CHAPTER 61-04-13
PATIENT CONSULTATION REQUIREMENTS

Section
61-04-13-01 Patient Consultation Requirements

61-04-13-01. Patient consultation requirements.

Each prescription dispensed by a pharmacy serving patients in the state and each out-of-state pharmacy providing prescriptions by mail to patients in the state must provide the following in regard to consultation:

1. Provide consultation by a pharmacist or intern on each new prescription dispensed.

2. Provide consultation by a pharmacist or intern on each refill prescription dispensed. Pursuant to section 61-02-07.1-05, screening a patient for consultation on a refilled prescription can be completed by a registered technician.

3. Counseling can be provided to the patient or the patient's agent.

4. For a refilled prescription, when the patient or their agent is not available at the time of dispensing, the pharmacy must supply written or electronic materials and a toll-free phone number for the patient or their agent to contact the pharmacist.

5. For a new prescription being dispensed by mail to a patient, the pharmacy must supply written or electronic materials and a toll-free phone number for the patient or their agent to contact the pharmacist. A pharmacist shall assess whether it is appropriate to engage the patient or the patient's agent through a telephone conversation or if written material accompanying the prescription is appropriate.

6. This section does not apply to prescriptions for patients exempted in North Dakota Century Code section 43-15-31.2.

7. Failure to provide proper consultation under this section is considered unprofessional conduct by the pharmacy and pharmacist under subsection 9 of section 61-04-04-01 and is subject to disciplinary action.

History: Effective July 1, 2017.
General Authority: NDCC 28-32-02, 43-15-10(1)(12), 43-15-31.2, 43-15-34, 43-15-35
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