

June 14, 2023

COM-2023-033 – End of the State of Emergency due to COVID-19

TO: PHARMPPIX, CORP. PHARMACY NETWORK - PUERTO RICO

Dear Pharmacy Providers:

At PharmPix we are committed to our Pharmacy Network. Therefore, we want to inform you of the changes due to the end of the COVID-19 State of Emergency on May 11, 2023. In accordance with the provisions of Normative Letter No. CN-2023-335-D, Executive Order OE-2023-012, and Administrative Order No. 571, several measures taken during the emergency were annulled.

Notwithstanding, it is important to highlight that Law 68-2020, is still in force until thirty (30) days after the end of the emergency; this, in turn, was extended for an additional period of one hundred and eighty (180) days through Joint Resolution 31-2023.

Therefore, the provisions of Law 68-2020 in Article 13 remain in force:

- As a measure to reduce personal contact, and contagion and discourage citizens from going to doctors' offices, pharmacies are ordered to dispense refills of those chronic medications, even if the patient does not have refills available or a new prescription. For this, the patient must show the empty medicine bottle in which the dose and the identity of the patient are specified. Drugs classified as controlled in classifications II, III, IV, or V by federal or state laws or regulations, as well as narcotics regardless of their classification, are exempt from the foregoing.
- Any physician or health care professional who is authorized by law to prepare prescriptions, referrals, doctor's orders, or order treatments, tests, or examinations to the patient may send the prescription, referral, or order by photograph or any other electronic method and the service provider receiving the prescription may be obligated to accept it. The prescription must be sent directly by the doctor or health professional, so prescriptions sent by photographs from the patient directly will not be accepted. Therefore, we recommend that, in cases of prescriptions received by photograph, (i) call the doctor to confirm that it was issued; (ii) print the image (portrait) of the prescription, or the pharmacist should transcribe the prescription upon receipt; (iii) and document the date and time it was received and verified.

As mentioned, the provisions included in this Article 13 will be effective until December 11, 2023. After this date, we urge pharmacies and their pharmacists to comply with the provisions of the Laws of Puerto Rico ¹ and the provisions included in Article 8.06 of the Regulations of the PR Department

¹ 20 L.P.R.A. § 410a(g)

of Health No. 156 for the operation of Establishments Dedicated to the Manufacture, Distribution, and Dispensing of Medicines in Puerto Rico.

This in turn should not be confused with federal regulation ² stating that telemedicine flexibilities regarding prescribing controlled drugs as they were in place during COVID-19 PHE will remain in place until November 11, 2023, and in some cases, until November 11, 2024. The flexibility to which the federal regulation refers is around the ability of the doctor to prescribe drugs classified as controlled in classifications II, III, IV, or V, as well as narcotics regardless of their classification, without an in-person medical evaluation of the patient and how these controlled drugs can continue to be prescribed through electronic prescriptions ("E-Prescribing") without that in-person medical evaluation until November 11, 2023, or of 2024 as the case may be.

If you have any questions, please contact us at retailnetwork@pharmpix.com or call (787)522-5252 ext. 183 or 169.

Cordially

Pharmacy Network Team

² <https://public-inspection.federalregister.gov/2023-09936.pdf>