



SENATE BILL 290: Allow Early Refills of Prescription Eye Drops

2015-2016 General Assembly

| | | | |
|-----------------------|--|---------------------|-------------------------------------|
| Committee: | Senate Re-ref to Health Care. If fav, re-ref to Appropriations/Base Budget | Date: | March 27, 2015 |
| Introduced by: | Sen. Curtis | Prepared by: | Amy Jo Johnson Committee Counsel |
| Analysis of: | First Edition | | |

SUMMARY: *Senate Bill 290 amends the Pharmacy Practice Act to authorize pharmacists to dispense early refills of prescription eye drops.*

CURRENT LAW:

Article 4A of Chapter 90 regulates the practice of pharmacy. G.S. 90-85.32 directs the North Carolina Board of Pharmacy (Board) to adopt rules governing the filling, refilling and transfer of prescription orders that are not inconsistent with other provisions of the law regulating drugs and devices. The statute specifies that the rules must assure the safe and secure distribution of drugs and devices.

The Board adopted 21 NCAC 46.1802(a) that deal with the frequency of prescription refills. It reads as follows:

- (a) Authorization for prescription refills is presumed to be within the prescribed dosage or normal therapeutic use. Refilling prescriptions more frequently than the prescribed dosage would require, or refilling prescriptions in significant excess of normal therapeutic use, may be considered as negligence under G.S. 90-85.38(a)(9).

BILL ANALYSIS:

Senate Bill 290 would direct the Board of Pharmacy to adopt rules that allow for early eye drop prescription refills by pharmacists. The bill would direct the Board to adopt rules accounting for the two following scenarios:

- Filling or refilling a prescription at 70% of the predicted number of days of use **without** obtaining authorization from the prescriber.
- Filling or refilling a prescription earlier than 70% of the predicted number of days **with** an authorization from the prescriber for patients who have difficulty using the product.

BACKGROUND: According to the American Glaucoma Society¹ over 2/3 of patients have trouble administering a single drop of prescription eye medications. Dosages for prescription eye medications are generally based upon drops.

As an example of an instance of early eye drop refills, Medicare guidelines allow for patients to obtain eye drop refills at 70% of the predicted use of days. Thus, people on Medicare are able to refill eye drop prescriptions on day 21 for a 30-day prescription.

EFFECTIVE DATE: This act becomes effective October 1, 2015.

¹ www.americanglaucomasociety.net/patients/position_statements/glaucoma_eye_drop_availability

