

States That Require an ID from a Recipient Prior to Dispensing Prescriptions



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Connecticut

Connecticut General Statutes Annotated

Title 20. Professional and Occupational Licensing, Certification, Title Protection and Registration. Examining Boards

Chapter 400J. Pharmacy

Part III. Practice of Pharmacy

§ 20-612a. Confirmation of identification prior to release of controlled substance. Exceptions

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.

Delaware

Delaware Administrative Code

Title 24. Regulated Professions and Occupations

Uncodified Regulations

Uniform Controlled Substances Act Regulations

CSA 4.0. Prescriptions

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4.10 Pursuant to authority granted by 16 Del.C. § 4732 the Secretary of State finds that waiver of the registration requirements contained in that section as to non-resident practitioners is consistent with the public health and safety subject to the conditions contained in this regulation. Pharmacists may dispense controlled substances pursuant to a prescription written by a non-resident practitioner (who is not registered under 16 Del.C. Ch. 47) provided that:

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4.10.2 The pharmacist and/or an employee under his/her direct supervision must verify the identification of the bearer and receiver of the controlled substance prescription by reference to valid photographic identification and record the unique number associated with the valid photographic identification as part of the prescription record. For the purposes of this section, a valid photographic identification is limited to the following:

4.10.2.1 A valid Delaware motor vehicle operator's license which contains a photograph of the person presenting the prescription - record the license number listed on the license as part of the prescription record.

4.10.2.2 A valid Delaware identification card which contains the photograph of the person presenting the prescription - record the identification number listed on the card as part of the prescription record.

4.10.2.3 A valid United States passport.

4.10.2.4 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:

4.10.2.4.1 Contains a photograph of the person presenting the prescription:

4.10.2.4.2 Is encased in tamper-resistant plastic or is otherwise tamper-resistant.

4.10.2.4.3 Identifies the date of birth of the person presenting the prescription and has an identification number assigned to the document which can be recorded as part of the prescription record.

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4.12 The pharmacist and/or an employee under his/her supervision must also verify the identity of the person receiving a dispensed controlled substance at the time it is transferred to that person. The manner in which valid photographic identification is verified and recorded shall be the same as provided in 4.10.2.

Florida

Florida Statutes Annotated

Title XLVI. Crimes (Chapters 775-899)

Chapter 893. Drug Abuse Prevention and Control

893.04. Pharmacist and practitioner

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(2)...

(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.

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(d) Each written prescription prescribed by a practitioner in this state for a controlled substance listed in Schedule II, Schedule III, or Schedule IV must include both a written and a numerical notation of the quantity of the controlled substance prescribed on the face of the prescription and a notation of the date, with the abbreviated month written out on the face of the prescription. A pharmacist may, upon verification by the prescriber, document any information required by this paragraph. 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. If a prescription includes a numerical notation of the quantity of the controlled substance or date, but does not include the quantity or date written out in textual format, the pharmacist may dispense the controlled substance without verification by the prescriber of the quantity or date if the pharmacy previously dispensed another prescription for the person to whom the prescription was written.

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Florida Statutes Annotated

Title XLVI. Crimes (Chapters 775-899)

Chapter 893. Drug Abuse Prevention and Control

893.08. Exceptions

(1) The following may be distributed at retail without a prescription, but only by a registered pharmacist:

(a) Any compound, mixture, or preparation described in Schedule V.

(b) Any compound, mixture, or preparation containing any depressant or stimulant substance described in s. 893.03(2)(a) or (c) except any amphetamine drug or sympathomimetic amine drug or compound designated as a Schedule II controlled substance pursuant to this chapter; in s. 893.03(3)(a); or in Schedule IV, if:

1. The compound, mixture, or preparation contains one or more active medicinal ingredients not having depressant or stimulant effect on the central nervous system, and

2. Such ingredients are included therein in such combinations, quantity, proportion, or concentration as to vitiate the potential for abuse of the controlled substances which do have a depressant or stimulant effect on the central nervous system.

(2) No compound, mixture, or preparation may be dispensed under subsection (1) unless such substance may, under the Federal Food, Drug, and Cosmetic Act, be lawfully sold at retail without a prescription.

