



States that Require ID Prior to Dispensing Controlled Substances or Non-Controlled Prescription Drugs

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This compilation is limited to statutes and regulations relative to prescription drugs or controlled substances and does not include either of the following: (1) purchases and dispensations of over-the-counter (“OTC”) medicines that do not contain a controlled substance; or (2) prescription monitoring programs (“PMP”) that require a dispenser to submit a patient identifier to a central repository, except in circumstances when the dispenser is required to review identification (“ID”) prior to dispensing as a component of compliance with a PMP). Do note that this summary is applicable to pseudoephedrine purchases in states where it is either treated as a controlled substance or a prescription is required.

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Alabama | Ala.Code § 20-2-190(c)-(d) | A prospective purchaser of an OTC product containing ephedrine or pseudoephedrine must have a prescription for the product if they reside in (or show ID from) a state that requires a prescription for such product (e.g., Mississippi and Oregon). In that case, the purchaser must be at least 18 years of age and provide: (1) a valid, unsuspended driver’s license or non-driver identification card issued by that state; (2) a United States Uniformed Services Privilege and Identification Card; or (3) a United States or foreign passport. |
| Alaska | | |
| Arizona | A.R.S. § 36-2525(J)(4) | With respect to a controlled substance that is listed in Arizona Schedule III, IV or V and that does not require a prescription order, the “pharmacist, pharmacy intern or graduate intern requires every purchaser of a controlled substance under this subsection not known to that person to furnish suitable identification, including proof of age [at least age 18] where appropriate.” |
| Arkansas | A.C.A. § 17-92-410 | “(a) The proprietor [of the pharmacy] shall at all times keep in his or her place of business a record book in which shall be entered all sales of the following (b)(1) The record shall show in parallel columns: date of sale, name of article sold, quantity of article sold, purpose for which sold, name or initial of dispenser, and the signature and address of the purchaser. * * * (2) If the purchaser is a person not known to the seller, the seller shall require necessary identification to determine the true name and address of the purchaser.” |

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| Arkansas | A.C.A. § 5-64-1103 | An out-of-state purchaser of an ephedrine combination product, pseudoephedrine or phenylpropanolamine who does not have a U.S. Department of Defense active duty card must have a prescription to purchase those products. Such a purchaser must be at least age 18 and provide proof of age using “any document issued by a governmental agency which . . . [c]ontains a description of the person or a photograph of the person, or both, and gives the persons’ date of birth.” These substances are each Schedule V substances in Arkansas, however the classification does not apply to any ephedrine or pseudoephedrine in liquid, liquid capsule or liquid gel capsule form.” |
| Arkansas | Ark. Admin. Code 070.00.7-07-04-0007 | “A controlled substance listed in Schedule V which is not a prescription drug as determined under the Federal Food, Drug, and Cosmetic Act, may be dispensed by a pharmacist without a prescription to a purchaser at retail, provided that: * * * (d) The pharmacist requires every purchaser of a controlled substance under this section not known to him to furnish suitable identification (including proof of age where appropriate).” |
| California | Cal.Bus. & Prof.Code § 4075 | “No prescription for a controlled substance transmitted by means of an oral or electronically transmitted order shall be furnished to any person unknown and unable to properly establish his or her identity.” |
| Colorado | | |
| Connecticut | C.G.S.A. § 20-612a | “A pharmacist licensed pursuant to this chapter or his or her agent shall require the presentation of valid photographic identification prior to releasing a controlled substance to any person not known to such pharmacist. The provisions of this section shall not apply in an institutional setting or to a long-term care facility, including, but not limited to, an assisted living facility or a hospital.” |

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| Delaware | 24 Del. Admin. Code CSA 4.0 | <p>“4.10.1 The pharmacist and/or an employee under his/her direct supervision must verify the identification of the receiver of the controlled substance prescription by reference to valid photographic identification. For the purposes of this section, a valid photographic identification is limited to the following:</p> <p>4.10.1.1 A valid Delaware motor vehicle operator’s license which contains a photograph of the person receiving the prescription -- record the license number listed on the license as part of the patient record.</p> <p>4.10.1.2 A valid Delaware identification card which contains the photograph of the person receiving the prescription - record the identification number listed on the card as part of the patient record.</p> <p>4.10.1.3 A valid United States passport.</p> <p>4.10.1.4 A valid passport or motor vehicle operator’s license or state identification card of another state, territory or possession of the United States or a foreign country only if it:</p> <p>4.10.1.4.1 Contains a photograph of the person receiving the prescription.</p> <p>4.10.1.4.2 Is encased in tamper-resistant plastic or is otherwise tamper-resistant.</p> <p>4.10.1.4.3 Identifies the date of birth of the person receiving the prescription and has an identification number assigned to the document which can be recorded as part of the patient record.</p> <p>4.10.2 Identification for mail order dispensed controlled substances must comply with all federal standards.”</p> |
| District of Columbia | 22-B DCMR § 1314 | <p>“A controlled substance listed in Schedule II, III, IV or V which is not a prescription drug as determined under the Federal Food, Drug, and Cosmetic Act, may be dispensed by a pharmacist without a prescription to a purchaser at retail; provided, that the following occurs:</p> <p>* * *</p> <p>(c) The purchaser is at least eighteen (18) years of age;</p> <p>(d) The pharmacist requires every purchaser of a controlled substance under this section not known to him or her to furnish suitable identification (including proof of age where appropriate).”</p> |

