

In light of Governor Gavin Newsom's declaration of emergency and the national declaration of emergency, and consistent with Business and Professions Code section 4062, California State Board of Pharmacy President Seung Oh has authorized the following waiver of specific provisions of Pharmacy Law.

Prescriber Dispensing of COVID-19 Oral Therapeutic Medication to Emergency Room Patient (including BPC sections 4068(a)(1), 4068(a)(5), 4068(a)(6), and 4076.5)

Waive provisions of pharmacy law, including any regulation, related to the prohibition against a prescriber dispensing medications to an emergency room patient under the following conditions:

1. The medication is a COVID-19 antiviral therapeutic medication approved or authorized by the federal Food and Drug Administration (FDA) and prescribed consistent with any condition or limitation on use established in the FDA's approval or authorization, including conditions specified in any Emergency Use Authorization (EUA).
2. The medication is dispensed in the original manufacturer's container.
3. Prior to prescribing and dispensing the medication, the prescriber reviews the patient's medication history to determine any drug interactions, contraindications, or potential for severe side effects.
4. The medication is labeled to include the patient's name, directions for use, date of issuance, name of the prescriber, and hospital information.
5. Verbal consultation is provided by an authorized health care provider as specified in the conditions detailed in the FDA's approval or authorization for the drug that includes at a minimum information on directions for use, proper storage, the importance of compliance with directions, precautions, relevant warnings, common and severe side effects or adverse effects, and therapeutic contraindications.
6. The patient is advised that the COVID-19 antiviral medication is not packaged in a child-resistant container.

Effective: January 11, 2022

Expires: June 30, 2022

Please address any questions to cdphtherapeutics@cdph.ca.gov.