(3) The exemptions authorized by this section shall be subject to the following conditions:

(a) The compounds, mixtures, and preparations referred to in subsection (1) may be dispensed to persons under age 18 only on prescription. A bound volume must be maintained as a record of sale at retail of excepted compounds, mixtures, and preparations, and the pharmacist must require suitable identification from every unknown purchaser.

(3) The exemptions authorized by this section shall be subject to the following conditions:

(a) The compounds, mixtures, and preparations referred to in subsection (1) may be dispensed to persons under age 18 only on prescription. A bound volume must be maintained as a record of sale at retail of excepted compounds, mixtures, and preparations, and the pharmacist must require suitable identification from every unknown purchaser.

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Florida Administrative Code

Title 64. Department of Health

Subtitle 64B16. Board of Pharmacy

Chapter 64B16-27. Pharmacy Practice

64B16-27.831. Standards of Practice for the Dispensing of Controlled Substances for Treatment of

Pain.

(1) An order purporting to be a prescription that is not issued for a legitimate medical purpose is not a prescription and the pharmacist knowingly filling such a purported prescription shall be subject to penalties for violations of the law.

(2) The following criteria shall cause a pharmacist to question whether a prescription was issued for a legitimate medical purpose:

- (a) Frequent loss of controlled substance medications;
- (b) Only controlled substance medications are prescribed for a patient;
- (c) One person presents controlled substance prescriptions with different patient names;
- (d) Same or similar controlled substance medication is prescribed by two or more prescribers at same time;
- (e) Patient always pays cash and always insists on brand name product.

(3) If any of the criteria in subsection (2) is met, the pharmacist shall:

- (a) Require that the person to whom the medication is dispensed provide picture identification and the pharmacist should photocopy such picture identification for the pharmacist's records. If a photocopier is not available, the pharmacist should document on the back of the prescription complete descriptive information from the picture identification. If the person to whom medication is dispensed has no picture identification, the pharmacist should confirm the person's identity and document on the back of the prescription complete information on which the confirmation is based.

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(6) Any pharmacist that dispenses a controlled substance subject to the requirements of this rule when dispensed by mail shall be exempt from the requirements to obtain suitable identification.

Georgia

Code of Georgia Annotated

Title 26. Food, Drugs, and Cosmetics

Chapter 4. Pharmacists and Pharmacies

Article 5. Prescription Drugs

§ 26-4-80. Filling and refilling of prescriptions; dispensing without prescription under certain circumstances

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(l) A Schedule II controlled substance prescription drug order in written form signed in indelible ink by the practitioner may be accepted by a pharmacist and the Schedule II controlled substance may be dispensed by such pharmacist. Other forms of Schedule II controlled substance prescription drug orders may be accepted by a pharmacist and the Schedule II controlled substance may be dispensed by such pharmacist in accordance with regulations promulgated by the board and in accordance with DEA regulations found in 21 C.F.R. 1306. 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.

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Hawaii

Hawai'i Revised Statutes Annotated

Division 1. Government

Title 19. Health

Chapter 328. Food, Drugs, and Cosmetics

Part I. Hawaii Food, Drug, and Cosmetic Act

§ 328-17.6. Out-of-state prescriptions

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(c) Any pharmacist or medical oxygen distributor who fills or refills a prescription from an out-of-state practitioner shall:

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(3) Demand proper identification from the person whose name appears on the prescription prior to filling the prescription, in addition to complying with any identification procedures established by the department for filling and refilling an out-of-state prescription.

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Hawai'i Revised Statutes Annotated

Division 1. Government

Title 19. Health

Chapter 329. Uniform Controlled Substances Act

Part III. Regulation of Manufacture, Distribution, Prescription, and Dispensing of Controlled Substances

§ 329-38. Prescriptions

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(g) Prescriptions for controlled substances shall be issued only as follows:

(1) All prescriptions for controlled substances shall originate from within the State and be dated as of, and signed on, the day when the prescriptions were issued and shall contain:

(A) The first and last name and address of the patient; and

(B) The drug name, strength, dosage form, quantity prescribed, and directions for use. Where a prescription is for gamma hydroxybutyric acid, methadone, or buprenorphine, the practitioner shall record as part of the directions for use, the medical need of the patient for the prescription.