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| Florida | F.S.A. § 893.04 | <p>“(b) Any pharmacist who dispenses by mail a controlled substance listed in Schedule II, Schedule III, or Schedule IV is exempt from the requirement to obtain suitable identification for the prescription dispensed by mail if the pharmacist has obtained the patient’s identification through the patient’s prescription benefit plan. * * *</p> <p>(d) . . . If the prescriber is not available to verify a prescription, the pharmacist may dispense the controlled substance but may insist that the person to whom the controlled substance is dispensed provide valid photographic identification.”</p> |
| Florida | F.S.A. § 893.055 (14) | <p>“A pharmacist, pharmacy, or dispensing health care practitioner or his or her agent, before releasing a controlled substance to any person not known to such dispenser, shall require the person purchasing, receiving, or otherwise acquiring the controlled substance to present valid photographic identification or other verification of his or her identity to the dispenser. If the person does not have proper identification, the dispenser may verify the validity of the prescription and the identity of the patient with the prescriber or his or her authorized agent. Verification of health plan eligibility through a real-time inquiry or adjudication system will be considered to be proper identification. This subsection does not apply in an institutional setting or to a long-term care facility, including, but not limited to, an assisted living facility or a hospital to which patients are admitted. As used in this subsection, the term “proper identification” means an identification that is issued by a state or the Federal Government containing the person’s photograph, printed name, and signature or a document considered acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).”</p> |
| Georgia | Ga. Code Ann., § 26-4-80(1) | <p>“A pharmacist shall require a person picking up a Schedule II controlled substance prescription to present a government issued photo identification document or such other form of identification which documents legibly the full name of the person taking possession of the Schedule II controlled substance subject to the rules adopted by the board.”</p> |

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| Georgia | Ga Comp. R. & Regs. 480-19-.03(b)(2)(C) | Pseudoephedrine is an “Exempt Schedule V Controlled Substance” that may be purchased OTC. “A registered pharmacist, or pharmacy intern or pharmacy extern acting under the direct supervision of a registered pharmacist may personally, or may direct designated pharmacy to, ask the patient to produce a photo identification issued by a state or the federal government to use in verifying that the patient’s name on the photo identification matches the name the patient wrote in the logbook; No exempt Schedule V pseudoephedrine containing drug product can be sold to a patient unless they present appropriate identification.” |
| Hawaii | HRS § 329-41(a)(6) | <p>It is unlawful for anyone who “is a practitioner or pharmacist to dispense a controlled substance to any individual not known to the practitioner or pharmacist, except under the following circumstances:</p> <p>(A) When dispensing a controlled substance directly to an individual, the practitioner or pharmacist shall first obtain and document, in a log book or an electronic database, the full name, identification number, identification type, and signature, whether by actual signature or by electronic signature capture device, of the individual obtaining the controlled substance. If the individual does not have any form of proper identification, the pharmacist shall verify the validity of the prescription and identity of the patient with the prescriber, or their authorized agent, before dispensing the controlled substance.</p> <p>* * *</p> <p>For the purpose of this section, ‘proper identification’ means government-issued identification containing the photograph, printed name, identification number, and signature of the individual obtaining the controlled substance.”</p> |

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| Idaho | IDAPA 27.01.01.200 | <p>“A potential recipient of a controlled substance must first be positively identified or the controlled substance must not be dispensed. (3-21-12)</p> <p>01. Positive Identification Presumed. Positive identification is presumed and presentation of identification is not required if dispensing directly to the patient and if: (3-21-12) (a) the controlled substance will be paid for, in whole or in part, by an insurer; or (3-21-12); (b) the patient is being treated at an institutional facility or is housed in a correctional facility. (4-4-13); or (c) the filled prescription is delivered to the patient’s residence either by mail, common carrier, or an employee of the pharmacy. (4-4-13)</p> <p>02. Personal Identification. Presentation of identification is also not required if the individual receiving the controlled substance is personally and positively known by a pharmacy or prescriber drug outlet staff member who is present and identifies the individual and the personal identification is documented by recording: (3-21-12) (a) the recipient’s name (if other than the patient); (3-21-12); (b) a notation indicating that the recipient was known to the staff member; and (3-21-12); and (c) the identity of the staff member making the personal identification. (3-21-12)</p> <p>03. Acceptable Identification. The identification presented must include an unaltered photograph and signature and acceptable forms include: (3-20-14) (a) a valid U.S. state or U.S. military driver’s license or identification card; (3-20-14); (b) a Western Hemisphere Travel Initiative (WHTI) compliant document (i.e., Enhanced Driver’s License (EDL) or Nexus Air Card); (3-20-14); (c) a valid passport; and (3-20-14); and (d) a U.S. passport card (PASS Card). (3-20-14).”</p> |
| Illinois | 720 ILCS 570/312(a), (c) (continued below) | <p>When dispensing controlled substances, “a pharmacy shall maintain a policy regarding the type of identification necessary, if any, to receive a prescription in accordance with State and federal law. The pharmacy must post such information where prescriptions are filled.</p> <p>* * *</p> |

