



State Medical Board of Ohio

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med.ohio.gov

FAQs regarding common controlled substance prescriptions.

1. **Q: I am going on vacation for two weeks. Can I give prescriptions for controlled substances to my patients that I signed today and that are dated for a day during my vacation?**

A: No. Section 3719.06(C) of the Ohio Revised Code requires that the prescription be signed and dated on the same day. Federal law also has this requirement. See 21 C.F.R. §1306.05(a). Violations of this law could subject the prescriber to criminal prosecution and Medical Board administrative action against the prescriber's license.
2. **Q: Is there some way for me to give my patient a prescription today that can only be filled at a future date but that I sign and put today's date on the form?**

A: Yes. While you are required to date and sign the prescription with today's date on the date line of the prescription form, you can add writing to the prescription indicating "Do not fill until" with the future date written on the form. The patient cannot get the prescription filled until the future date. For further information about other limitations, please see the guidance from the Drug Enforcement Administration at http://www.deadiversion.usdoj.gov/faq/mult_rx_faq.htm
3. **Q: I have a very busy practice and I would like to sign otherwise blank prescription forms on Monday that I intend to use that week for controlled substances prescriptions for my patients. Can I do that?**

A: No. Section 3719.06(C) of the Ohio Revised Code prohibits the signing of otherwise blank prescription forms.
4. **Q: Can I prescribe more than one controlled substance on the same prescription form?**

A: No. Under Ohio pharmacy law, writing prescriptions orders for more than one controlled substance on the same prescription form is prohibited. See Rule 4729-5-13 of the Ohio Administrative Code.
5. **Q: My office staff has my signature stamp for stamping routine documents. Can my staff use my signature stamp on controlled substances prescriptions that I have authorized?**

A: No. Federal law requires that a prescriber manually sign any prescription for a controlled substance. See 21 C.F.R. §1306.05(d).
6. **Q: Do I have to complete the entire controlled substance prescription form myself?**

A: No. Federal law permits your agent to fill out all but the signature portion of the prescription form, but you are responsible if there is a deficiency in the way the form was filled out. See 21 C.F.R. §1306.05(f).
7. **Q: Can I prescribe a controlled substance for a colleague or staff member?**

A: Yes. However, you must conduct an appropriate examination; arrive at a diagnosis and purpose for which the controlled substance is utilized and document the examination, diagnosis, the purpose of the

prescription in the colleague or staff member's patient record. Please note that, if the colleague or staff member is a family member, there are further restrictions as described in Q&A number 9 and 10 below. In addition, as for all patients, you must:

- take into account the drug's potential for abuse, the possibility the drug may lead to dependence, the possibility the patient will obtain the drug for a nontherapeutic use or to distribute to others, and the possibility of an illicit market for the drug; and,
- complete and maintain accurate medical records.

See Rule 4731-11-02 of the Ohio Administrative Code.

8. Q: Can I prescribe a controlled substance to myself?

A: No. Rule 4731-11-08(A) of the Ohio Administration Code prohibits self-prescribing any controlled substance. A licensee can purchase an over the counter schedule V controlled substance for personal use if that use conforms to state and federal law and if the medication is obtained in the same manner as a non-physician.

9. Q: Can I prescribe a controlled substance to my family?

A: No, under most circumstances. Rule 4731-11-08(B) of the Ohio Administration Code prohibits prescribing controlled substances to family except in the event of an emergency.

10.Q: Who is considered to be a family member for prescribing controlled substances?

A: Rule 4731-11-08 defines a family member as a spouse, parent, child, sibling or other individual when a physician's personal or emotional involvement could make that physician unable to use detached professional judgment in determining diagnoses or therapy choices.

11.Q: Can I prescribe a Schedule II controlled substance stimulant, e.g., Adderall, Dexedrine, etc., to a patient for the purpose of weight loss?

A: No. Rule 4731-11-03(B) of the Ohio Administrative Code specifically prohibits prescribing schedule II controlled substance stimulants for purposes of weight loss or control.

12.Q: When do I have to document a controlled substance prescription in a patient chart?

A: Every time. Rule 4731-11-02(D) of the Ohio Administrative Code requires that every controlled substance prescription be documented in the patient chart.

13.Q: Does the Medical Board have any requirements about looking up a patient on OARRS before prescribing a controlled substance to that patient?

A: Yes. Rule 4731-11-11 of the Ohio Administrative Code deals with OARRS requirements related to "reported drug" prescribing. See <http://codes.ohio.gov/oac/4731-11-11> . This rule refers to "reported drugs," which are all Schedule II-V controlled substance medications, and OARRS requirements. In addition, see Ohio Revised Code section 4731.055, a statute which deals with specific OARRS requirements related to prescribing opioid analgesics and benzodiazepines. <http://codes.ohio.gov/orc/4731.055v2> . Also see Ohio State Board of Pharmacy OARRS FAQs at <http://pharmacy.ohio.gov/Documents/Pubs/Special/FAQs/Frequently%20Asked%20Questions%20-%20HB%20341%20-%20Mandatory%20OARRS%20Registration%20and%20Requests.pdf> .

14 Q: Do I have to sign up with OARRS?

A: Any Medical Board licensees who prescribe controlled substance opioid analgesic or benzodiazepine medications, which includes M.D.s, D.O.s, D.P.M.s, and P.A.s, are required to sign up for OARRS. See

Section 4731.281(B)(6)(a). <http://codes.ohio.gov/orc/4731.281v2> . Also, see the Ohio State Board of Pharmacy OARRS FAQs at <http://pharmacy.ohio.gov/Documents/Pubs/Special/FAQs/Frequently%20Asked%20Questions%20-%20HB%20341%20-%20Mandatory%20OARRS%20Registration%20and%20Requests.pdf> .

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