The controlled substance prescriptions shall be no larger than eight and one-half inches by eleven inches and no smaller than three inches by four inches. A practitioner may sign a prescription in the same manner as the practitioner would sign a check or legal document (e.g., J.H. Smith or John H. Smith) and shall use both words and figures (e.g., alphabetically and numerically as indications of quantity, such as five (5)), to indicate the amount of controlled substance to be dispensed. Where an oral order is not permitted, prescriptions shall be written with ink or indelible pencil or typed, shall be manually signed by the practitioner, and shall include the name, address, telephone number, and registration number of the practitioner. The prescriptions may be prepared by a secretary or agent for the signature of the practitioner, but the prescribing practitioner shall be responsible in case the prescription does not conform in all essential respects to this chapter and any rules adopted pursuant to this chapter. In receiving an oral prescription from a practitioner, a pharmacist shall promptly reduce the oral prescription to writing, which shall include the following information: the drug name, strength, dosage form, quantity prescribed in figures only, and directions for use; the date the oral prescription was received; the full name, DEA registration number, and oral code number of the practitioner; and the name and address of the person for whom the controlled substance was prescribed or the name of the owner of the animal for which the controlled substance was prescribed.

A corresponding liability shall rest upon a pharmacist who fills a prescription not prepared in the form prescribed by this section. A pharmacist may add a patient's missing address or change a patient's address on all controlled substance prescriptions after verifying the patient's identification and noting the identification number on the back of the prescription. The pharmacist shall not make changes to the patient's name, the controlled substance being prescribed, the quantity of the prescription, the practitioner's DEA number, or the practitioner's signature;

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Hawai'i Revised Statutes Annotated

Division 1. Government

Title 19. Health

Chapter 329. Uniform Controlled Substances Act

Part IV. Offenses and Penalties

§ 329-41. Prohibited acts B--penalties

(a) It is unlawful for any person:

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(6) 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:

(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; and

(B) For mail order prescriptions, the practitioner or pharmacist shall not be subject to subparagraph (A); provided that all other requirements of chapter 329 shall apply and that the practitioner or pharmacist, as part of the initial registration process of an individual in a mail order prescription drug plan and prior to the controlled substance being dispensed, shall obtain all identification information, including the full name, identification number, identification type, signature, and a photocopy of a form of proper identification of the individual obtaining the controlled substance. The practitioner or pharmacist shall also comply with other requirements set forth by rule.

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;

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Idaho

Idaho Administrative Code

Agency 27. State Board of Pharmacy

Title 01.

Chapter 01. Rules of the Idaho State Board of Pharmacy

200. CONTROLLED SUBSTANCES - POSITIVE IDENTIFICATION REQUIRED.

A potential recipient of a controlled substance must first be positively identified or the controlled substance must not be dispensed. (3-21-12)

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 dispenser is part of the institutional facility where the patient is being treated. (3-21-12)

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)

c. The identity of the staff member making the personal identification. (3-21-12)

03. Acceptable Identification. The identification presented must include an unaltered photograph and signature and acceptable forms include a valid state or military driver's license or identification card and a valid passport. (3-21-12)

04. Identification Documentation. Documentation of the recipient's identification must be permanently linked to the record of the dispensed controlled substance and must include: (3-21-12)

a. A copy of the identification presented; or (3-21-12)

b. A record that includes: (3-21-12)

i. The recipient's name; (3-21-12)

ii. A notation of the type of identification presented; (3-21-12)

iii. The state, military branch, or other government entity that issued the identification; and (3-21-12)

iv. The identification number of the driver's license, identification card, or passport. (3-21-12)

Illinois

Smith-Hurd Illinois Compiled Statutes Annotated

Chapter 720. Criminal Offenses

Offenses Against the Public

Act 570. Illinois Controlled Substances Act

Article III. Registration and Control of Manufacture, Distribution and Dispensing

570/312. Requirements for dispensing controlled substances

§ 312. Requirements for dispensing controlled substances.

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(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:

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(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.

