

## State Rules and Recommendations Regarding Chloroquine, Hydroxychloroquine and Other Drugs Related to COVID-19

### States Restricting Dispensing

**New York:** [Executive Order](#) from Gov. Andrew Cuomo restricting dispensing:

- Bans pharmacists from dispensing hydroxychloroquine or chloroquine except:
  - When written as prescribed for a US Food and Drug Administration (FDA)-approved indication; or
  - As part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19
    - Positive COVID-19 test result must be documented as part of the prescription.
- Prohibits use of hydroxychloroquine or chloroquine for experimental or prophylactic use.
- Any permitted prescription is limited to one 14-day prescription with no refills.

**Nevada:** Board of Pharmacy [guidance](#) restricting dispensing:

- Restricts the dispensing of chloroquine and hydroxychloroquine.
- May only be dispensed for the treatment of, not for the prevention of, COVID-19 so long as:
  - The patient has a diagnosis of COVID-19 and the diagnosis is indicated on the prescription;
  - The prescription is limited to no more than a 14-day supply;
  - No refills may be permitted unless a new prescription is furnished; and
  - The pharmacist confirms that the prescribing practitioner submitted an individual “compassionate use” or expanded access request with the FDA.
- Issued to prevent the stockpiling of chloroquine and hydroxychloroquine.
- Remains in effect until June 30, 2020.

**Ohio:** [Emergency rule](#) restricting dispensing:

- No prescription for chloroquine or hydroxychloroquine may be dispensed by a pharmacist or sold at retail by a licensed terminal distributor of dangerous drugs unless all of the following apply:
  - The prescription bears a written diagnosis code from the prescriber; and
  - If written for a COVID-19 diagnosis, the diagnosis has been confirmed by a positive test result, which is documented on the prescription, and both of the following apply:
    - The prescription is limited to no more than a 14-day supply; and
    - No refills may be permitted unless a new prescription is furnished.
- Prescriptions for either presumptive positive patients or prophylactic use of chloroquine or hydroxychloroquine related to COVID-19 is strictly prohibited unless:

- The drugs are for use as part of a documented institutional review board-approved clinical trial to evaluate the safety and efficacy of the drugs to treat COVID-19; or
- The drugs are used for the continuation of inpatient treatment for COVID-19.
- The rule applies only to outpatient use.
- The board does not have a formal position on the use of chloroquine or hydroxychloroquine to treat patients diagnosed with COVID-19 and defers to the FDA and US Centers for Disease Control and Prevention to determine whether chloroquine or hydroxychloroquine is appropriate in the treatment of COVID-19.

**Idaho:** Board of Pharmacy [Temporary Rule](#) restricting dispensing:

- No prescription for chloroquine or hydroxychloroquine may be dispensed except if all the following apply:
  - The prescription bears a written diagnosis from the prescriber consistent with evidence for its use;
  - The prescription is limited to no more than a 14-day supply, unless the patient was previously established on the medication prior to 3/19/2020; and
  - No refills are permitted unless a new prescription is furnished.

**Kentucky:** Board of Pharmacy [FAQ and Guidelines](#) restricting dispensing:

- Prescriptions for chloroquine, hydroxychloroquine, mefloquine, and azithromycin may only be dispensed if:
  - The prescription bears a written diagnosis from the prescriber consistent with its use;
  - The prescription is limited to no more than a 10-day supply, unless the patient was previously placed on the medication prior to March 25, 2020; and
  - No refills may be permitted unless a new prescription or medication order is furnished with established written diagnosis and indication for continuation of therapy.
- Prescribers may continue to write prescriptions for large quantities of these drugs, but pharmacists cannot dispense them.
- For other drugs being prescribed for off-label use for COVID-19, pharmacists must use professional judgement to determine if a valid patient-prescriber relationship exists and if the quantity prescribed is appropriate. A pharmacist may also need to obtain a diagnosis.

**North Carolina:** Board of Pharmacy [Emergency Rule](#) restricting dispensing:

- Rule applies to hydroxychloroquine, chloroquine, lopinavir-ritonavir, ribavirin, darunavir, and azithromycin;
- For above drugs, a pharmacist can only fill or refill a prescription if that prescription bears a written diagnosis from the prescriber consistent with its evidence for use;
- If a patient has been diagnosed with COVID-19, any prescription of a drug listed above for the treatment of COVID-19 must:

- Indicate on the prescription that the patient has been diagnosed with COVID-19;
- Be limited to no more than a 14-day supply; and
- Not be refilled, unless a new prescription order is issued, including not being refilled through an emergency prescription refill.
- A pharmacist cannot fill or refill a prescription for a drug listed above for the prevention of, or in anticipation of, the contraction of COVID-19 by someone who hasn't yet been diagnosed.
- This rule doesn't apply to prescriptions for a drug listed above for a patient previously established on that drug before March 10, 2020.

**Texas:** Board of Pharmacy [restricting](#) dispensing:

- No prescription or medication order for chloroquine, hydroxychloroquine, mefloquine or azithromycin may be dispensed or distributed unless all the following apply:
  - The prescription or medication order bears a written diagnosis from the prescriber consistent with the evidence for its use;
  - The prescription or medication order is limited to no more than a 14-day supply unless the patient was previously established on the medication; and
  - No refills may be permitted unless a new prescription or medication order is furnished.

### States Offering Recommendations

**Louisiana:** The Board of Pharmacy [encourages](#) pharmacies to exercise discretion.

- The board originally issued an emergency rule to limit the dispensing of chloroquine and hydroxychloroquine to address shortages, but rescinded the rule after it received information about a significant donation and distribution of the drugs from the manufacturer, along with the removal of the drug from FDA's drug shortage list.
- It now encourages each pharmacy to exercise professional discretion to dispense limited quantities of the drug as appropriate.

**Kansas:** The Board of Pharmacy [encourages](#) vigilance, and:

- Strongly encourages vigilance in processing new prescriptions for chloroquine and hydroxychloroquine.
- Recommends that if used, chloroquine and hydroxychloroquine should be restricted to patients who are admitted to hospitals with COVID-19 infections.
- Urges pharmacists to consider that patients currently taking hydroxychloroquine for FDA-approved indications (lupus, rheumatoid arthritis) could be affected by increased prescribing and that supplies should be monitored by pharmacists for medication availability.
- Recommends reaching out to prescribers to verify COVID-19 diagnosis.

**Missouri: Board of Pharmacy [recommendations:](#)**

- The recommendations were made in response to concerns about stockpiling of medication, inappropriate use, and potential drug shortages for patients with a legitimate need.
- Recommendations to prescribers to prevent drug shortages:
  - Prescribing hydroxychloroquine, chloroquine, and azithromycin for COVID-19 prophylactic is discouraged and not recommended.
  - Prescribers include the diagnosis code or diagnosis with the prescription.
  - Prescribers should consider limiting the amount prescribed.
- For pharmacies:
  - Pharmacists should use professional judgement and take steps to verify that newly issued prescriptions for hydroxychloroquine, chloroquine, and azithromycin are issued for a legitimate medical purpose. They should contact prescribers to confirm a diagnosis.
  - Licensees should limit supplies of hydroxychloroquine, chloroquine and azithromycin prescribed for presumptive COVID-19 patients or prophylactic use.
  - They should consider limiting dispensing for patients newly prescribed hydroxychloroquine, chloroquine, or azithromycin without a supporting diagnosis.
- The board did not recommend that pharmacies refuse to fill, just recommended using caution.