Pharmacy Quality Assurance Commission
POLICY/PROCEDURE


Number: 55

Reference: RCW 69.50.308(d); WAC 246-887-020(7); 21 CFR § 1306.13; and the Comprehensive Addiction and Recovery Act of 2016, Pub. L. No. 114-198, 130 Stat 695.

Contact:

Effective Date: May 12, 2017

Supersedes:

Approved: Chairperson, Pharmacy Quality Assurance Commission

POLICY STATEMENT:
The Pharmacy Commission has determined that a pharmacist using due diligence and following the provisions of the Comprehensive Addiction and Recovery Act of 2016, Pub. L. No. 114-198, 130 Stat 695 (CARA), may do a partial fill of a schedule II controlled substance prescription.

A prescription for a controlled substance in Schedule II may be partially filled if:

- It is not prohibited by state law;
- The prescription is written and filled in accordance with CARA, regulations prescribed by the attorney general, and state law;
- The partial fill is requested by the patient or the practitioner who wrote the prescription; and
- The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed. (21 U.S.C. § 829(f)(1)).

The remaining portions of a partially filled prescription for a controlled substance in Schedule II:

- May be filled; and
- Shall be filled within **30 days** from the date on which the prescription is written. (21 U.S.C. § 829(f)(2)(A)).
At the May 12, 2017 meeting the Pharmacy Commission determined that while RCW 69.50.308(d) and WAC 246-887-020(7) prohibit a REFILL of a controlled substance these laws are silent on a partial fill as described in CARA and is therefore not prohibited. Further, this creates an opportunity for increased dialogue with practitioners and patients, and provides for enhanced patient safety.

Note: CARA does not affect the partial filling of prescriptions currently permitted under 21 C.F.R. § 1306.13.

**Background:**

In 2016, the federal Comprehensive Addiction Recovery Act (CARA) was passed. Section 702 of CARA allows for the partial fill of a schedule II drug if requested by a practitioner or a patient. This was created to reduce the number of unused drugs left in medicine cabinets that are prone to potential diversion for abuse. This federal law allows the patient or prescriber to request a partial fill as long as the total number dispensed does not exceed the total prescribed, and the partial fills are completed within 30 days. CARA did not repeal or replace federal regulations that currently permit the partial filling of prescriptions i.e. 21 C.F.R. §1306.13.

The following example is provided:

A patient comes into the pharmacy after a procedure with a prescription for 60 tablets of a Schedule II medication. On the face of the prescription, the prescriber instructed the pharmacist to initially dispense a partial fill of only 20 of the 60 tablets. May the pharmacist provide a partial fill of the prescription?

Yes.

CARA aims to address unused medications by allowing for the partial fill of prescriptions and supporting the efficient disposal of medications no longer needed by patients. According to CARA, a prescription for a controlled substance in Schedule II may be partially filled if, following the assessment and drug utilization review by the pharmacist, and if the provisions of CARA listed above are met, a partial fill may be dispensed. The documentation should be clear that the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed and that no partial fills are dispensed later that 30 days from the date on which the prescription was written (original date).

Because the law is silent on partial fills, the pharmacy commission determined that a partial fill following the provisions of CARA is not prohibited by Washington State.