

1 AN ACT concerning electronic prescriptions.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act is amended by
5 changing Section 19 as follows:

6 (225 ILCS 85/19) (from Ch. 111, par. 4139)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 19. Nothing contained in this Act shall be construed
9 to prohibit a pharmacist licensed in this State from filling
10 or refilling a valid prescription for prescription drugs which
11 is on file in a pharmacy licensed in any state and has been
12 transferred from one pharmacy to another by any means,
13 including by way of electronic data processing equipment upon
14 the following conditions and exceptions:

15 (1) Prior to dispensing pursuant to any such
16 prescription, the dispensing pharmacist shall:

17 (a) Advise the patient that the prescription on
18 file at such other pharmacy must be canceled before he
19 or she will be able to fill or refill it.

20 (b) Determine that the prescription is valid and
21 on file at such other pharmacy and that such
22 prescription may be filled or refilled, as requested,
23 in accordance with the prescriber's intent expressed

1 on such prescription.

2 (c) Notify the pharmacy where the prescription is
3 on file that the prescription must be canceled.

4 (d) Record in writing or electronically the
5 prescription order, the name of the pharmacy at which
6 the prescription was on file, the prescription number,
7 the name of the drug and the original amount
8 dispensed, the date of original dispensing, and the
9 number of remaining authorized refills.

10 (e) Obtain the consent of the prescriber to the
11 refilling of the prescription when the prescription,
12 in the professional judgment of the dispensing
13 pharmacist, so requires.

14 (2) Upon receipt of a request for prescription
15 information set forth in subparagraph (d) of paragraph (1)
16 of this Section, if the requested pharmacist is satisfied
17 in his professional judgment that such request is valid
18 and legal, the requested pharmacist shall:

19 (a) Provide such information accurately and
20 completely.

21 (b) Record electronically or, if in writing, on
22 the face of the prescription, the name of the
23 requesting pharmacy and pharmacist and the date of
24 request.

25 (c) Cancel the prescription on file by writing the
26 word "void" on its face or the electronic equivalent,

1 if not in written format. No further prescription
2 information shall be given or medication dispensed
3 pursuant to such original prescription.

4 (3) In the event that, after the information set forth
5 in subparagraph (d) of paragraph (1) of this Section has
6 been provided, a prescription is not dispensed by the
7 requesting pharmacist, then such pharmacist shall provide
8 notice of this fact to the pharmacy from which such
9 information was obtained; such notice shall then cancel
10 the prescription in the same manner as set forth in
11 subparagraph (c) of paragraph (2) of this Section.

12 (4) When filling or refilling a valid prescription on
13 file in another state, the dispensing pharmacist shall be
14 required to follow all the requirements of Illinois law
15 which apply to the dispensing of prescription drugs. If
16 anything in Illinois law prevents the filling or refilling
17 of the original prescription it shall be unlawful to
18 dispense pursuant to this Section.

19 (5) Prescriptions for drugs in Schedules II, III, IV,
20 and V of the Illinois Controlled Substances Act may be
21 transferred only once and may not be further transferred,
22 consistent with 21 CFR 1306. However, pharmacies
23 electronically sharing a real-time, online database may
24 transfer up to the maximum refills permitted by the law
25 and the prescriber's authorization.

26 (Source: P.A. 100-497, eff. 9-8-17.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.