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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 9@ Psychiatric Health Facilities

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Article 3@ Services

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Section 77079.10@ Pharmaceutical Services-Disposition of Drugs

77079.10 Pharmaceutical Services-Disposition of Drugs

(a)

Drugs which have been dispensed for individual patient use and are labeled in conformance with state and federal law for outpatient use shall be furnished to patients on discharge on the order of a physician. If the discharge orders do not include provisions for drug disposition, drugs shall be furnished to patients unless:

(1) A physician's order specifies otherwise or, (2) The patient leaves or is discharged without a physician's order or approval or, (3) The patient is discharged to a general acute care hospital or acute psychiatric hospital, or (4) The drug was discontinued prior to discharge or, (5) The labeled directions for use are not substantially the same as most current orders for the drug in the patient's health record.

(1)

A physician's order specifies otherwise or,

(2)

The patient leaves or is discharged without a physician's order or approval or,

(3)

The patient is discharged to a general acute care hospital or acute psychiatric hospital,
or

(4)

The drug was discontinued prior to discharge or,

(5)

The labeled directions for use are not substantially the same as most current orders for the drug in the patient's health record.

(b)

A record of the drugs sent with the patient shall be made in the patient's health record.

(c)

Patient's drugs supplied by prescription which have been discontinued and those which remain in the facility after discharge of the patient shall be destroyed by the facility in the following manner:(1) Drugs listed in Schedules II, III or IV of the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, Title 21, United States Code, Section 801et seq. shall be destroyed by the facility in the presence of a pharmacist and a registered nurse employed by the facility. The name of the patient, the name and strength of the drug, the prescription number, the amount destroyed, the date of destruction and the signature of the witnesses required above shall be recorded in the patient's health record or in a separate log. Such log shall be retained for at least three years. (2) Drugs not listed under Schedules II, III or IV of the above Act shall be destroyed by the facility in the presence of a pharmacist or licensed nursing personnel. The name of the patient, the name and strength of the drug, the prescription number (if applicable), the amount destroyed, the date of destruction and the signature of the person named above and one other person shall be recorded in the patient's health record or in a separate log. Such log shall be retained for at least three years.

(1)

Drugs listed in Schedules II, III or IV of the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, Title 21, United States Code, Section 801et seq.

shall be destroyed by the facility in the presence of a pharmacist and a registered nurse employed by the facility. The name of the patient, the name and strength of the drug, the prescription number, the amount destroyed, the date of destruction and the signature of the witnesses required above shall be recorded in the patient's health record or in a separate log. Such log shall be retained for at least three years.

(2)

Drugs not listed under Schedules II, III or IV of the above Act shall be destroyed by the facility in the presence of a pharmacist or licensed nursing personnel. The name of the patient, the name and strength of the drug, the prescription number (if applicable), the amount destroyed, the date of destruction and the signature of the person named above and one other person shall be recorded in the patient's health record or in a separate log. Such log shall be retained for at least three years.

(d)

Unless otherwise prohibited under applicable federal or state laws, individual patient drugs supplied in sealed containers may be returned, if unopened, to the issuing pharmacy for disposition provided that; (1) No drugs covered under the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 are returned. (2) All such drugs are identified as to lot or control number. (3) The signatures of the receiving pharmacist and a licensed nurse employed by the facility are recorded in a separate log which lists the name of the patient, the name, strength, prescription number (if applicable), the amount of the drug returned and the date of return. The log shall be retained for at least three years.

(1)

No drugs covered under the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 are returned.

(2)

All such drugs are identified as to lot or control number.

(3)

The signatures of the receiving pharmacist and a licensed nurse employed by the facility are recorded in a separate log which lists the name of the patient, the name, strength, prescription number (if applicable), the amount of the drug returned and the date of return. The log shall be retained for at least three years.