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| Illinois (continued) | 720 ILCS 570/312(a), (c) | (c) Except for any non-prescription targeted methamphetamine precursor regulated by the Methamphetamine Precursor Control Act, a controlled substance included in Schedule V shall not be distributed or dispensed other than for a medical purpose and not for the purpose of evading this Act, and then: * * * (2) only personally by a pharmacist, and then only to a person over 21 years of age who has identified himself or herself to the pharmacist by means of 2 positive documents of identification.” |
| Indiana | IC 35-48-7-8.1(c) | “A pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance may not dispense a controlled substance to a person who is not personally known to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance unless the person taking possession of the controlled substance provides documented proof of the person’s identification to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance.” |
| Iowa | I.C.A. §§ 124.212 to 124.213; 124.401; 126.23A to 126.23B; and 714.7C | Subject to certain exceptions, ephedrine and pseudoephedrine are Schedule V controlled substances that do not require a prescription to dispense. When a pseudoephedrine product is purchased at a pharmacy, the purchaser must be age 18 or older and produce a government-issued photo ID card. |
| Kansas | K.S.A. 65-1643(j)(1)(B) | A controlled substance may not be dispensed in a pharmacy unless “any person purchasing, receiving or otherwise acquiring any such controlled substance produces a photo identification showing the date of birth of the person and signs a log and enters in the log, or allows the seller to enter in the log, such person’s address and the date and time of sale or allows the seller to enter such information into an electronic logging system pursuant to K.S.A. 65-16,102, and amendments thereto.” |

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| Kansas | K.S.A. §§ 21-5709, 21-5710, 65-16,101, 65-4113, 65-1643 and 65-16,101 through 65-16,108. | Ephedrine and pseudoephedrine are Schedule V substances that may only be purchased in a pharmacy and dispensed by a licensed pharmacist, a registered pharmacy technician or a pharmacy intern or clerk supervised by a licensed pharmacist. A prospective purchaser must be at least age 18 and must provide a photo ID showing date of birth. |
| Kentucky | 902 Ky. Admin. Regs. 55:110 | <p>“Section 5. Patient Identification Number. (1) A patient or the person obtaining the controlled substance on behalf of the patient shall disclose to the dispenser the patient’s Social Security number for purposes of the dispenser’s mandatory reporting to KASPER.</p> <p>(2) If a patient is an adult who does not have a Social Security number, the patient’s driver’s license number shall be disclosed.</p> <p>(3) If a patient is an adult who has not been assigned a Social Security number or a driver’s license number, the number 000-00-0000 shall be used in the Social Security field.</p> <p>(4) If a patient is a child who does not have a Social Security number or a driver’s license number, the number “000-00-0000” shall be used in the Social Security field.</p> <p>(5) If a patient is an animal, the number “000-00-0000” shall be used in the Social Security number field.”</p> |
| Louisiana | LSA-R.S. 40:971(E) | “Every pharmacy in which a controlled dangerous substance is physically obtained by a patient or a patient’s agent shall require every person purchasing, receiving, or otherwise acquiring any controlled dangerous substance to produce a photo identification card, unless the patient or the patient’s agent is known to the pharmacist. The person purchasing, receiving, or otherwise acquiring the controlled dangerous substance prescription does not have to be the specific patient to whom the prescription is issued.” |

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| Louisiana | La. Admin Code. tit. 46, pt. LIII, § 2747 (D) | <p>“Dispensing Controlled Substances without a Prescription. A controlled substance listed in Schedule II, III, IV, or V which is not a prescription drug as determined under the Federal Food, Drug, and Cosmetic Act may be dispensed by a pharmacist without a prescription to a purchaser at retail, provided that:</p> <p>* * *</p> <p>3. the purchaser is at least 18 years of age;</p> <p>4. the pharmacist requires every purchaser of a controlled substance under this paragraph not known to him to furnish suitable identification (including proof of age where appropriate).”</p> |
| Louisiana | LSA-R.S. §§ 40:962.1.1 and 40:1049.1 to 40:1049.11 | <p>Any product that contains any quantity of ephedrine, pseudoephedrine or phenylpropanolamine is a Schedule V substance in Louisiana, unless the substance is listed in another schedule. Products may be dispensed, sold or distributed only by a licensed pharmacist, certified pharmacy technician or pharmacy employee permitted by the Louisiana Board of Pharmacy. Prospective purchasers must provide federal or state issued photo ID that would be acceptable under 8 CFR § 274a.2(b)(1)(v)(A) and (B) (documents that verify identity and employment authorization).</p> |
| Maine | 32 M.R.S.A. § 13786-A(2)-(3) (continued below) | <p>“2. Out-of-state prescription security requirements. Notwithstanding any law or rule to the contrary, a prescription for a schedule II drug written by an out-of-state practitioner on a prescription blank that does not comply with the requirements for a security prescription blank, as defined in the Department of Public Safety rule pursuant to subsection 1, may be filled by a pharmacist only if:</p> <p>* * *</p> |

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| Maine (continued) | 32 M.R.S.A. § 13786-A(2)-(3) | <p>B. The pharmacist demands, inspects and records a valid photographic identification from any person presenting a prescription or receiving a filled prescription unless:</p> <p>(1) The person is the patient for whom the prescription is written; (2) The person’s identity is personally known to the pharmacist; and (3) The pharmacist confirms by reviewing the pharmacy records that the pharmacist has previously demanded, inspected and recorded a valid photographic identification from the person.</p> <p>3. Valid photographic identification. For the purposes of subsection 2, a valid photographic identification is limited to the following: (A). A valid Maine motor vehicle operator’s license; (B). A valid Maine identification card issued under Title 29-A, section 1410; (C). A valid United States passport; or (D). A valid passport or motor vehicle operator’s license of another state, territory or possession of the United States or a foreign country only if it: (1) Contains a photograph of the person presenting the prescription; (2) Is encased in tamper-resistant plastic or is otherwise tamper-resistant; and (3) Identifies the date of birth of the person presenting the prescription.”</p> |
| Maine | 32 M.R.S.A. § 13795(1) (continued below) | <p>“As a precondition to filling any prescription, dispensing any drug or selling any targeted methamphetamine precursor, a pharmacist or person acting at the direction of a pharmacist may demand, inspect and record proof of identification, including valid photographic identification, from any patient presenting a prescription or any person acting on behalf of the patient or person purchasing a targeted methamphetamine precursor. Valid photographic identification includes but is not limited to the following:</p> <p>A. A valid Maine motor vehicle operator’s license; B. A valid Maine identification card issued under Title 29-A, section 1410; C. A valid United States passport;</p> |

