The Connecticut Department of Consumer Protection Drug Control Division (DCP) has issued guidance for health care providers regarding refills and reissuances of controlled substance prescriptions for patients without an in-person visit due to the COVID-19 pandemic. DCP explains that “practitioners may issue prescription refills for controlled substances using their professional discretion for a patient under their care without seeing the patient in-person within certain parameters.” The parameters are as follows:

- **Schedule-Specific Requirements for Controlled Substance Prescriptions**
  - Schedule II prescriptions cannot be refilled; however, practitioners with a pre-existing relationship with a patient who have prescribed a particular controlled substance for the patient previously can reissue the prescription without an in-person visit. Additionally, no prescription for a Schedule II controlled substance can contain more than one (1) prescription.
  - Schedule III and IV prescriptions can be refilled up to five (5) times every six (6) months as authorized by the prescribing practitioner.
  - Schedule V prescriptions can be refilled as authorized by the prescribing practitioner.

- **Documentation and Data Entry Requirements**
  - The practitioner still must review the State’s Prescription Drug Monitoring Program pursuant to current requirements.
  - Prescriptions should be transmitted to the pharmacy using Electronic Prescribing of Controlled Substances (EPCS) unless: (1) there is a
temporary technology failure, (2) it is not practical for the practitioner to use EPCS in a timely manner, (3) the pharmacy is outside of Connecticut, (4) EPCS may negatively affect patient care, or (5) the practitioner has a waiver of electronic prescribing requirements.

- The prescription should be documented by the practitioner as required by law.
- If EPCS cannot be used and the practitioner refills or reissues a prescription via phone, fax, or mail, practitioners should comply with whatever additional verification is required by pharmacies.

DCP has made a number of resources available to registered practitioners in Connecticut to support efforts to ensure access to care and medication in a safe manner during the COVID-19 emergency. Practitioners would be well-advised to review the DCP guidance closely, and to contact DCP with questions. Practitioners should also keep in mind that as of March 30, current restrictions under Connecticut law on the use of telehealth to issue new controlled substance prescriptions for certain conditions remain in effect.

This post was co-authored by Michael Lisitano, legal intern at Robinson+Cole. Michael is not yet admitted to practice law.

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