. According to the Department of Law, State of Georgia, the Georgia State Board of Pharmacy has the authority to adopt the proposed amendments pursuant to authority contained in O.C.G.A. §§ 26-4-27.

At its meeting on July 19, 2023, the Board voted that the formulation and adoption of these rule amendments do not impose excessive regulatory cost on any licensee and any cost to comply

with the proposed amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 26-4-27, 26-4-28, 16-13-22.

Also, at its meeting on July 19, 2023, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A §§ 26-4-27, 26-4-28, 16-13-22 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this chapter will impact every licensee in the same manner, and each licensee is independently licensed, owned and operated and dominant in the field of pharmacy.

For further information, contact the Board office at 404-651-8000.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 13 day of November, 2023.



Eric R. Lacefield
Executive Director
Georgia Board of Pharmacy

Posted: November 13, 2023.

**SYNOPSIS OF PROPOSED GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-22-.11 TRANSFER BETWEEN PHARMACIES OF CONTROLLED
SUBSTANCE PRESCRIPTION DRUG ORDER INFORMATION FOR REFILL
PURPOSES**

- Purpose:** To amend the rule to correct errors in spelling, punctuation, grammar, and/or formatting in the language of the rule.
- Main Features:** Correction of errors in spelling, punctuation, grammar, and/or formatting in the rule language.

**TEXT OF PROPOSED GEORGIA STATE BOARD OF PHARMACY RULE
RULE 480-22-.11 TRANSFER BETWEEN PHARMACIES OF CONTROLLED
SUBSTANCE PRESCRIPTION DRUG ORDER INFORMATION FOR REFILL
PURPOSES**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

Text of the proposed rule is attached hereto.

Rule 480-22-.11. Transfer Between Pharmacies of Controlled Substance Prescription Drug Order Information for Refill Purposes

- (1) The transfer of original prescription drug order information for a C-III, IV, or V substance for the purpose of refill dispensing is permissible between pharmacies one time only.
 - (a) However, pharmacies electronically sharing a real-time, online computerized database may transfer the prescription drug order information as many times as there are authorized refills, up to the maximum of five (5) times, if it is within six (6) months from the date of issuance.
- (2) A transfer is considered a communication between two licensed pharmacists and/or pharmacy interns/externs. Transfers are subject to the following requirements:
 - (a) The transferring pharmacist or pharmacy intern/extern shall record the following information in either real time or at the first opportunity after the transfer:
 1. The word "VOID" must be written on the face of the original, hard copy, invalidated prescription drug order;
 2. The following must be written on the back of the original, invalidated prescription drug order: the name, address, telephone number, and DEA number of the pharmacy to which it is transferred, and the name of the pharmacist receiving the prescription information; and
 3. The date of the transfer and the name of the pharmacist transferring the information must be recorded on the back of the prescription drug order.
 - (b) The pharmacist or pharmacy intern/extern receiving the transferred prescription drug order information shall reduce it to writing and record the following information:
 1. The word "TRANSFER" shall be written on the face of the transferred prescription drug order hard-copy;
 2. All information required to be recorded on a ~~prescription~~ prescription drug order pursuant to this chapter, which shall include:
 - (i) Date the prescription drug order was originally issued by the prescribing practitioner;
 - (ii) The number of refills authorized on the original prescription drug order.
 - (c) Date the prescription drug order was originally dispensed by the transferring pharmacy;
 - (d) Number of valid refills remaining, and date(s) and pharmacy location(s) where any previous refills were dispensed;
 - (e) The pharmacy's name, address, telephone number, DEA number, and prescription serial number from which the prescription information was transferred; and
 - (f) The name of the pharmacist who transferred the prescription drug order.
- (3) The original and transferred prescription(s) must be maintained for a period of two ~~years from~~ years from the date of the last refill.
- (4) Pharmacies electronically transferring a prescription drug order for the purpose of refills must maintain the same information and record keeping requirements as do pharmacies with manual, non-electronic record keeping systems.

Authority: O.C.G.A. §§ 16-13-34, 16-13-39, 26-4-27, 26-4-28, 26-4-80, 26-4-82.