



STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, on August 28, 2021, I proclaimed a state of emergency for Alabama's coastal and western counties in anticipation of Hurricane Ida;

WHEREAS Hurricane Ida made landfall in Louisiana on August 29, 2021, with sustained winds of 150 miles per hour, making it one of the strongest hurricanes ever to make landfall in the United States;

WHEREAS Hurricane Ida caused great damage and destruction in Mississippi and Louisiana, prompting many citizens of those States to flee to safety in Alabama and at this time it is unknown when these evacuees will be able to safely return home; and

WHEREAS Hurricane Ida's impacts have brought to light the need for additional emergency action by state government;

NOW THEREFORE, I, Kay Ivey, Governor of the State of Alabama, pursuant to the relevant provisions of the Alabama Emergency Management Act of 1955, as amended, Ala. Code §§ 31-9-1 *et seq.*, do hereby proclaim the existence of conditions that warrant implementation of additional extraordinary measures and relief during the state of emergency now in effect in order to guard public health and protect human life. I therefore proclaim and direct all of the following:

I. Emergency refills of prescription drugs

Because hurricane evacuees in Alabama may face emergency prescription-medication needs without the ability to readily obtain proper refill authorization, I find that the existing, statutory 72-hour-supply limit on emergency prescription refills is both impractical and inadequate and should be extended. To that end, the refilling of prescription medications on an emergency basis shall be subject to the following rules:

- A. The supply of prescription medication that may be filled in an emergency under section 34-23-75 of the Code of Alabama is hereby increased from a 72-hour supply to a 30-day supply.
- B. Emergency prescription refills may be dispensed pursuant to this proclamation only if:
 1. The prescription is not a medicinal agent listed in Schedule II appearing in Title 20, Chapter 2 of the Alabama Code or in Chapter 420-7-2 of the Alabama Administrative Code.
 2. The medication is essential to the maintenance of life or the continuation of therapy in a chronic condition as designated in the joint rule adopted by the Board of Pharmacy, *see* Ala. Admin Code r. 680-X-2-.26, and the Board of Medical Examiners, *see id.* r. 540-X-4-.07.
 3. The dispensing pharmacist is unable to readily obtain refill authorization from the prescriber.

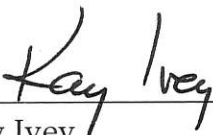
4. The dispensing pharmacist obtains documentation that would allow the pharmacist to reasonably verify the medication and appropriate dosage thereof—for example, the actual medication bottle indicating the name of the prescriber, copies of prescriptions, an insurance billing report, or an insurance claim notification.
 5. The dispensing pharmacist creates a written order containing all of the prescription information required by Title 34, Chapter 23 and Title 20, Chapter 2 of the Alabama Code.
 6. The dispensing pharmacist notifies the prescriber of the emergency dispensing within 30 days after such dispensing.
- C. Each dispensing pharmacist shall use his or her good judgment in refilling prescriptions pursuant to this proclamation.
- D. Persons needing emergency refills of prescriptions in instances not authorized by this proclamation must seek and receive a new prescription from a person licensed to prescribe medications in the State of Alabama.

FURTHER, to the extent a provision in this supplemental proclamation conflicts with any provision of state law, that law is hereby suspended for the duration of this state of emergency, and this proclamation shall control.

FURTHER, I declare that this proclamation is supplemental to my proclamation of August 28, 2021, and that all provisions in this proclamation or the August 28, 2021 proclamation shall remain in full force and effect for the duration of the state of emergency unless modified or terminated by proclamation of the Governor.

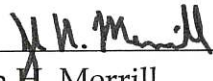
IN WITNESS, WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this the 2nd day of September 2021.





Kay Ivey
Governor

ATTEST:



John H. Merrill
Secretary of State