The Tennessee Pharmacists Association (TPA) is extremely saddened by the tragic wildfires that swept through East Tennessee, as well as the damaging tornadoes and severe weather that affected Southern Middle Tennessee. The loss of life and widespread devastation from these natural disasters have affected tens of thousands of Tennesseans and travelers from outside the state.

As essential health care providers in every community, pharmacists and pharmacy professionals are not immune to the devastation and have been working tirelessly to ensure that patients continue to receive the care and services they desperately need. TPA extends its deepest sympathies to the victims of the recent tragic events in Tennessee and thanks our pharmacists and pharmacy professionals, as well as all allied health care providers and first responders, for your collective efforts to assist in this emergency.

Governor Haslam has issued Executive Order No. 61, “An Emergency Order Suspending Provisions of Certain Laws and Rules in Order to Provide Relief to Victims of Wildfires and Severe Weather In Tennessee.” This Executive Order became effective on November 28, 2016, and is effective through January 30, 2017.

Visit tnpharm.org/haslam-exec-order-61 to view Governor Haslam’s Executive Order in its entirety.

Per Governor Haslam’s Executive Order:

The provisions of Tennessee Code Annotated, Section 63-10-207(a) and (c) [see note below], are hereby suspended nunc pro tunc to November 28, 2016, to allow a pharmacist to dispense a fourteen day supply of a prescription drug without proper authorization to victims of, and evacuees from, the Sevier County wildfire or Southeast Tennessee severe weather in the following counties: Bedford, Bledsoe, Blount, Bradley, Cannon, Cocke, Coffee, Franklin, Grundy, Hamilton, Jefferson, Knox, Lincoln, Loudon, Marion, Marshall, McMinn, Meigs, Monroe, Moore, Polk, Rhea, Roane, Rutherford, Sequatchie, Sevier, Van Buren, and Warren.

TCA 63-10-207. Dispensing of Medication Prior to Authorization

(a) Notwithstanding any provision of law to the contrary, a pharmacist may, in good faith, dispense to a patient without proper authorization the number of dosages of a prescription drug necessary to allow such patient to secure such authorization from such patient’s prescriber not to exceed a seventy-two (72) hour supply, if:

1. The patient offers satisfactory evidence to the pharmacist that the prescriber has placed the patient on a maintenance medication, and that such patient is without valid refills, or for some valid reason cannot obtain proper authorization; and

2. In the judgment of the pharmacist, the health, safety and welfare of the patient would otherwise be endangered.

(b) This section shall not be construed to authorize dispensing of controlled substance medication without proper authorization.

(c) If proper authorization cannot be obtained during the seventy-two-hour period, then the pharmacist may dispense the number of dosages necessary for one (1) additional consecutive seventy-two-hour period in accordance with the requirements of this section.

Note: TCA 63-10-207 (a) and (c) were suspended, but (b) was not. Therefore, this provision in the Executive Order applies to non-controlled substances only.

TPA is grateful to Governor Haslam and his office, the Tennessee Department of Health, and the Tennessee Board of Pharmacy for working with TPA to ensure that patients have uninterrupted access to life-saving and life-sustaining medication therapies. We will continue to monitor this situation and provide updates as they become available.