

3/11/2019

### **AB 149 Provides Transition Period for Law Requiring New Security Prescription Forms**

The Governor has signed [AB 149](#), which provides a transition period for implementing a new law requiring new security prescription forms for prescriptions for controlled substances. The bill is an urgency measure that takes effect immediately.

AB 149 is intended to resolve problems unintentionally created by [AB 1753](#) (Low, Chapter 794, Statutes of 2018), which reduced the number of authorized security printers approved by the Department of Justice (DOJ) and required security prescription forms to have unique serialized numbers. AB 1753 took effect Jan. 1, 2019.

However, not all prescribers have been able to obtain the security prescription forms required by the law. As a result, some pharmacists were caught in a difficult position having to decide whether to provide needed medication for patients or comply with the new law.

In response, the Board of Pharmacy announced that before July 1, 2019, it would not make AB 1753 an enforcement a priority against any pharmacist who, in the exercise of professional judgment, determined that it is in the best interest of the patient or public health or safety to nonetheless fill noncompliant prescriptions.

Since then, AB 149 has been passed by the Legislature and signed by Governor Gavin Newsom. AB 149 delays the requirement for prescription forms with uniquely serialized numbers until a date to be determined by DOJ but no later than Jan. 1, 2020.

AB 149 also declares that any prescription written on a form that was otherwise valid before Jan. 1, 2019, or was written on a form approved by DOJ as of Jan. 1, 2019, is valid and may be filled, compounded or dispensed until Jan. 1, 2021. In addition, AB 149 authorizes DOJ to extend this period for no longer than six additional months if the supply of compliant security prescription forms is inadequate.

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