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Indiana

Annotated Indiana Code

Title 35. Criminal Law and Procedure

Article 48. Controlled Substances

Chapter 7. Central Repository for Controlled Substances Data

35-48-7-8.1 Controlled substance prescription monitoring program; dispensing of controlled substance by pharmacist

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(b) This subsection applies only to a retail pharmacy. 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.

Kentucky

Kentucky Administrative Regulations

Title 201. General Government Cabinet

Chapter 9. Board of Medical Licensure

201 KAR 9:260E. Professional Standards for Prescribing and Dispensing Controlled Substances

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Section 2. Professional Standards for Initial Prescribing or Dispensing of Controlled Substances. Prior to the initial prescribing or dispensing of any controlled substance for a specific medical complaint and related symptoms, each physician shall:

(a) Verify the identity of the patient by a current and valid government-issued photographic identification. If the physician does not have a copy of that identification in the patient's medical record, that physician shall ensure that the identification is copied and placed in the patient's medical record for future reference;

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Kentucky Administrative Regulations

Title 201. General Government Cabinet

Chapter 25. Board of Podiatry

201 KAR 25:090. Prescribing and dispensing controlled substances

Section 1. Prescribing or dispensing a controlled substance. (1) This administrative regulation governs the prescribing and dispensing of controlled substances listed in Schedule II through V as classified in KRS 218A.060,

218A.070, 218A.080, 218A.090, 218A.100, 218A.110, 218A.120, and 218A.130.

(2) If initially prescribing or dispensing a controlled substance, a licensee shall:

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(d) Verify that the patient is the person that he or she has identified himself or herself as being by requiring the person to produce proper government issued identification;

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Louisiana

Louisiana Statutes Annotated

Louisiana Revised Statutes

Title 40. Public Health and Safety

Chapter 4. Food and Drugs

Part X. Uniform Controlled Dangerous Substances Law

§ 971. Prohibited acts; all schedules

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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.

Maine

Maine Revised Statutes Annotated

Title 32. Professions and Occupations

Chapter 117. Maine Pharmacy Act

Subchapter 9. Miscellaneous Provisions

§ 13786-A. Security requirements; rules

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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:

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B. The pharmacist demands, inspects and records a valid photographic identification from any person presenting a prescription or receiving a filled prescription unless:

- (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.

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.

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Massachusetts

Code of Massachusetts Regulations
Title 105: Department of Public Health
Chapter 700.000: Implementation of M.g.l. C. 94C
700.001: Definitions

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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.

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Code of Massachusetts Regulations

Title 105: Department of Public Health

Chapter 701.000: Regulations Adopted Jointly by the Department of Public Health and the Board of
Registration in Pharmacy for the Implementation of M.g.l. C. 94C

**701.004: Requirements for Positive Identification for Dispensing of a Controlled Substance in Schedule
II Through V**

(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.

(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.

(C) The Commissioner may waive or modify the requirement in 105 CMR 701.004(A) for prescription refills, prescription deliveries or other activities/situations specified by the Commissioner.

Massachusetts

Michigan Administrative Code

Department of Community Health (R 338.3101 through R 338.3199q)

Director's Office

Pharmacy - Controlled Substances

Part 6. Dispensing and Administering Prescriptions Prescriptions

R 338.3162 Dispensing by pharmacists; delivery of controlled substances.

Rule 62. (1) A controlled substance shall be dispensed by a pharmacist or a pharmacy intern in the presence, and under the immediate supervision, of a pharmacist.

(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).

(3) The dispensing pharmacist and pharmacy are responsible for compliance with this rule.

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Minnesota

Minnesota Statutes Annotated

Health (Ch. 144-159)

Chapter 152. Drugs; Controlled Substances

Prescriptions

152.11. Prescriptions

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Subd. 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.

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Nevada

Nevada Revised Statutes Annotated

Title 40. Public Health and Safety (Chapters 439-461A)

Chapter 453. Controlled Substances

Further Regulation and Prohibitions

453.431. Unlawful acts relating to filling and refilling prescriptions and obtaining controlled substance or prescription; authorization to request proper identification from person requesting controlled substance

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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.

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Nevada Administrative Code

Chapter 639. Pharmacists and Pharmacy

Trade Practices

NAC 639.748 Identification of person to whom controlled substance is dispensed. (NRS 639.070)

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.