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| Maine (continued) | 32 M.R.S.A. § 13795(1) | <p>D. A valid passport, motor vehicle operator’s license of another state, territory, possession or foreign country or official identification card issued by the United States Government only if it: (1) Contains a photograph of the person presenting the identification; (2) Is encased in tamper-resistant plastic or otherwise possesses indicia of tamper-resistance; and (3) Identifies the person’s date of birth; or</p> <p>E. Other valid, tamper-resistant, photographic identification as provided in rules adopted by the board pursuant to section 13722, subsection 1, paragraph A and in accordance with Title 5, chapter 375.”</p> |
| Maryland | | |
| Massachusetts | 105 CMR 700.001; 105 CMR 701.004 | <p>“Customer Identifier means the identification number on a valid government issued identification, as specified by the Department, which a pharmacy obtains by inspecting the identification of the ultimate user or agent of the ultimate user to whom a prescription is dispensed.”</p> <p>* * *</p> <p>(A) A pharmacy shall require that a customer identifier, as defined in 105 CMR 700.001: Definitions, be presented by the ultimate user or agent of the ultimate user to whom a prescription for a controlled substance in Schedules II through V, or a controlled substance classified as an additional drug in accordance with 105 CMR 700.012(A)(1), is dispensed.”</p> <p>(B) The pharmacy may dispense a controlled substance in Schedules II through V or an additional drug without meeting the requirement in 105 CMR 701.004(A), provided that: (1) the pharmacy has reason to believe that the failure to dispense the controlled substance or additional drug would result in a serious hardship for the ultimate user or agent of the ultimate user, and documents the reason; and (2) the ultimate user or agent of the ultimate user prints his or her name and address on the reverse side of the prescription and signs his or her name thereto.”</p> |

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| Michigan | Mich. Admin. Code R. 338.3162(2) | “A pharmacist shall require positive identification of individuals to whom controlled substances are dispensed or delivered when the individual is not known to the pharmacist or pharmacy employees. The following provide for waiver of this requirement: (a) when positive identification is not available and a pharmacist, who in exercising his or her professional judgment, determines that a delay in dispensing the controlled substance may be detrimental to a patient; (b) Subdivision (a) of this subrule does not exempt a pharmacist from the requirement to submit a patient identifier, as defined in R 338.3102(1)(f).” |
| Minnesota | M.S.A. § 152.11(2d) | “Identification requirement for Schedule II or III controlled substance prescriptions. (a) No person may dispense a controlled substance included in Schedule II or III without requiring the person purchasing the controlled substance, who need not be the person for whom the controlled substance prescription is written, to present valid photographic identification, unless the person purchasing the controlled substance, or if applicable the person for whom the controlled substance prescription is written, is known to the dispenser. (b) This subdivision applies only to purchases of controlled substances that are not covered, in whole or in part, by a health plan company or other third-party payor.” |
| Minnesota | M.S.A. §§ 152.02, 152.0262 and 152.135. | Any compound, mixture, or preparation containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients is a Schedule V substance in Minnesota. Although listed in Schedule V, OTC sales of methamphetamine precursor drugs are allowed in cases of: (1) packages containing not more than a total of three grams of one or more methamphetamine precursor drugs, calculated in terms of ephedrine base or pseudoephedrine base; or (2) for nonliquid products, sales in blister packs, where each blister contains not more than two dosage units, or, if the use of blister packs is not technically feasible, sales in unit dose packets or pouches. Products can be offered for sale only by a licensed pharmacist, a registered pharmacy technician or a pharmacy clerk to persons aged 18 or older who provide photo ID showing the buyer’s date of birth. |

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| Mississippi | Miss. Admin. Code 30-20-3001:VIII (2) | <p>“Patient Records: A. A patient record system shall be maintained by all pharmacies for patients for whom prescription drug orders are dispensed. The patient record system shall provide for the immediate retrieval of information necessary for the dispensing pharmacist to identify previously dispensed drugs at the time a prescription drug order is presented for dispensing. The pharmacist or the pharmacist’s agent shall make a reasonable effort to obtain, record, and maintain the following information: (1) Full name of the patient for whom the drug is intended; (2) Address and telephone number of the patient; (3) Patient’s age or date of birth; (4) Patient’s gender”</p> |
| Mississippi | Miss. Admin. Code 30-20-3001:XVIII (2) | <p>“A controlled substance in Schedule V which is not a prescription drug may be dispensed pursuant to a valid prescription or it may be dispensed without a prescription provided that: * * *</p> <p>F. The purchaser furnishes to the pharmacist identification which shall include the purchaser’s name, address and date of birth. The purchaser must be at least eighteen (18) years of age.”</p> |
| Missouri | 19 Mo. Code of State Regulations 30-1.074(3) | <p>“Methamphetamine precursor products may be sold, dispensed, distributed, or otherwise provided only as follows:</p> <p>(A) Products that are designated Schedule V controlled substances which contain any detectable amount of pseudoephedrine, ephedrine, phenylpropanolamine, their salts or optical isomers, or salts of their optical isomers may be sold, distributed, or otherwise provided only by a pharmacist or pharmacy ancillary personnel as authorized by the Missouri State Board of Pharmacy; * * *</p> <p>(D) Methamphetamine precursor products regulated by Missouri law as controlled substances shall only be sold to customers eighteen (18) years of age or older who present a valid photo identification.”</p> |

