



## **PHARMACY TRANSFER ACT**

### **SECTION 1.**

(a) At a patient's written or oral request and consistent with federal rules allowing patients to access their own medical records, current medication history shall be accessed from a real-time, electronic database to serve as an equivalent to an electronically transmitted prescription or refill order and must be documented promptly and filed by the pharmacist.

(b) A pharmacist may change the initial fill for any written, electronically transmitted, or oral prescription or refill order for a non-schedule drug not to exceed the total fill.

(c) At a patient's written or oral request, a medical practitioner shall electronically or by way of fax or phone, transmit prescription to a patient's preferred non-dispensing pharmacy network via smartphone app whereby prescription can be made available for dispensing pharmacies to retrieve and fill prescription as directed by patient.

(d) Physicians or other healthcare provider shall not restrict patient access to non-dispensing pharmacy network. If the physician or healthcare provider does not have connectivity or access to patient requested non-dispensing pharmacy network, patient may request and receive written prescription for a non-schedule drug.



(e) Patients may submit written prescription to non-dispensing pharmacy network via facsimile, photo, or other self-initiated means of electronic capture for a non-schedule drug.

(f) Dispensing pharmacies may retrieve prescriptions and dispense per patient request from non-dispensing pharmacy networks through electronic transmission

(g) Non-dispensing pharmacy networks must maintain records of all inbound and outbound routing activities of prescriptions for minimum of 7 years

(h) For electronic transmission of prescription order of a Schedule II, III, IV, or V controlled substance under the U.S. Controlled Substances Act, the medical practitioner and pharmacy shall ensure that the transmission complies with any security or other requirements of federal law.

(i) All electronic transmissions shall comply with all the security requirements of state or federal law related to the privacy of protected health information.