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.

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.

4. If a photocopy of the identification is made pursuant to paragraph (a) of subsection 3, it must be filed with the copy of the prescription that is maintained by the pharmacy.

New Mexico

Code of New Mexico Rules

Title 16. Occupational and Professional Licensing

Chapter 19. Pharmacists

Part 20. Controlled Substances

16.19.20. CONTROLLED SUBSTANCES

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16.19.20.42 PRESCRIPTION REQUIREMENTS:

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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.

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New York

Compilation of Codes, Rules and Regulations of the State of New York

Title 10. Department of Health

Chapter II. Administrative Rules and Regulations

Subchapter K. Controlled Substances

Part 80. Rules and Regulations on Controlled Substances

Prescribing and Dispensing Controlled Substances.

Section 80.73. Pharmacists; dispensing schedule II substances and certain other controlled substances

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(e) A pharmacy shall make a good faith effort to verify the identity of any person accepting delivery of a dispensed prescription for a controlled substance by requiring such person, if unknown to the pharmacy, to present appropriate identification.

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Compilation of Codes, Rules and Regulations of the State of New York

Title 10. Department of Health

Chapter II. Administrative Rules and Regulations

Subchapter K. Controlled Substances

Part 80. Rules and Regulations on Controlled Substances

Prescribing and Dispensing Controlled Substances.

Section 80.74. Pharmacists; dispensing schedule III, IV and V controlled substances

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(f) A pharmacy shall make a good faith effort to verify the identity of any person accepting delivery of a dispensed

prescription for a controlled substance by requiring such person, if unknown to the pharmacy, to present appropriate identification.

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North Carolina

North Carolina General Statutes Annotated

Chapter 90. Medicine and Allied Occupations

Article 5. North Carolina Controlled Substances Act

§ 90-93. Schedule V controlled substances

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(d) A Schedule V substance may be sold at retail without a prescription only to a person at least 18 years of age. The pharmacist must require every retail purchaser of a Schedule V substance to furnish suitable identification, including proof of age when appropriate, in order to purchase a Schedule V substance. The name and address obtained from such identification shall be entered in the record of disposition to consumers.

North Carolina General Statutes Annotated

Chapter 90. Medicine and Allied Occupations

Article 5. North Carolina **Controlled Substances Act**

§ 90-106.1. Photo ID requirement for Schedule II controlled substances

(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.

(b) The pharmacy shall make the identifying information available to any person authorized under G.S. 90-113.74 to receive prescription information data in the controlled substances reporting system within 72 hours after a request for the identifying information. A pharmacy that submits the identifying information required under this section to the controlled substances reporting system established and maintained pursuant to G.S. 90-113.73 is deemed in compliance with this subsection.

(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.

North Carolina Administrative Code

Title 21. Occupational Licensing Boards

Chapter 46. Board of Pharmacy

Section .1800. **Prescriptions**

.1817 PROOF OF IDENTIFICATION

(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.

(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.

North Dakota

North Dakota Administrative Code

Title 61. State Board of Pharmacy

Article 61-04. Professional Practice

Chapter 61-04-03.1. Identification Required for Controlled Substances

61-04-03.1-01. Identification required for controlled substances.

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:

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.

Oregon

Oregon Administrative Rules Compilation

Chapter 855. Board of Pharmacy

Division 19. Licensing of Pharmacists

Pharmacist Practice

855-019-0210 Duties of the Pharmacist Receiving a Prescription

...

(3) A pharmacist may refuse to dispense a prescription to any person who lacks proper identification.

...

South Carolina

Code of Laws of South Carolina 1976 Annotated

Title 44. Health

Chapter 53. Poisons, Drugs and Other Controlled Substances

Article 3. Narcotics and Controlled Substances

§ 44-53-360. Prescriptions.

...

(i) 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;
- (4) initials of person obtaining and recording information.