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| Missouri | 20 Mo. Code of State Regulations 2220-2.900(L) | <p>“Any pharmacy that maintains an automated system for remote dispensing to ambulatory patients must maintain a video camera and audio system to provide for effective communication between pharmacy personnel and consumers. It must be a system that will allow for the appropriate exchange of oral as well as written communications to facilitate patient counseling as provided in 20 CSR 2220-2.190 and other matters involved in the correct transaction or provision of drugs.</p> <p>1. Video monitors used for the proper identification and communication with persons receiving prescription drugs shall be a minimum of twelve inches (12”) wide and provided at both the pharmacy and remote location for direct visual contact between pharmacist and patient.</p> <p>* * *</p> <p>3. Backlighting or other factors that may inhibit video or audio performance must be taken into account when using such systems to identify recipients of prescription drugs. Positive identification of recipients must be made before any drug is delivered.”</p> |
| Montana | MCA §§ 44-4-1001 to 1005 and 50-32-501 to 50-32-503; Mont.Admin.R. 23.12.801 to 23.12.807. | Schedule IV in Montana includes any material, compound, mixture, or preparation that contains any quantity of ephedrine having a stimulant effect on the central nervous system, including its salts, enantiomers (optical isomers), and salts of enantiomers (optical isomers) when ephedrine is the only active medicinal ingredient or is used in combination with therapeutically insignificant quantities of another active medicinal ingredient. Retail sales of ephedrine or pseudoephedrine may occur in one of two places: (1) a licensed pharmacy; or (2) if there is no licensed community pharmacy within a county, then at a certified retail establishment in that county. A prospective purchaser must produce a valid driver’s license or other form of valid government-issued photo ID. |
| Nebraska | | |

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| Nevada | N.R.S. 453.431(2) | “A person shall not furnish a false name or address while attempting to obtain a controlled substance or a prescription for a controlled substance. A person prescribing, administering or dispensing a controlled substance may request proper identification from a person requesting controlled substances.” |
| Nevada | NAC 639.748 | <p>“1. Except as otherwise provided in this section, an employee of a pharmacy who is authorized to dispense controlled substances shall, before dispensing a controlled substance pursuant to a lawful prescription, request the person to whom the controlled substance will be dispensed to present a current form of identification issued by a federal, state or local governmental agency that contains a photograph of the person. The employee shall not dispense the controlled substance if: (a) That person does not present such identification; or (b) The employee reasonably believes that the identification presented has been altered or is false or otherwise invalid.</p> <p>2. The provisions of subsection 1 do not apply if: (a) The prescription is paid for, in whole or in part, by an insurer; (b) The prescription is for a patient who has had a prescription for the same controlled substance previously filled by the pharmacy; or (c) The pharmacy is a part of the health care facility where the patient is being treated.</p> <p>3. The employee shall: (a) Make a photocopy of the identification presented to the employee; or (b) Record the full name of the person to whom the controlled substance is dispensed and the identification number indicated on his or her identification, if any, on the prescription, the refill log, the counseling log, a computer record related to the patient or any other document that is readily retrievable.”</p> |
| New Hampshire | | |

