



U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov

Washington, D.C. 20537

JAN 31 2003

Howard A. Heit, M.D., F.A.C.P., F.A.S.A.M.
8316 Arlington Boulevard, Suite 232
Fairfax, Virginia 22031

Dear Dr. Heit:

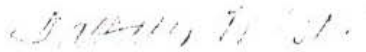
This is in response to your correspondence dated January 15, 2003, regarding the Drug Enforcement Administration's (DEA) policy concerning the legality of a practitioner issuing several Schedule II prescriptions on the same date for the same medication for a stable patient (one for immediate use, one not to be filled before 30 days and one not to be filled before 60 days).

The DEA regulations do not prohibit a practitioner from issuing more than one prescription at a time. If, in keeping with the practitioner's professional medical judgment, multiple prescriptions are issued at one time, each must bear the actual date that the prescriptions were issued and signed as well as directions for dispensing. For example, if three prescriptions, each for a 30-day supply, are issued on January 9, 2003, each prescription must be dated January 9, 2003. In addition, the prescriptions to be filled at later dates must include directions for the dispensing pharmacist such as, "do not dispense before February 9, 2003," and "do not dispense before March 9, 2003." Although Title 21 of the Code of Federal Regulations, Section 1306.12 (21 CFR 1306.12) prohibits the refilling of a prescription for a Schedule II controlled substance, the DEA does not consider multiple prescriptions in the scenario outlined above as refills, and has authorized this practice **provided** that it is not in violation of the laws of the state in which the practitioner is licensed.

Although the DEA does not restrict the frequency or quantity of prescriptions, state medical/pharmacy boards or insurance providers may impose some limit on the prescribing or dispensing of controlled substance medications. The practitioner may wish to contact these parties for information regarding any limits they impose on the quantity of medication that may be prescribed and dispensed.

The DEA appreciates your efforts in informing other practitioners of DEA policies on the handling of controlled substances. The above cited regulation and information regarding DEA's Diversion Control Program are available on our web site at www.DEAdiversion.usdoj.gov. Should you have additional questions, please contact Fred H. Shiel, R.Ph., at (202) 307-7295.

Sincerely,


Patricia M. Good, Chief
Liaison and Policy Section
Office of Diversion Control