



Missouri Department of Health and Senior Services

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Sarah Willson
Director

Mike Kehoe
Governor

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 storm systems impacted the State of Missouri starting on March 14, 2025, resulting in damages associated with tornadoes, straight line winds, large hail, fires, heavy rains, flash flooding, and riverine flooding, resulting in loss of life as well as damage to homes, businesses, public infrastructure, and electrical transmission lines across the state; and

WHEREAS, Executive Order 25-19 was issued on March 14, 2025, declaring a State of Emergency within the state of Missouri; and

WHEREAS, Executive Order 25-19 was subsequently extended by Executive Order 25-22 and Executive Order 25-23; and

WHEREAS, Executive Order 25-24 was issued on May 20, 2025, 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, relating to the prescribing and dispensing of controlled substance medications; and

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 finds that it is in the best interest of the public health that the controlled substance requirements found in sections 195.010 to 195.100 and their attendant regulations, and the prescription restriction found in section 195.060, RSMo, should be waived or suspended to allow pharmacists, who are otherwise properly registered with the Bureau of Narcotics and Dangerous Drugs (BNDD) and the federal Drug Enforcement Administration (DEA), to fill a controlled substance prescription without the presentation of a written prescription the extent that the registrant pharmacist otherwise complies the conditions set forth below:

1. Missouri controlled substance registrants may contact the Department's Bureau of Narcotics and Dangerous Drugs to report damages, evacuations, and make requests for delays in any required reporting such as changes of address, loss of records, or losses of medications.
2. A pharmacist shall use discretion and professional judgment in dispensing refills of controlled substance prescriptions for individuals impacted by the Spring storms of March through May 2025. The dispensing may occur at any location where a pharmacist is dispensing in Missouri, whether it is a retail pharmacy, clinic, emergency shelter or any other licensed facility.

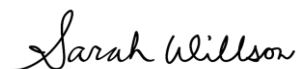
PROMOTING HEALTH AND SAFETY

The Missouri Department of Health and Senior Services' vision is optimal health and safety for all Missourians, in all communities, for life.

- A. If an individual from the affected area requests a refill of medication, the pharmacist shall first make an attempt to contact the original prescriber for authorization to dispense the medication. Licensees should utilize adequate measures to prevent fraudulent prescription activity.
 - B. If the pharmacist is unable to contact the prescriber to obtain the prescriber's authorization as outlined above, the pharmacist may dispense up to a one-time thirty (30) day emergency refill of controlled substance medication without authorization from the prescriber to the individual affected by the current disaster if, in the pharmacist's professional judgment:
 - i) Dispensing the refill is essential to the individual's health and safety, the maintenance of life, or the continuation of a prescribed therapy for a chronic condition, and
 - ii) An interruption of therapy might reasonably produce undesirable health consequences or may cause physical or mental discomfort.
 - C. If medication is dispensed pursuant to this Emergency Waiver, a pharmacist shall create a prescription with the original prescriber designated as the prescriber. The prescriptions shall be marked "emergency prescription refill" and shall be filed and maintained as required by Missouri law for prescriptions. The prescription shall be entered into the Missouri's state prescription monitoring database.
 - D. The pharmacist shall inform the patient at the time of dispensing that the prescription refill is being provided without the prescriber's authorization and that authorization of the licensed practitioner is required for future refills.
 - E. The dispensing pharmacist shall attempt to notify the prescribing practitioner of the emergency refill within a reasonable time after such dispensing.
3. The provisions of this Emergency Waiver shall expire on June 30, 2025, unless extended in whole or in part by the Governor by further Executive Order.

Note: The Department understands that the Missouri Board of Pharmacy will be issuing separate guidance for the dispensing of prescription legend drugs that are not controlled substances. The department's authority in this waiver is limited to controlled substances only.

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 25-24 and Section 195.041, RSMo.



Sarah Willson, Director
Missouri Department of Health and Senior Services

5-22-2025

Date

Anyone with questions may contact Mr. E.J. Jackson, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, (573) 751-6321, or email the Bureau at BNDD@health.mo.gov