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| New Jersey | N.J.S.A. 45:1-46.1(a)(2)(b) | “A pharmacist shall not dispense a prescription to a person other than the patient for whom the prescription is intended, unless the person picking up the prescription provides personal identification to the pharmacist, and the pharmacist, as required by subsection b. of section 25 of P.L.2007, c. 244 (C.45:1-45), inputs that identifying information into the Prescription Monitoring Program if the pharmacist has a reasonable belief that the person may be seeking a controlled dangerous substance, in whole or in part, for any reason other than delivering the substance to the patient for the treatment of an existing medical condition. The provisions of this subparagraph shall not take effect until the director determines that the Prescription Monitoring Program has the technical capacity to accept such information.” |
| New Mexico | N.M. Admin. Code 16.19.20.42(G) | “A pharmacy employee must verify the identity of the patient or the patient’s representative before a new prescription for a controlled substance listed in Schedule II, III, or IV, is delivered. Acceptable identification means a state issued driver’s license, including photo, or other government issued photo identification. The identification number of the government issued identification and the name imprinted on that identification must be recorded in a manner to be determined by a written policy developed by the pharmacist-in-charge. Exceptions are, a new controlled substance prescription filled for a patient known to the pharmacist or pharmacist intern, whose identification has already been documented in a manner determined by a written policy developed by the pharmacist-in-charge; a controlled substance prescription filled for home delivery; or a controlled substance prescription filled for and delivered to a licensed facility.” |
| New Mexico | N.M Stat. Ann. § 30-31-10; N.M. Admin. Code §§ 16.19.20 and 16.19.21. | A product that contains any detectable quantity of pseudoephedrine is in Schedule V, but pseudoephedrine products in liquid form including liquid filled gel caps and pseudoephedrine products already classified as dangerous drugs are excluded. Such products may only be sold at a pharmacy’s place of business. A prospective purchaser must produce a driver’s license or other government-issued photo identification showing the date of birth of the person. |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| New York | 10 NYCRR 80.73(e) | “A pharmacy shall make a good faith effort to verify the identity of any person accepting delivery of a dispensed prescription for a [Schedule II] controlled substance by requiring such person, if unknown to the pharmacy, to present appropriate identification.” |
| New York | 10 NYCRR 80.74(f) | “A pharmacy shall make a good faith effort to verify the identity of any person accepting delivery of a dispensed prescription for a [Schedule III, IV or V] controlled substance by requiring such person, if unknown to the pharmacy, to present appropriate identification.” |
| North Carolina | N.C.G.S.A. § 90-106.1 | <p>“(a) Immediately prior to dispensing a Schedule II controlled substance, or any of the Schedule III controlled substances listed in subdivisions 1. through 8. of G.S. 90-91(d), each pharmacy holding a valid permit pursuant to G.S. 90-85.21 shall require the person seeking the dispensation to present one of the following valid, unexpired forms of government-issued photographic identification: (i) a drivers license, (ii) a special identification card issued under G.S. 20-37.7, (iii) a military identification card, or (iv) a passport. Upon presentation of the required photographic identification, the pharmacy shall document the name of the person seeking the dispensation, the type of photographic identification presented by the person seeking the dispensation, and the photographic identification number. The pharmacy shall retain this identifying information on the premises or at a central location apart from the premises as part of its business records for a period of three years following dispensation.”</p> <p style="text-align: center;">* * *</p> <p>(c) Nothing in this section shall be deemed to require that the person seeking the dispensation and the person to whom the prescription is issued be the same person, and nothing in this section shall apply to the dispensation of controlled substances to employees of “health care facilities”, as that term is defined in G.S. 131E-256(b), when the controlled substances are delivered to the health care facilities for the benefit of residents or patients of such health care facilities.”</p> |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| North Carolina | 21 NCAC 46.1817 | <p>“(a) As a precondition to filling any prescription or dispensing any drug, a pharmacist or person acting at the direction of a pharmacist may demand, inspect and record proof of identification, including valid photographic identification, from any patient presenting a prescription or any person acting on behalf of the patient. Valid photographic identification includes but is not limited to the following: (1) A valid motor vehicle operator’s license; (2) A valid identification card; (3) A valid United States passport; or (4) Other valid, tamper-resistant, photographic identification.</p> <p>(b) A pharmacist or person acting at the direction of a pharmacist may exercise discretion and refuse to fill any prescription or dispense any drug if unsatisfied as to the legitimacy or appropriateness of any prescription presented, the validity of any photographic identification or the identity of any patient presenting a prescription or any person acting on behalf of the patient. Refusal to fill pursuant to this Paragraph shall be noted on the prescription by the pharmacist or person acting at the direction of a pharmacist.”</p> |
| North Dakota | NDAC 61-04-03.1-01 | <p>“Pharmacists, pharmacy interns, pharmacy technicians, and clerical personnel are required to obtain positive identification if they are unsure of the identity of the person picking up a prescription for any controlled substance, tramadol, or carisoprodol. Positive identification means a document issued by a governmental agency which:</p> <ol style="list-style-type: none"> 1. Contains a description of the person or a photograph of the person, or both; and 2. Includes, but is not limited to, a passport, military identification card, or driver’s license.” |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Ohio | OAC 4729-11-09 (A)-(C) | <p>“A schedule V controlled substance product which is not a prescription drug as determined under the “Federal Food, Drug and Cosmetic Act” may be sold at retail by a pharmacist without a prescription to a purchaser at retail provided that:</p> <p>(A) The sale is made only by a pharmacist or a pharmacy intern under the direct supervision of a pharmacist and not by a nonpharmacist employee even if under the supervision of a pharmacist (although after the pharmacist has fulfilled his professional and legal responsibilities in this section, the actual cash, credit transaction, or delivery may be completed by a nonpharmacist).</p> <p>(B) The purchaser is at least eighteen years of age.</p> <p>(C) The pharmacist requires every purchaser of a controlled substance under this rule not known to him to furnish suitable identification (including proof of age where appropriate).”</p> |
| Oklahoma | 63 Okl.St. Ann. § 2-309B(7) (continue below) | <p>“‘Recipient’s identification number’ and ‘recipient’s agent’s identification number’ means the unique number contained on a valid passport, military identification card, driver license, or identification card issued to a recipient pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes or similar statute of another state if the recipient is not a resident of the State of Oklahoma, or, if the recipient is less than eighteen (18) years old and has no such identification, the unique number contained on a valid passport, military identification card, driver license, or identification card issued to the recipient’s parent or guardian pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes or similar statute of another state if the parent or guardian is not a resident of the State of Oklahoma, or, if the controlled dangerous substance is obtained for an animal, the unique number contained on the animal owner’s valid driver license or identification card issued pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes or similar statute of another state if the owner is not a resident of the State of Oklahoma.”</p> |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Oklahoma (continued) | 63 Okl.St. Ann. § 2-309B(7) | Nonresident drug outlets registered pursuant to the Oklahoma Pharmacy Act and resident drug outlets defined in Section 353.1 of Title 59 of the Oklahoma Statutes are exempt from the picture identification requirement if the nonresident and resident drug outlets have obtained the identification of the patient through the prescription benefit plan of the patient.” |
| Oklahoma | Okla. Admin. Code 475:30-1-6(d) | “In case of an emergency situation, as defined by the Oklahoma State Board of Pharmacy pursuant to Title 63 Okl.St. Ann. §2-309, and Title 21 Code of Federal Regulations, §1306.11, the pharmacist of a registered or otherwise authorized pharmacy may dispense a controlled dangerous substance listed in Schedule II upon receiving oral authorization of a prescribing registered individual; PROVIDED that: * * * (4) In emergency situations, reasonable effort must be made to determine the identity of the person picking up the prescription if that person is not known to the pharmacist.” |
| Oklahoma | Okla. Admin. Code 475:30-1-14 | “A controlled dangerous substance listed in Schedule V which is not a prescription drug as determined by the Oklahoma State Board of Pharmacy and/or the Federal Food and Drug Administration, may be dispensed by a pharmacy without a prescription to a purchaser at retail level; PROVIDED that: * * * (6) The pharmacy requires every purchaser of controlled dangerous substances under this Chapter not known to him/her to furnish suitable identification (including proof of age where appropriate).” |
