

Drug Enforcement Administration
Diversion Control Division
Guidance Document

Title: Filling Controlled Substance Prescriptions Issued by Out-of-State Practitioners

Summary: This guidance document clarifies a misconception amongst some practitioners and pharmacists that Drug Enforcement Administration (DEA)-registered pharmacies may only fill controlled substance prescriptions issued by practitioners who are registered with DEA in the same state that the pharmacy is located.

Activity: Filling Controlled Substance Prescriptions Issued by Out-of-State Practitioners

To Whom it Applies: DEA-registered Pharmacies and Individual Practitioners

Question: May a pharmacist fill a controlled substance prescription, if the prescribing practitioner is not registered with DEA in the same state that the pharmacy is located?

Answer: Neither the Controlled Substances Act nor DEA regulations prohibit a pharmacist from filling a controlled substance prescription issued by a practitioner who is registered with DEA in a state other than the state in which the pharmacy is located. However, state laws may impact the dispensing of out-of-state prescriptions and as such, pharmacies may wish to consult with their state's pharmacy board. Pharmacists are reminded that to be effective, a prescription for a controlled substance must be issued for a legitimate medical purpose by a practitioner acting in the usual course of professional practice. [21 CFR 1306.04\(a\)](#). The practitioner is responsible for the proper prescribing and dispensing of controlled substances, but a corresponding responsibility rests with the pharmacist who fills the prescription. [21 CFR 1306.04\(a\)](#). Pharmacists are encouraged to review Appendix D, "Pharmacist's Guide to Prescription Fraud and Identifying Out of Scope Prescriptions," in the [DEA Pharmacist's Manual](#).

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or Department of Justice policies.

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