

Virginia Board of Pharmacy

Proof of Identity when Dispensing Schedule II Drugs

Virginia Code § 54.1-3420.1 authorizes a pharmacist to request proof of identity prior to dispensing or refilling prescriptions written for drugs in Schedules II through V.

Subsection B of § 54.1-3420.1 requires that a pharmacist or his agent obtain proof of identity at the time of delivery anytime the pharmacist or his agent does not know the patient or the person picking up or “seeking to take delivery” of a Schedule II dispensed drug prescribed for the patient. Subsection B of § 54.1-3420.1 defines “proof of identity” (hereafter referred to as “ID”) as “a driver’s license, government-issued identification card, or other photo identification with documentation of the person’s current address.” With the inclusion of “other photo identification,” the Board interprets the statute to mean that a photo is also required on the driver’s license or government-issued identification card. A special identification card without a photo may be accepted provided it is issued by the Department of Motor Vehicles in accordance with Virginia Code § 46.2-345.2.

Additionally, § 54.1-3420.1 requires the pharmacist or his agent to make a photocopy or an electronic copy of the person’s identification or record the full name and address whenever someone other than the patient for whom the drug was prescribed *is not known* to the pharmacist or his agent and is picking up or seeking to take delivery of the Schedule II dispensed prescription.

In summary:

- If any person picking up or “seeking to take delivery” of a Schedule II dispensed prescription is known to the pharmacist or his agent, then the pharmacist or his agent is not required to obtain ID.
- If the person picking up the Schedule II dispensed prescription is the patient for whom the prescription is written, and the pharmacist or his agent does not know that person, then the pharmacist or his agent must require ID.
- If anyone other than the patient for whom the prescription is written seeks to take delivery of the drug, and the pharmacist or his agent does not know the person, then the pharmacist or his agent must either make a photocopy or an electronic copy of such person’s ID *or* record the full name and address of such person. The pharmacist must keep a record or copy of the ID for at least one month.

Subsection C of § 54.1-3420.1 states that when a pharmacy delivers a Schedule II drug by mail, common carrier, or delivery service to a Virginia address, the method of delivery employed shall require the signature of the recipient as confirmation of receipt.