~~Indicates Matter Stricken~~

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COMMITTEE REPORT

May 1, 2019

**S. 16**

Introduced by Senators Rankin and Cash

S. Printed 5/1/19--H.

Read the first time January 30, 2019.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (S. 16) to amend Section 40-43-86(P) of the 1976 Code, relating to emergency refills of prescriptions by pharmacists, to increase the amount of a prescription that, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, Section 40‑43‑86(P)(4), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (4) the pharmacist properly records the dispensing and labels the medication package as an emergency refill; and

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**A** **BILL**

TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, 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 THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

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, once within a twelve‑month period, an emergency refill of up to a ~~ten‑day~~ 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 ~~ten~~ 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 ~~ten‑day~~ 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.”

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

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