

DEPARTMENT OF CONSUMER AFFAIRS
Title 16. Board of Pharmacy

SECOND MODIFIED REGULATORY LANGUAGE
Central Fill Pharmacies

Proposed changes to the current regulation language are shown by ~~strikethrough~~ for deleted language and underline for added language.

Modified text changes to the proposed language are shown by ~~double-strikethrough~~ for deleted language and double underline for added language.

The second modified regulation text to the regulation text is indicated with a ~~bold~~ **double-strikethrough** for deletions and a **bold double underline** for additions.

Amend Section 1707.4 of Article 2 of Division 17 of Title 16 of the California Code of Regulations to read as follows:

§ 1707.4. Procedures for ~~Refill~~ Central Fill Pharmacies.

- (a) For purposes of this section, a central fill pharmacy is defined as a California-licensed pharmacy that, pursuant to a contract or on behalf of a pharmacy under common ownership, prepares and packages prescriptions for dispensing to another pharmacy to dispense to the patient.
- (b) For the purposes of this section, the originating pharmacy is defined as the pharmacy that received the patient's initial prescription and dispenses the medication to the patient.
- (c) A central fill pharmacy ~~located in California and~~ licensed by the ~~B~~board may process a request for ~~refill~~ of a prescription medication received by a ~~another~~ pharmacy ~~within this state~~, provided:
 - (1) The pharmacy that is to ~~refill~~ the prescription medication either has a contract with the pharmacy which received the prescription or has the same owner as the other pharmacy.
 - (2) The prescription container:
 - (A) is clearly labeled with all information required by ~~S~~sections 4076 and 4076.5 of the Business and Professions Code; and
 - (B) as applicable, clearly shows the name and address of the central fill pharmacy refilling the prescription medication and/or the name and address of the originating pharmacy which receives the refilled prescription medication to dispense to the patient. Nothing in this subsection should be interpreted as preventing inclusion of the name and address of both pharmacies.
 - (3) The patient is provided with written information indicating that the prescription was filled at a central fill pharmacy, and written or electronic information, either on the prescription label or with the prescription container, that describes which pharmacy to contact if the patient has any questions about the prescription or medication.
 - (4) Both pharmacies maintain complete and accurate records ~~of the refill~~, including:

- (A) the name of the pharmacist who refilled the prescription;
- (B) the name of the pharmacy refilling the prescription; and
- (C) the name of the pharmacy that received the prescription refill request.
- (5) ~~The central fill pharmacy which refills the prescription and the originating pharmacy to which receives the refilled prescription is provided for dispensing to the patient~~ shall each be responsible for ensuring the order has been properly filled. Pharmacists working at the originating pharmacy may perform final product verification prior to dispensing, including through review of images of the final product in lieu of physical visual verification. A pharmacist shall not be required to perform final product verification where product verification by a pharmacist is performed at the time of stocking the automated dispensing device, if the dispensing device is not further accessed by pharmacy personnel, and the medication is dispensed into a labeled container (with a label that meets the requirements set forth in section 1707.5 of this Article).
- (6) The originating pharmacy is responsible for compliance with the requirements set forth in ~~Sections~~ 1707.1, 1707.2, and 1707.3 of the California Code of Regulations.
- ~~(b) Nothing in this section shall be construed as barring a pharmacy from also filling new prescriptions presented by a patient or a patient's agent or transmitted to it by a prescriber.~~
- (d) For controlled substances: To the extent permitted by Federal law, a central fill pharmacy may process a request for prescription medication received by another pharmacy.
- (e) Nothing in this section shall be construed as barring a pharmacy from also filling prescriptions through a mail order pharmacy model that fills prescriptions and delivers prescriptions directly to patients through any mail service, or from operating under the common electronic file provisions established in section 1717.1 of this Article.

NOTE: Authority cited: Section 4005, Business and Professions Code. Reference: Sections 4063, 4076, 4076.5, 4081, and 4333, Business and Professions Code.