24.174.411 PHARMACIST MEAL/REST BREAKS

(1) In any pharmacy staffed by a single pharmacist, the pharmacist shall take a meal/rest break on the premises for a period of up to 30 minutes per shift without closing the pharmacy and removing support personnel, provided the pharmacist reasonably believes that the security of prescription drugs will be maintained in the pharmacist's absence.

(2) The pharmacist-in-charge shall develop written policies and procedures for operation of the pharmacy in the temporary absence of the pharmacist.

(3) A sign indicating that no pharmacists is on duty and the time of the meal/rest break will be conspicuously posted in clear view of patients approaching the prescription area.

(4) New prescriptions may be accepted and processed by pharmacy technicians and interns in the pharmacist's absence. These prescriptions may not be dispensed until the pharmacist has performed prospective drug review and completed the final check.

(5) Telephoned new prescriptions may not be accepted in the pharmacist's absence unless identified in the pharmacy’s policies and procedures.

(6) At the discretion of the pharmacist, new prescriptions may be dispensed, provided that the final check has been completed and the prescriptions are waiting to be dispensed, unless counseling is requested by the patient or required by the pharmacist.

(7) At the discretion of the pharmacist, previously checked medication refills may be dispensed in the pharmacist's absence, provided the offer to counsel is made. If the patient requests counseling, the patient may wait for the pharmacist to return or may leave a telephone number for the pharmacist to call upon return.

Authorizing statute(s): 37-7-201, MCA

Implementing statute(s): 37-1-101, 37-7-201, MCA

History: NEW, 2002 MAR p. 3605, Eff. 12/27/02; AMD, 2015 MAR p. 302, Eff. 3/27/15; AMD, 2025 MAR, Notice No. 2025-206, Eff. 12/6/25.