# SD Rule ****20-51-35-09.********Criteria for dispensing donated prescription drugs and supplies.****

A donated drug or medical supply may be dispensed only if:

(1) The drug or supply is prescribed by a health care professional for use by an eligible patient and is dispensed by a licensed pharmacist in a participating pharmacy;

(2) The participating pharmacy dispenses to an individual requesting a drug or supply through the program as follows, in descending order of priority:

(a) An indigent individual;

(b) An individual who has no active third-party prescription drug reimbursement coverage for the drug or medical supply prescribed; and

(c) Any other individual;

(3) The participating pharmacy dispenses the donated prescription drug or supply in compliance with all applicable federal and state laws and regulations for dispensing prescription drugs and supplies;

(4) The participating pharmacy dispensing the prescription drug or medical supply removes the original donor's identification and the name of the dispensing pharmacy from the package prior to dispensing the drug or supply; and

(5) The participating pharmacy documents the dispensing in the board's program database.

History: Adopted 49 SDR 51, effective November 27, 2022.