

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-3411 of the Code of Virginia, relating to prescription refills;*  
3 *insulin; authority of pharmacists to refill prescriptions.*

4 [H 2139]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-3411 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-3411. When prescriptions may be refilled.**

9 Prescriptions may be refilled as follows:

10 1. A prescription for a drug in Schedule II may not be refilled.

11 2. A prescription for a drug in Schedules III or IV may not be filled or refilled more than six months  
12 after the date on which such prescription was issued and no such prescription may be authorized to be  
13 refilled, nor be refilled, more than five times, except that any prescription for such a drug after six  
14 months from the date of issue, or after being refilled five times, may be renewed by the prescriber  
15 issuing it either in writing, or orally, if promptly reduced to writing and filed by the pharmacist filling  
16 it.

17 3. A prescription in Schedule VI may not be refilled, unless authorized by the prescriber either on  
18 the face of the original prescription or orally by the prescriber except as provided in subdivision 4 of  
19 ~~this section~~. Oral instructions shall be reduced promptly to writing by the pharmacist and filed on or  
20 with the original prescription.

21 4. A prescription for a drug controlled by Schedule VI, *including insulin*, may be refilled without  
22 authorization from the prescriber if reasonable effort has been made to communicate with the prescriber,  
23 and the pharmacist has determined that he is not available and the patient's health would be in imminent  
24 danger without the benefits of the drug. *Authorization to refill under this subdivision also exists when*  
25 *the pharmacist only has access to the label on a prescription container.* The pharmacist shall inform the  
26 patient of the prescriber's unavailability and that the refill is being made without his authorization. The  
27 pharmacist shall promptly inform the prescriber of such refill. The date and quantity of the refill, the  
28 prescriber's unavailability, and the rationale for the refill shall be noted on the reverse side of the  
29 prescription.

ENROLLED

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