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**Subject:** Statement Regarding Dispensing Prescriptions Not Transmitted Electronically

**Date:** Friday, January 7, 2022 at 3:22:31 PM Eastern Standard Time

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

## Statement Regarding Dispensing Prescriptions Not Transmitted Electronically

The California State Board of Pharmacy has received reports of pharmacists refusing to fill prescriptions not transmitted electronically since provisions of Business and Profession Code (BPC) [section 688](#) – which requires most prescriptions to be issued and received as electronic data prescriptions (or e-prescriptions) – took effect January 1, 2022.

Licensees are reminded that BPC section 688(i) states pharmacists **are not** required to verify that a written, oral, or faxed prescription falls under one of the exceptions of the e-prescription law. In addition, BPC section 688(i) states pharmacists **may** continue to dispense medications from legally valid written, oral, or faxed prescriptions pursuant to law. Thus, under BPC section 688, pharmacists can fill a legally valid written, oral or faxed prescription if the only issue is that the prescription was not received electronically. When deciding whether to refuse to dispense an otherwise legally valid written, oral or faxed prescription solely because it was not transmitted electronically, a pharmacist should consider the impact on the patient and continuity of care.

This information is discussed in question no. 3 of [E-Prescribing FAQs](#) posted on the Board's website at Licensees > Important Information for Licensees > Frequently Asked Questions > [E-Prescribing FAQs](#). Licensees are reminded to consult the FAQs as well as an article about e-prescribing in the [September 2021 issue](#) of The Script.

Questions about e-prescribing requirements also may be directed to a Board inspector by email at [ask.inspector@dca.ca.gov](mailto:ask.inspector@dca.ca.gov), by phone at (916) 518-3100, and by fax at (916) 574-8618.

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