**DDRC Guidance for Patients**

**State Prescription Laws During State of an Emergency**

**What You Need to Know**

Emergency prescription refill laws and regulations vary widely state-by-state. Typically, an emergency prescription refill is defined as dispensing a prescribed drug without practitioner authorization, and often defers to the pharmacist’s professional judgment, especially if the prescription drug is essential to the maintenance of the patient’s life or continuation of therapy.

Below is a summary of emergency prescriptions laws in each state likely to be impacted by Hurricane Florence. **Warning:** Insurance may not pay for the addition medication. Call your health insurance provider for their policy during a State of Emergency.

**Delaware**

People in Delaware who use insulin and most other drugs and want to make sure they have enough on hand during this declared state of emergency and storm should first contact their prescribing physician and ask them to call a refill into the pharmacy. If the person is unable to reach their physician, they should immediately contact their pharmacist to request an emergency (out-of-schedule) refill.

Unfortunately, Delaware’s law does not specify the number of days an emergency refill must cover and it is left to the pharmacist’s discretion. The law allows them to provide a “sufficient medication” without a refill on file from the prescribing

**Georgia**

People in Georgia who use insulin and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill. When the Governor has declared a State of Emergency, patients can get 30-day refills of certain medications. This is also true for person evacuated from that disaster area.

**Maryland**

People in MD who use insulin and other medications and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill. According to MD law, if the federal or State government declares a state of emergency, a pharmacist working in the area declared an emergency may refill a prescription for a drug for which the refill has not been authorized and the pharmacist is unable to reach the prescribing physician. The quantity of the refill can be up to a 14-day supply. (12-506. Guidelines for unauthorized refills.)
New Jersey
People in NJ who use insulin and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill for an emergency supply. The pharmacist can dispense up to a 72-hour supply of a chronic maintenance drug or device.

North Carolina
People in NC who use insulin and most other medications and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill. Within 29 days of a disaster declaration by the President, Governor, or Assembly, persons living in a count covered by the declaration can obtain an emergency refill and can specifically, 1) Obtain one refill on a prescription if there are authorized refills remaining, or (2) Fill one replacement prescription for one that was recently filled. North Carolina law specifically requires insurers to cover this emergency refill as it would regular refills. (§ 58-3-228. Coverage for extra prescriptions during a state of emergency or disaster. (a) All health benefit plans as defined in G.S. 58-3-167).

South Carolina
People in South Carolina who use insulin and must other drugs and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill. When a State of Emergency has been declared for your county by the Governor, pharmacists may provide up to a 15-day supply of a prescribed medication. Citation: S.C. law (40-43-170).

Virginia
People residing in Virginia who use insulin and most other drugs and want to make sure they have enough on hand during this declared state of emergency and storm should contact their pharmacist to request an emergency (out-of-schedule) refill. The pharmacist is required to contact the prescribing physician for the refill order, but – failing to reach that physician – has the authority to complete the refill of a Schedule VI drug (including insulin).

Because Virginia law is confusing on this matter, we recommend that patients using insulin contact their physician first to request that he/she issue a refill order to the pharmacy the patient uses. If the patient cannot reach their physician he/she should contact their pharmacist to request an emergency refill. If the pharmacist says it is not allowable, the patient can ask them to look up Virginia Code 54.1-3410