

**Department of Health  
Pharmacy Quality Assurance Commission**

# Guidance Document

<i>Title:</i>	Emergency Schedule II Oral Prescriptions Guidelines	<i>Number:</i>	G005
<i>References:</i>	WAC 246-945-010(6)		
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<i>Approved By:</i>	Teri Ferreira, RPh Chair, Pharmacy Quality Assurance Commission		

The Pharmacy Quality Assurance Commission (commission) will not find licensees deficient or take enforcement action against licensees for violations of WAC 246-945-010(6)(b) if they dispense an emergency prescription for a schedule II controlled substance in compliance with the United States Drug Enforcement Administration's guidance [DEA-DC-21: Emergency CII Call In Exception](#) (DEA's Guidance), dated March 27, 2020.

The DEA's Guidance creates two temporary exceptions to federal laws regulating oral prescriptions for a schedule II controlled substance.

Firstly, the DEA's Guidance permits a prescribing practitioner fifteen (15) days to deliver a follow-up prescription to a pharmacy for an emergency oral prescription for a schedule II controlled substance (current federal regulation only permits a practitioner seven (7) days to deliver a follow-up prescription, 21 C.F.R. § 1306.11(d)(4)).

Secondly, the DEA's Guidance permits a prescribing practitioner to send a follow-up prescription to a pharmacy for an emergency oral prescription for a schedule II controlled substance via facsimile, or to take a photograph or scan of this follow-up prescription and send the photograph or scan to the pharmacy in place of the paper prescription (current federal regulations only permit a practitioner to send the follow-up prescription as the original hard-copy prescription or as an electronic prescription, 21 C.F.R. § 1306.11(d)(4)).

The commission's current rules are in conflict with the two exceptions recognized in the DEA's Guidance. Specifically, WAC 246-945-010(6)(b) requires a prescribing practitioner to deliver "a

signed prescription to the dispenser within seven days after authorizing an emergency oral prescription or if delivered by mail it must be postmarked within the seven day period.” This guidance document makes clear that licensees of the commission will not be found deficient or subject to enforcement action for violating the requirements in WAC 246-948-010(6)(b) if they comply with the DEA’s Guidance.

This guidance document will remain in effect until either the DEA’s Guidance is withdrawn or the commission withdraws this guidance document at a meeting, whichever comes first.