



September 8, 2010

www.mcvpr.com**HEALTH CARE ALERT*****NEW PHARMACY REGULATION BECOMES EFFECTIVE TODAY***

The Puerto Rico Health Department issued a new pharmacy regulation, Regulation No. 142 (the "Regulation") that became effective today. The Regulation includes definitions for the terms "electronically generated and transmitted prescription" and "signature" that allow physicians to electronically transmit prescriptions to any pharmacy selected by the patient as long as the physicians' electronic signatures are included in the prescriptions. Electronically generated and transmitted prescriptions must be transmitted through a system that allows for the confirmation of the physicians' electronic signatures and need to include the information required by the Pharmacy Act and the Regulation for paper prescriptions.

The Regulation also includes a new "Prescription" definition to allow pharmacies in Puerto Rico to dispense refills of medications prescribed by physicians authorized to practice medicine in any State of the United States, if the original prescription was dispensed in the State where the prescribing physician practices medicine.

A new section on vaccinations is included in the Regulation to implement the provisions of Puerto Rico Act No. 7 of 2010, which allows pharmacists to administer vaccinations after obtaining a training certification from the Pharmacy Board. This new section sets forth the requirements that pharmacists must meet in order to be allowed to administer vaccinations. A space with an automatic defibrillator, resuscitation medications, oxygen, and privacy, among other requirements, must be available at the pharmacy.

The Regulation also includes a provision prohibiting physicians, pharmacy benefits managers, and insurance companies from referring patients to specific pharmacies.

If you have any questions or comments, or wish additional information regarding the matters discussed herein, please contact any of the attorneys listed below, members of our Health Care Practice Team.

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