**South Carolina General Assembly**

123rd Session, 2019-2020

**A117, R119, S16**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Rankin and Cash

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Introduced in the Senate on January 8, 2019

Introduced in the House on January 30, 2019

Last Amended on March 3, 2020

Passed by the General Assembly on March 3, 2020

Governor's Action: March 24, 2020, Signed

Summary: Emergency prescription refills

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/12/2018 Senate Prefiled

12/12/2018 Senate Referred to Committee on **Medical Affairs**

1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 45](file:///h:\sj\20190108.docx))

1/8/2019 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 45](file:///h:\sj\20190108.docx))

1/17/2019 Senate Committee report: Favorable with amendment **Medical Affairs** ([Senate Journal‑page 4](file:///h:\sj\20190117.docx))

1/24/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 28](file:///h:\sj\20190124.docx))

1/24/2019 Senate Amended ([Senate Journal‑page 28](file:///h:\sj\20190124.docx))

1/24/2019 Senate Read second time ([Senate Journal‑page 28](file:///h:\sj\20190124.docx))

1/25/2019 Scrivener's error corrected

1/29/2019 Senate Read third time and sent to House ([Senate Journal‑page 23](file:///h:\sj\20190129.docx))

1/29/2019 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 23](file:///h:\sj\20190129.docx))

1/30/2019 House Introduced and read first time ([House Journal‑page 6](file:///h:\hj\20190130.docx))

1/30/2019 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 6](file:///h:\hj\20190130.docx))

5/1/2019 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 27](file:///h:\hj\20190501.docx))

5/7/2019 House Amended ([House Journal‑page 14](file:///h:\hj\20190507.docx))

5/7/2019 House Read second time ([House Journal‑page 14](file:///h:\hj\20190507.docx))

5/7/2019 House Roll call Yeas‑106 Nays‑0 ([House Journal‑page 15](file:///h:\hj\20190507.docx))

5/8/2019 House Read third time and returned to Senate with amendments ([House Journal‑page 46](file:///h:\hj\20190508.docx))

5/9/2019 Senate Non‑concurrence in House amendment ([Senate Journal‑page 110](file:///h:\sj\20190509.docx))

5/9/2019 Senate Roll call Ayes‑0 Nays‑39 ([Senate Journal‑page 110](file:///h:\sj\20190509.docx))

1/15/2020 House House insists upon amendment and conference committee appointed Reps.  Ridgeway, Spires, and Parks ([House Journal‑page 83](file:///h:\hj\20200115.docx))

1/28/2020 Senate Conference committee appointed Alexander, Cromer, and Scott ([Senate Journal‑page 10](file:///h:\sj\20200128.docx))

2/25/2020 Senate Conference report received and adopted ([Senate Journal‑page 13](file:///h:\sj\20200225.docx))

2/25/2020 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 13](file:///h:\sj\20200225.docx))

3/3/2020 House Conference report adopted ([House Journal‑page 49](file:///h:\hj\20200303.docx))

3/3/2020 House Roll call Yeas‑106 Nays‑0 ([House Journal‑page 51](file:///h:\hj\20200303.docx))

3/4/2020 Senate Ordered enrolled for ratification ([Senate Journal‑page 8](file:///h:\sj\20200304.docx))

3/19/2020 Ratified R 119

3/24/2020 Signed By Governor

3/26/2020 Effective date 03/24/20

3/26/2020 Act No.  117

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**VERSIONS OF THIS BILL**

[12/12/2018](file:///p:\pprever\2019-20\16_20181212.docx)

[1/17/2019](file:///p:\pprever\2019-20\16_20190117.docx)

[1/25/2019](file:///p:\pprever\2019-20\16_20190125.docx)

[5/1/2019](file:///p:\pprever\2019-20\16_20190501.docx)

[5/7/2019](file:///p:\pprever\2019-20\16_20190507.docx)

[3/3/2020](file:///p:\pprever\2019-20\16_20200303.docx)

(A117, R119, S16)

**AN ACT TO AMEND SECTION 40‑43‑86, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, 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 TEN‑DAY SUPPLY TO A FOURTEEN‑DAY SUPPLY, TO PROVIDE RELATED LABELING REQUIREMENTS, AND TO PROVIDE EXCEPTIONS TO ACCOMMODATE CERTAIN PACKAGING CONSTRAINTS.**

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

**Fourteen-day supplies, labels, exceptions**

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, once within a twelve‑month period, an emergency refill of up to a fourteen‑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 up to fourteen 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 refill and the amount of the refill, not to exceed a fourteen‑day supply, within a reasonable time, but no later than ten days after the once in twelve months refill dispensing.

In the event that a pharmacist is unable to dispense an emergency refill for the time period specified in this subsection due to the medication’s packaging, the pharmacist is permitted to dispense up to a thirty‑day quantity of the medication so long as the requirements contained in this subsection are otherwise met.”

**Time effective**

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

Ratified the 19th day of March, 2020.

Approved the 24th day of March, 2020.

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