



ADMINISTRATIVE RULES OF MONTANA



24.174.835 TRANSFER OF PRESCRIPTIONS

- (1) The transfer of prescription information for the purpose of dispensing is permissible between pharmacies subject to DEA regulations and the following requirements:
 - (a) the transfer is communicated directly between two licensed pharmacists/interns, or is faxed or electronically transmitted by a pharmacy technician under the direct supervision of a pharmacist. A pharmacy technician may initiate the transfer if reflected in the pharmacy's policies and procedures; and
 - (b) a retrievable audit trail, including the date of transfer and initials or code of the transferring parties, is maintained for a period of two years; and
 - (c) the transfer of pertinent and necessary patient records to another licensed pharmacy, when requested by the patient or the patient's legally designated representative, is completed in a timeline that meets patient safety and health needs, subject to the pharmacist's professional judgment.
- (2) The transferring pharmacy shall:
 - (a) render the prescription void; and
 - (b) enter the name, address, and DEA number if required of the receiving pharmacy into the database of the transferring pharmacy.
- (3) The receiving pharmacy shall maintain documentation including:
 - (a) a notation that the prescription was received by transfer;
 - (b) the date on which the prescription was written;
 - (c) the original prescription number of the transferred prescription;
 - (d) the original number of refills, number of refills or quantity remaining, and the date of the most recent refill;
 - (e) the name, address, and DEA number if required of the transferring pharmacy;
 - (f) all other prescription information required by state and federal laws and regulations; and
 - (g) a record of each prescription transferred.
- (4) Two or more pharmacies sharing common electronic files to maintain dispensing information are not required to transfer prescription information between these pharmacies, provided all common electronic files maintain complete and accurate records of each prescription and refill dispensed, and the total number of refills authorized is not exceeded.

- (a) Pharmacies sharing common electronic files shall have policies and procedures in place for handling patient exceptions.
- (5) In an emergency, a pharmacy may transfer original prescription information for a noncontrolled substance to a second pharmacy for the purpose of dispensing up to a seven-day supply, without voiding the original prescription.

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

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

History: NEW, 1985 MAR p. 1017, Eff. 7/26/85; AMD, 2002 MAR p. 178, Eff. 2/1/02; TRANS, from Commerce, 2002 MAR p. 904; AMD, 2006 MAR p. 1615, Eff. 6/23/06; AMD and TRANS, from ARM 24.174.514, 2015 MAR p. 302, Eff. 3/27/15; AMD, 2019 MAR p. 1633, Eff. 9/21/19; AMD, 2021 MAR p. 1671, Eff. 11/20/21; AMD, 2024 MAR p. 2219, Eff. 9/21/24; AMD, 2025 MAR, Notice No. 2025-206, Eff. 12/6/25.