Texas

Vernon's Texas Statutes and Codes Annotated

Health and Safety Code

Title 6. Food, Drugs, Alcohol, and Hazardous Substances

Subtitle C. Substance Abuse Regulation and Crimes

Chapter 481. Texas Controlled Substances Act

Subchapter C. Regulation of Manufacture, Distribution, and Dispensation of Controlled Substances,
Chemical Precursors, and Chemical Laboratory Apparatus

§ 481.074. Prescriptions

(a) A pharmacist may not:

...

(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).

...

(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

Utah Code Annotated

Title 58. Occupations and Professions

Chapter 37C. Utah Controlled Substance Precursor Act

§ 58-37c-10. Reporting and recordkeeping

...

(4) The division shall adopt rules regulating:

...

(c) **identification** which must be presented by a purchaser of any listed controlled substance precursor before the sale or transfer can be completed and recordkeeping requirements related to such identification presented;

...

Virginia

Annotated Code of Virginia

Title 54.1. Professions and Occupations

Subtitle III. Professions and Occupations Regulated by Boards Within the Department of Health Professions

Chapter 34. Drug Control Act

Article 1. General Provisions

§ 54.1-3420.1. Identification required for filling prescriptions

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.

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.

C. Whenever any pharmacist permitted to operate in the Commonwealth or nonresident pharmacist registered to conduct business in the Commonwealth delivers a prescription drug order for any drug listed on Schedule II by mail, common carrier, or delivery service to a Virginia address, the method of delivery employed shall require the signature of the recipient as confirmation of receipt.

Washington

Washington Administrative Code

Title 246. Health, Department of

Chapter 246-470. Prescription Monitoring Program

246-470-030. Data submission requirements for dispensers.

A dispenser shall provide to the department the dispensing information required by RCW 70.225.020 and this section for all scheduled II, III, IV, and V controlled substances and for drugs identified by the board of pharmacy pursuant to WAC 246-470-020.

...

(2) 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.

(a) A dispenser shall submit for each dispensing the following information and any additional information required by the department:

...

(xv) When practicable, the name of person picking up or dropping off the prescription, as verified by valid photographic identification.

...

West Virginia

Annotated Code of West Virginia

Chapter 60A. Uniform Controlled Substances Act
Article 9. Controlled Substances Monitoring
§ 60A-9-4. Required information

(a) Whenever a medical services provider dispenses a controlled substance listed in Schedule II, III or IV, as established under the provisions of article two of this chapter or whenever a prescription for the controlled substance is filled by: (i) A pharmacist or pharmacy in this state; (ii) a hospital, or other health care facility, for out-patient use; or (iii) a pharmacy or pharmacist licensed by the Board of Pharmacy, but situated outside this state for delivery to a person residing in this state, the medical services provider, health care facility, pharmacist or pharmacy shall, in a manner prescribed by rules promulgated by the Board of Pharmacy under this article, report the following information, as applicable:

...

(8) If the prescription being dispensed is being picked up by someone other than the patient on behalf of the patient, the full legal name, address and birth date of the person picking up the prescription as set forth on the person's government-issued photo identification card shall be retained in either print or electronic form until such time as otherwise directed by rule promulgated by the board of pharmacy; and

...

Annotated Code of West Virginia
Chapter 60A. Uniform Controlled Substances Act
Article 9. Controlled Substances Monitoring
§ 60A-9-4a. Verification of identity

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 receiving or otherwise acquiring the controlled substance 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 information shall be retained in either print or electronic form until such time as otherwise directed by rule promulgated by the board of pharmacy.

West Virginia Code of State Rules
Title 15. West Virginia Board of Pharmacy
Legislative Rule (Ser. 1)
Series 1. Licensure and Practice of Pharmacy
§ 15-1-14. Regulations Governing Pharmacy Permits.

...

14.7.e. 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;

...

Wyoming

Wyoming Rules and Regulations

Department of Administration and Information

Pharmacy, Bd. of

Chapter 2. General Practice of Pharmacy Regulations

Section 17. Identification of a Patient.

- (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.
- (b) The name of the person receiving the dispensed drug is to be recorded on the prescription document, patient profile, or signature log, if an agent and not the patient receives the drug.
- (c) This Section shall not apply to pharmacies that mail prescriptions to their patients. A note shall be entered on the prescription or patient's profile with the name and address of where the medication was mailed. Additionally, the date of such mailing shall be entered.