

Article 61

New Chapter 61-13-02 Identification Required for Controlled Substances plus tramadol and carisoprodol

61-13-02-01. ID Required for Prescriptions of Controlled Substances plus tramadol and carisoprodol. Pharmacists, Pharmacy Interns, Pharmacy Technicians and clerical personnel must ask for positive identification of those picking up a controlled substance, tramadol or carisoprodol prescription. Pay close attention to the accurate name, spelling and address. This can be done once for your regular customers, whom you know very well and need not be done each time they come regularly to your pharmacy. However, those you do not know, even if they are only picking up medication for someone else should have some form of identification or the medication cannot be released.

History: Effective

General Authority: NDCC 19-03.1-02; NDCC 19-03.1-05

Law Implemented: NDCC 19-03.1-02

61-13-02-02 Identification

Persons receiving prescriptions for controlled substances, tramadol or carisoprodol shall be positively identified by staff at the pharmacy, at the time a prescription is dispensed directly to an individual at the pharmacy.

- a. An individual whose identity is personally and positively known to a staff member of the pharmacy, who is present and who identifies the individual at the time of delivery of the prescription, may be so identified by the staff member. In such instances, the pharmacy shall maintain a record of:
 1. The name of the person receiving the prescription, if other than the patient;
 2. A notation indicating that the patient or other person receiving the prescription was known by the pharmacy staff; and
 3. The name of the pharmacy staff person making the identification.
- b. If the person is not known to the pharmacy staff, positive identification shall consist of a valid government issued card which must contain a photo of the individual and the individual's signature. For each such prescription dispensed directly to an individual at the pharmacy, the pharmacy shall:
 1. Maintain a record of the name of the person receiving the prescription, which record shall contain notation of the type of positive identification presented by such person; the state; military branch, or other government entity issuing the identification; and the specific identification number of the driver's license, identification card, or passport.
- c. In lieu of these means of positive identification, an individual whose identity is personally and positively known to a staff member of the pharmacy, who is present and who identifies the individual at the time of delivery of the prescription, may be so identified by the staff member. In such instances, the pharmacy shall maintain a record of:
 1. The name of the person receiving the prescription, if other than the patient;
 2. A notation indicating that the patient or other person receiving the prescription was known by the pharmacy staff; and

3. The name of the pharmacy staff person making the identification.

History: Effective

General Authority: NDCC 19-03.1-02; NDCC 19-03.1-05

Law Implemented: NDCC 19-03.1-02

61-13-02-03 Retrieval of Identification Records.

The identification records required under subsection 61-04-03.1-02 of these rules may be maintained by the pharmacy in any fashion provided that the pharmacy must be able to produce such records upon any lawful request and match the prescription files with the positive identification records for the person receiving the prescription, within two business days from the date of the request.

History: Effective

General Authority: NDCC 19-03.1-02; NDCC 19-03.1-05

Law Implemented: NDCC 19-03.1-02