| Oklahoma | Okla. Admin. Code 475:30-1-15 | “Pharmacists are required to obtain valid identification as required by Title 63 § 2-309C if they are unsure of the identity of a person picking up a prescription for any controlled dangerous substance.” |
| Oregon | OAR 855-019-0210(3) | “A pharmacist may refuse to dispense a prescription to any person who lacks proper identification.” |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Pennsylvania | 28 Pa. Code § 25.57 | <p>“A controlled substance listed in Schedules III, IV, or V which is not a prescription drug as determined under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 301--392, may be dispensed without a prescription to a purchaser at retail provided that the following conditions are met: * * *</p> <p>(3) The purchaser is at least 18 years of age. (4) The pharmacist requires every purchaser of a controlled substance listed in Schedule V not known to him to furnish suitable identification, including proof of age where appropriate.”</p> |
| Rhode Island | | |
| South Carolina | Code 1976 § 44-53-360(i) | <p>“Excepting a mail order prescription dispensed in compliance with Chapter 43 of Title 40 for which the dispenser requires proper identification of the recipient, a prescription for a controlled substance in Schedules II through V may not be filled unless the dispenser knows the recipient or requires the recipient to produce a government issued photo identification, and the dispenser notes the identification source and number on the prescription, or in a readily retrievable log including: (1) prescription number; (2) date prescription filled; (3) number and type of identification; [and] (4) initials of person obtaining and recording information.”</p> |
| South Carolina | S.C. Code of Regulations R. 61-4.1208 | <p>“A controlled substance in Schedule V, which is not a prescription drug as determined under the Act, may be dispensed by a pharmacist without a prescription to a purchaser at retail, provided that: * * *</p> <p>(c) The purchaser is at least 18 years of age; (d) The pharmacist requires every purchaser of a controlled substance listed in Schedule V not known to him or her to furnish suitable identification (including proof of age where appropriate).”</p> |
| South Dakota | | |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Tennessee | T. C. A. § 53-11-310 (a)-(b) | <p>“(a) Prior to an authorized dispenser dispensing a prescription for any Schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol medication for greater than a seven-day supply, a pharmacist, pharmacy technician, pharmacy intern, or any other person authorized to dispense controlled substances shall require the person taking possession of the dispensed prescription to present a valid government issued identification or public or private insurance card, unless the person is personally known to the pharmacist, pharmacy technician, pharmacy intern or any other person authorized to dispense controlled substances. The identification requirements described in subsection (a) shall apply to all authorized dispensers who dispense Schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, and carisoprodol medications for greater than a seven-day supply.</p> <p>(b) Should any person who is a minor or who is homeless seek to take possession of a dispensed prescription for a Schedule II-IV opioid, benzodiazepine, zolpidem, barbiturate, or carisoprodol medication not have a valid identification, the pharmacist, pharmacy technician, pharmacy intern or any other person authorized to dispense controlled substances shall use professional judgment in determining whether to dispense the prescription to the person.”</p> |
| Texas | V.T.C.A., Health & Safety Code § 481.074 (continued below) | <p>“(a) A pharmacist may not:</p> <p>* * *</p> <p>(5) permit the delivery of a controlled substance to any person not known to the pharmacist, the pharmacist intern, or the person authorized by the pharmacist to deliver the controlled substance without first requiring identification of the person taking possession of the controlled substance, except as provided by Subsection (n).”</p> <p>* * *</p> |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Texas (continued) | V.T.C.A., Health & Safety Code § 481.074 | “(n) A pharmacist may permit the delivery of a controlled substance to a person not known to the pharmacist, a pharmacist intern, or the authorized delivery person without first requiring the identification of the person to whom the controlled substance is delivered if the pharmacist determines that an emergency exists and that the controlled substance is needed for the immediate well-being of the patient for whom the controlled substance is prescribed. If a pharmacist permits delivery of a controlled substance under this subsection, the pharmacist shall retain in the records of the pharmacy for a period of not less than two years all information relevant to the delivery known to the pharmacist, including the name, address, and date of birth or age of the person to whom the controlled substance is delivered.” |
| Utah | U.C.A. 1953 § 58-37f-203(3) | “The pharmacist described in Subsection (2) shall, for each controlled substance dispensed by a pharmacist under the pharmacist’s supervision other than those dispensed for an inpatient at a health care facility, submit to the division the following information: * * * (e) positive identification of the individual receiving the prescription, including the type of identification and any identifying numbers on the identification.” |
| Vermont | 18 V.S.A. § 4215b (continued below) | “Only a patient for whom a prescription was written, the owner of an animal for which a prescription was written, or a bona fide representative of the patient or animal owner, as defined by the Board of Pharmacy by rule after consultation with the Commissioner of Health, may pick up a prescription for a Schedule II, III, or IV controlled substance. Prior to dispensing a prescription for a Schedule II, III, or IV controlled substance to a patient not personally known to the pharmacist, the pharmacist shall require the individual receiving the drug to provide a signature and show valid and current government-issued photographic identification as evidence that the individual is the patient for whom the prescription was written, the owner of the animal for which the prescription was written, or the bona fide representative of the patient or animal owner.” |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Vermont (continued) | 18 V.S.A. § 4215b | “If the individual does not have valid, current government-issued photographic identification, the pharmacist may request alternative evidence of the individual’s identity, as appropriate.” |
| Virginia | Va. Code Ann. § 54.1-3420.1 | <p>“A. Before dispensing any drug listed on Schedules III through V, a pharmacist may require proof of identity from any patient presenting a prescription or requesting a refill of a prescription.</p> <p>B. A pharmacist, or his agent, shall require proof of identity at the time of delivery from any person seeking to take delivery of any drug listed on Schedule II pursuant to a valid prescription, unless such person is known to the pharmacist or to his agent. If the person seeking to take delivery of a drug listed on Schedule II pursuant to a valid prescription is not the patient for whom the drug is prescribed, and the person is not known to the pharmacist or his agent, the pharmacist or his agent shall either make a photocopy or electronic copy of such person’s identification or record the full name and address of such person. The pharmacist shall keep records of the names and addresses or copies of proof of identity of persons taking delivery of drugs as required by this subsection for a period of at least one month. For the purposes of this subsection, ‘proof of identity’ means a driver’s license, government-issued identification card, or other photo identification along with documentation of the person’s current address.”</p> |
| Washington | WAC 246-470-030(3) | <p>“Submitting data. A dispenser shall submit data to the department electronically, not later than one week from the date of dispensing, and in the format required by the department.</p> <p>(a) A dispenser shall submit for each dispensing the following information and any additional information required by the department:</p> <p>* * *</p> <p>(xv) When practicable, the name of person picking up or dropping off the prescription, as verified by valid photographic identification.”</p> |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Washington | WAC 246-919-854(2) | “After [a pain management] treatment begins the physician should adjust drug therapy to the individual health needs of the patient. The physician shall include indications for medication use on the prescription and require photo identification of the person picking up the prescription in order to fill. The physician shall advise the patient that it is the patient’s responsibility to safeguard all medications and keep them in a secure location.” |
| West Virginia | W. Va. Code St. R. § 15-1-14(14.7.5) | “Completed prescription orders shall be bagged and kept in the pharmacy and cannot be removed from the pharmacy unless the pharmacist is present and the removal is for the immediate delivery to the patient, person picking up the prescription for the patient, or person delivering the prescription to the patient at his or her residence or similar place. If the person other than the patient is unknown to the pharmacist then his or her identity shall be established by photo identification card.” |
| West Virginia | W. Va. Code, § 60A-9-4a | “Prior to releasing a Schedule II, III, or IV controlled substance sold at retail, a pharmacist or pharmacy shall verify the full legal name, address and birth date of the person picking up the controlled substance dispensed by requiring the presentation of a valid government-issued photo identification card. This information shall be reported in accordance with the provisions of this article.” |
| West Virginia | W. Va. Code §§ 60A-2-212, 60A-10-4, 60A-10-5. | A person purchasing any product containing as its single active ingredient ephedrine, pseudoephedrine, or phenylpropanolamine (Schedule V substances) at retail must be at least age 18 and must show identification documenting their date of birth. This does not apply to products which are for pediatric use primarily intended for administration to children under the age of 12. |

