
Subject: New Prescribing Laws Take Effect January 1, 2022

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From: Board of Pharmacy News and Information on behalf of California State Board of Pharmacy

New Prescribing Laws Take Effect January 1, 2022

The California State Board of Pharmacy is reminding licensees of the upcoming e-prescribing requirements established by [Assembly Bill \(AB\) 2789 \(Wood, 2018\)](#).

Beginning January 1, 2022, most prescriptions issued by a licensed healthcare practitioner to a California pharmacy must be submitted electronically. This includes prescriptions issued by out-of-state healthcare practitioners to be filled in a California pharmacy.

The law provides certain exemptions, including prescriptions issued by veterinarians. Additional exemptions include if the prescription is dispensed by a pharmacy located outside California; or if the prescription is issued to a patient who has a terminal illness pursuant to [section 11159.2](#) of the Health and Safety Code. The complete list of exemptions is included within [Business and Professions Code section 688](#). **A pharmacist who receives a written, oral, or faxed prescription shall not be required to verify that the prescriptions falls under one of the exceptions.**

In addition to the electronic transmission requirements for prescriptions, there are new requirements for controlled substance prescriptions. Under this law, a healthcare practitioner who does not issue a controlled substance prescription as an electronic data transmission prescription due to technological or electrical failure shall document the reason in the patient's medical record as soon as practicable and within 72 hours of the end of the technological or electrical failure.

Although most prescriptions will be issued electronically, the Board recommends that all licensed prescribers have paper prescription forms available that meet the requirements of [AB 149](#) should a technological or electrical failure prevent a prescription from being issued electronically. A list of the approved security prescription printers is available on the [State Attorney General's website](#).

Additional Resources:

- For additional information about the e-prescribing requirements, please visit the [California Legislation Information webpage - AB 2769](#).
- For information about the Drug Enforcement Administration's Electronic Prescriptions for Controlled Substances procedures, visit https://www.deadiversion.usdoj.gov/ecommm/e_rx/index.html.
- For the California State Board of Pharmacy's Electronic Data Transmission Prescriptions (E-Prescriptions) FAQ, visit <https://pharmacy.ca.gov/licensees/erx-faq.shtml>.

Please note the Board is unable to recommend or suggest what products or services will comply with the law.

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