

## Correcting missed “Brand Medically Necessary” additions

*Originally Senate Bill #2122 and the May 2011 NDAC 61-04-05-03 Computer transmission of prescriptions rule changes of the addition of “Medically” to the required legend “Brand Medically Necessary” to the Board of Pharmacy Rules & Laws*

**61-04-06-02. Requirements of a prescription order for noncontrolled drugs.** The patient hard copy prescription form for noncontrolled drugs must contain the following:

1. The name and address of the patient;
2. The date of issuance;
3. The name of the drug;
4. The quantity;
5. The strength;
6. Adequate directions for use;
7. The prescriber’s name, either printed or stamped;
8. The prescriber’s indication of refill authorization;
9. A reminder legend in at least six-point uppercase print stating, "In order to require that a brand name product be dispensed, the practitioner must hand write the words 'brand medically necessary'"; and
10. The signature of the prescriber, unless an oral or telephoned prescription.

**History:** Effective October 1, 1993.

**General Authority:** NDCC 28-32-02, 43-15-10(9)(12)(14)

**Law Implemented:** NDCC ~~28-32-02~~, 43-15-10(9)(12)(14)

**61-04-06-03. Requirements of prescription order for controlled drugs.** The patient hard copy prescription form for controlled drugs must contain the following:

1. The name address of the patient;
2. The date of issuance;
3. The name of the drug;
4. The quantity;
5. The strength;
6. Adequate directions for use;
7. The prescriber’s name, either printed or stamped;
8. The prescriber’s indication of refill authorization;
9. A reminder legend in at least six-point uppercase print stating, "In order to require that a brand name product be dispensed, the practitioner must hand write the words 'brand medically necessary'";
10. The DEA number of the prescriber; and
10. The signature of the prescriber.

**History:** Effective October 1, 1993.

**General Authority:** NDCC 28-32-02, 43-15-10(9)(12)(14)

**Law Implemented:** NDCC ~~28-32-02~~, 43-15-10(9)(12)(14)