



Missouri Department of Health and Senior Services

P.O. Box 570, Jefferson City, MO 65102-0570 Phone: 573-751-6400 FAX: 573-751-6010
RELAY MISSOURI for Hearing and Speech Impaired 1-800-735-2966 VOICE 1-800-735-2466



**Title 19-DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30-Regulation and Licensure
Chapter 1-Controlled Substances**

IN ADDITION

EMERGENCY WAIVER OF CONTROLLED SUBSTANCE REQUIREMENTS

WHEREAS, severe weather on May 22, 2011, created a condition of distress and hazards to the safety and welfare of the citizens of the Joplin; and

WHEREAS, Executive Order 11-09 was issued on May 20, extending the declaration of the State of Emergency within the state of Missouri; and

WHEREAS, Executive Order 11-10 was issued on May 24, 2011, vesting the Director of the Department of Health and Senior Services with discretion to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under its purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period.

WHEREAS, Section 195.041, RSMo authorizes the Department of Health and Senior Services to waive the registration and record-keeping requirements set forth in sections 195.010 to 195.100 and their attendant regulations if the department determines such a waiver would be in the best interest of the public health; and

WHEREAS, the Department of Health and Senior Services has determined a waiver of the following controlled substance registration and record-keeping requirements, as found in 19 CSR 30-1041 through 19 CSR 30-1078, are in the best interest of the public health under the conditions as described below:

1. Individual practitioners registered with the Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs (hereinafter "BNDD") in Joplin may stock, administer and dispense controlled substances at locations other than their primary registered location without having obtained a separate controlled substance registration for those locations from BNDD for the purposes of providing medical treatment to persons affected by the emergency;
2. Registered practitioners whose registration expires during the period of the declared state of emergency may continue controlled substance activities provided application for a new registration is made within thirty (30) days of the termination of Executive Order 11-10;
3. Registration for licensed individual practitioners, such as physicians, dentists, optometrists, podiatrists, and veterinarians, entering Missouri to provide medical care and treatment pursuant to mutual aid agreements during the state of emergency shall be waived provided the practitioner has controlled substance authority in another state and from the United States Drug Enforcement Administration.

www.dhss.mo.gov

Healthy Missourians for life.

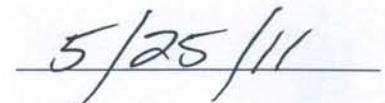
The Missouri Department of Health and Senior Services will be the leader in promoting, protecting and partnering for health.

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER: Services provided on a nondiscriminatory basis.

4. Practitioners in the designation shall attempt to write a complete prescription, pursuant to Section 195.060, RSMo, but if information is not available at the time of prescribing, those items may be omitted from the prescription. Because patient information, such as address, may not be complete, pharmacy labels, pursuant to Section 195.100.5, RSMo shall contain as much information as possible, but may omit information as needed.
5. In the event a controlled substance is lost and not accounted for, the practitioner is not required to notify the Missouri Bureau of Narcotics and Dangerous Drugs immediately upon discovery and submit investigative reports within 7 days. Losses during the state of emergency should be reported to the bureau within 15 days after the state of emergency has ended.
6. A pharmacy may dispense a refill for controlled substances in Schedules II, III, IV and V, if the patient attempts a good faith effort to bring proof of their prescription such as a receipt or empty bottle or other documentation if at all possible. The pharmacist should make a good faith effort to contact previous prescribers or pharmacies to verify the controlled substance prescription information. In the event the pharmacist cannot verify previous information, the pharmacist may use their professional discretion to dispense up to a 30-day supply of controlled substances in Schedules II, III, IV and V. The dispensing pharmacist would treat this as a transfer from another pharmacy. These dispensings must be approved by a pharmacist and may occur at any location where a pharmacist is dispensing in Missouri, whether it is a retail pharmacy, clinic, emergency shelter or any licensed facility.
7. The waivers for prescribing, dispensing and administering of controlled substances to patients, as described above shall follow persons from the affected area in the event they are displaced to another region of Missouri that is not directly impacted by the state of emergency.

Having received notice that a state of emergency has been declared under Section 44.010, RSMo, the Missouri Department of Health and Senior Services waives and suspends the Missouri controlled substance requirements as described above pursuant to Executive Order 11-10 and Section 195.041, RSMo.


Margaret Donnelly, Director
On Behalf of the Missouri Department of Health and Senior Services


Date

Anyone with questions may contact Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, (573) 751-6321, Michael.Boeger@health.mo.gov.