| <u>State</u> | <u>Statute or Regulation</u> | <u>Identification Required</u> |
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| Wisconsin | W.S.A. 450.11(1b) | <p>“(b) Except as provided under par. (e), a controlled substance included in schedule II or III of ch. 961 may not be dispensed, and may not be delivered to a representative of the ultimate user, without an identification card belonging to the person to whom the drug is being dispensed or delivered. * * *</p> <p>(e) No identification card is required under par. (b) if any of the following applies:</p> <ol style="list-style-type: none"> 1. The drug is administered or dispensed directly to the ultimate user by a practitioner. 2. The pharmacist or other person dispensing or delivering the drug has personal knowledge of the person to whom the drug is dispensed or delivered and that the person is the ultimate user or the ultimate user’s authorized representative. 3. The drug is delivered to a health care facility to be administered in the health care facility.” |
| Wisconsin | Wis. Stat. Ann. §§ 961.01, 961.22, 961.23, 961.235, 961.41, 961.43, 961.452, 961.253 | Pseudoephedrine is a Schedule V substance that may only be sold at a retail establishment by a registered pharmacist or by a person who is working under the direction of a registered pharmacist. A prospective purchaser must be at least age 18 and present an identification card containing the person’s photograph. |
| Wyoming | WY Rules and Regulations AI PDSC Ch. 6 s 7(a) | “The pharmacist or employee under supervision must verify the identity of the person presenting a controlled substance prescription to the pharmacy for dispensing. This may be done by visual recognition. If identity is not established by visual recognition, a driver’s license or similar photo identification form is considered acceptable documentation. The following information must be recorded on the reverse of the prescription, if identification is utilized: name, type of identification, and identification number.” |