

**Title:** In What Form Must a Pharmacy Transmit an Electronic Prescription for Controlled Substances (EPCS) to Another Pharmacy for Initial Filling?

**Summary:** The Drug Enforcement Administration (DEA) has allowed the transfer of prescription information between pharmacies for refill purposes since 1997. See Federal Register notice titled “Consolidation, Elimination, and Clarification of Various Regulations,” March 24, 1997 ([62 FR 13938](#) at 13966). DEA has subsequently revised its regulations to allow for the transfer of EPCS between pharmacies for initial filling. See Federal Register notice titled “Transfer of Electronic Prescriptions for Schedules II-V Controlled Substances Between Pharmacies for Initial Filling,” July 27, 2023 ([88 FR 48365](#)). See also [21 CFR 1306.08\(e\)-\(h\)](#). This guidance explains the format in which an electronic prescription must be transferred between pharmacies for initial dispensing.

**Activity:** Transfer of EPCS Between Pharmacies for Initial Fill

**To Whom It Applies:** DEA-Registered Retail Pharmacies

**Question:** May a transfer of an EPCS from one pharmacy to another for initial fill be made via facsimile or phone call?

**Answer:** No. With regard to the transfer of an EPCS for initial filling, the new regulation provides that the prescription must be transferred “in its electronic form” and may not be converted to another form, such as facsimile. See [21 CFR 1306.08\(f\)\(1\)](#). DEA has always required, since it began allowing controlled substances to be prescribed electronically, that all records related to such prescriptions must be retained electronically. See Federal Register notice titled “Electronic Prescriptions for Controlled Substances,” March 31, 2010, ([75 FR 16236](#) at 16243). See also [21 CFR 1311.305\(a\)](#).

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