

TITLE 30: PROFESSIONS AND OCCUPATIONS

PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE XLVI CHARITY PHARMACY PERMITS

1. Facilities that dispense prescription medications to poor and underprivileged persons at no charge shall obtain a charity pharmacy permit from the Mississippi Board of Pharmacy. Such medications must be dispensed pursuant to orders or prescriptions of practitioners authorized by law to prescribe such drugs. A facility permitted by the Mississippi Board of Pharmacy may dispense prescription medications to poor and underprivileged persons at no charge without a charity pharmacy permit pursuant to a charitable drug distribution program that has been approved by the Mississippi Board of Pharmacy.
2. A Charity Pharmacy may receive, maintain and dispense donated “sample” or purchased prescription medications to medically indigent residents of the State of Mississippi pursuant to a valid prescription or order. No dispensed patient specific medications may be received for re-dispensing under this permit except as allowed by these regulations. It is the responsibility of the charity pharmacy to determine eligibility of patients to receive medications at no cost. Controlled substances may not be donated, purchased by or transferred to a charity pharmacy under this regulation. Donated medications must be received, maintained and dispensed in accordance with Pharmacy Board Regulations.
3. A Charity Pharmacy may receive, maintain and dispense un-needed and unused prescription medications donated by Long Term Care (LTC) and Assisted Living Facilities (ALF) pursuant to regulations as established by the Board.
4. Long-Term Care (LTC) and Assisted Living Facilities (ALF) may apply to the Mississippi Board of Pharmacy for an Unused/Unneeded Medication Donation Permit. Such facilities must be in good standing with the Mississippi State Department of Health and must comply with guidelines established by the Board for donation of un-needed and unused prescription medications to a charity. It is the responsibility of the charity pharmacy to determine eligibility of patients to receive medications at no cost. Controlled substances may not be donated or transferred by a LTC or ALF to a charity pharmacy under this regulation.
5. The Consultant Pharmacist for the Long-Term Care/Assisted Living Facility must verify that the facility has policies and procedures to comply with the following guidelines regarding donation of un-needed and unused prescription medication to a charity pharmacy:
 - A. A dispensed prescription is the property of the patient for whom it was prescribed regardless of who paid for the prescription. The patient or agent of the patient must authorize the donation of the un-needed or unused medications, unless the patient is deceased. Long Term Care/Assisted Living Facilities must maintain documentation of authorization for donation of medications for a period of two years.
 - B. Quality and suitability for reuse of prescription medications may be determined by verifying documentation of the following:
 - (1) That the medications have been maintained in compliance with applicable Board of Pharmacy Regulations.
 - (2) That prior to donation to the Charity pharmacy, the name of the patient and any identifying information must be redacted or removed.

- (3) That medications are not adulterated or mutilated.
 - (4) That medications have identifiable expiration dates that are more than 60 days after the date the drugs are donated to the charity pharmacy.
 - (5) That liquid medications are not acceptable for reuse or dispensing.
 - (6) That expired medications are not acceptable for reuse or dispensing.
 - (7) That controlled substances are not acceptable for donation and dispensing.
- C. Medication Donation Forms must be completed according to the following guidelines and contain the following pertinent information:
- (1) Name, address, Board of Pharmacy Permit Number for the donating LTC/ALF facility and name of consultant pharmacist of the donating facility.
 - (2) Name, address, Pharmacy Permit Number and name of Pharmacist-In-Charge of Charity Pharmacy to whom the medications are to be donated.
 - (3) Name, strength, quantity, expiration date, and identification verification of medications to be donated.
 - (4) The consultant pharmacist or a licensed healthcare provider of the donating entity must attest that the donated medications have been maintained in compliance with procedures developed by the consulting pharmacist to product integrity of the donated medications.
 - (5) The Medication Donation Form must be signed and dated by the Charity Pharmacy Pharmacist Representative on receipt of donated medications.
 - (6) A copy of the Medication Donation Form must be maintained in chronological order by the donating entity as well as the receiving Charity Pharmacy for a period of two (2) years.
6. Eligibility of donated prescription drugs:
- A. Prescription drugs for donation must be packaged in the original sealed or tamper evident packaging in unit dose or blister packs as prepared by the original packager/repackager of the medication.
 - B. Prior to reuse or dispensing by the Charity pharmacy, medications must be identified by a licensed Pharmacist.
 - C. No adulterated, misbranded, compounded or unidentified medications may be accepted and dispensed by the Charity Pharmacy.
 - D. The expiration date assigned by the original packager/repackager of the medication will become the expiration date of the donated medication.
 - E. Donated prescription medications may not be sold, resold, offered for sale, traded or transferred to any other entity.
 - F. Donated medications must remain in original sealed packaging until time of dispensing.
 - G. Unused and un-needed donated medications may not be returned to the donating facility and must be rendered unusable and disposed of in accordance with Board of Pharmacy Regulations. Records of disposal must be maintained for a period of two (2) years and must contain the signatures of two witnesses to the destruction one of which must be a licensed pharmacist.
7. Responsibility of Charity Pharmacy Pharmacist-In-Charge regarding donated medications for dispensing:
- A. Coordinate retrieval, transportation and storage of donated unused prescription medications from authorized LTC/ALF. To insure the integrity of the donated

medications, the donated medications should be transported directly from the donating facility to the charitable pharmacy.

- B. Assure that donated medications are identified and product integrity is guaranteed.