



STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

Pursuant to the authority vested in the Office of the Governor of the State of Alabama, and pursuant to relevant portions of the Alabama Emergency Management Act of 1955, as amended, *Code of Ala. 1975*, § 31-9-2, *et seq.*, I, Robert Bentley, Governor of the State of Alabama, issue this PROCLAMATION as follows:

WHEREAS, Governors of neighboring states have issued Proclamations declaring the existence of a State of Emergency due to Hurricane Matthew;

WHEREAS, upon recommendation of the State Health Officer, it is expected that a significant number of displaced individuals will travel to Alabama from the affected states and will have prescription drug needs of a chronic, urgent, or emergency nature;

WHEREAS, many of these displaced individuals may have their actual medications, copies of their prescriptions, or insurance billing report or insurance claim notification but pharmacists may not be able to readily obtain refill authorization from the prescriber thereof;

WHEREAS, current state law, *Code of Ala. 1975*, § 34-23-70, provides: “[o]n prescriptions which may be refilled, written or oral authorization must be received [from the prescriber] before refilling unless the number of refills is indicated on the original prescription;”

WHEREAS, current state law, *Code of Ala. 1975*, § 34-23-75, allows only for the emergency refilling of such prescriptions for up to seventy-two (72) hours; and,

WHEREAS, under the current conditions, this time frame is both impractical and inadequate, and should be extended.

NOW, THEREFORE, I, Robert Bentley, Governor of the State of Alabama, under the emergency powers and authorities granted to me by Chapter 9 of Title 31 of the Code of Alabama 1975, do hereby extend the time frame of said statute from seventy-two (72) hours to thirty (30) days. This extension shall apply to both instances where seventy-two (72) hours is set out in the statute. All other provisions of said statute shall remain in full force and effect. To the extent that *Code of Ala. 1975*, § 34-23-75 conflicts with the terms of this paragraph, the said statute is suspended or amended to be in compliance with this Order.

BE IT ORDERED, *Code of Ala. 1975*, § 34-23-70 notwithstanding, that non-controlled prescriptions may be refilled upon the presentation of the actual medication bottle indicating the name of the prescriber, copies of prescriptions, insurance billing report or insurance claim notification, or other documentation which would provide the pharmacist sufficient information to adequately identify the non-controlled medication and the dosage thereof. To the extent that *Code of Ala. 1975*, § 34-23-70 conflicts with the terms of this paragraph, the said statute is suspended or amended to be in compliance with this Order.

BE IT FURTHER ORDERED that each Alabama pharmacist covered by the said statutes shall use his or her good judgment in refilling prescriptions for this extended period of time and under these conditions.

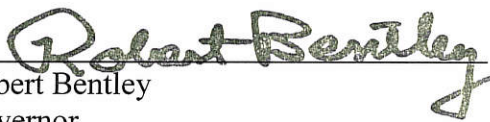
BE IT FURTHER ORDERED that this order shall not apply to controlled substances. Persons needing refills of controlled substance prescriptions who cannot produce the normally required bottle, prescription or other documentation must seek and receive a new prescription from a person licensed to prescribe controlled substances in the State of Alabama.

BE IT FURTHER ORDERED that the State Board of Health, as the lead agency for Emergency Support Function 8, is hereby authorized to promulgate emergency rules to implement this order.

This Proclamation and all subsequent orders, laws, rules or regulations issued pursuant hereto shall remain in full force and effect for the duration of the State of Emergency unless rescinded or extended by Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Alabama to be affixed by the Secretary of State at the State Capitol in the City of Montgomery, on this 7th day of October, 2016.





Robert Bentley
Governor

ATTEST:



John H. Merrill
Secretary of State