**A** **BILL**

TO AMEND SECTION 40‑43‑86(P), CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, SO AS TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A SEVENTY‑TWO HOUR SUPPLY TO A THIRTY DAY SUPPLY, PROVIDED CERTAIN CONDITIONS ARE MET.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑43‑86(P) of the 1976 Code is amended to read:

“(P) If a pharmacist receives a request for a prescription refill and the pharmacist is unable to obtain refill authorization from the prescriber, the pharmacist may dispense, ~~a one‑time emergency~~ ~~refill~~ once within a twelve month period, ~~of up to~~ a ~~seventy‑two hour~~ an emergency refill of up to a thirty day supply of the prescribed medication if:

(1) the prescription is not for a controlled substance;

(2) the medication is essential to the maintenance of life or to the continuation of therapy;

(3) in the pharmacist’s professional judgment, continuing the therapy for ~~seventy‑two hours~~ up to thirty days will produce no undesirable health consequences or cause physical or mental discomfort;

(4) the pharmacist properly records the dispensing; and

(5) the dispensing pharmacist notifies the prescriber of the ~~emergency dispensing~~ refill and the amount of the refill, not to exceed a thirty day supply, within ~~seventy‑two hours~~ a reasonable time, but no later than thirty days after the ~~one‑time emergency~~ once in twelve months refill dispensing.”

SECTION 2. This act takes effect upon approval by the Governor.

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