



AB 2789 Bulletin: New Prescribing Laws Take Effect January 1, 2022

Licensed healthcare practitioners with prescribing authority are subject to the e-prescribing requirements established by [Assembly Bill \(AB\) 2789 \(Wood, 2018\)](#).

Beginning January 1, 2022, most prescriptions issued by a licensed healthcare practitioner to a California pharmacy must be submitted electronically. This includes prescriptions issued by out-of-state healthcare practitioners to be filled in a California pharmacy.

Healthcare practitioners who fail to meet the requirements of AB 2789, may be subject to disciplinary action.

The law provides certain exemptions, including if transmission of the prescription is temporarily unavailable because of technological or electrical failure; if the prescription is dispensed by a pharmacy located outside California; or if the prescription is issued to a patient who has a terminal illness pursuant to [Section 11159.2](#) of the Health and Safety Code. The complete list of exemptions is included within [Business and Professions Code section 688](#).

In addition to the electronic transmission requirements for most prescriptions, there are additional new requirements for controlled substance prescriptions. Under this law, a healthcare practitioner who does not issue a controlled substance prescription as an electronic data transmission prescription due to technological or electrical failure shall document the reason in the patient's medical record as soon as practicable, and within 72 hours of the end of the technological or electrical failure.

Although most prescriptions will be issued electronically, it is recommended that all licensed prescribers have paper prescription forms available that meet the requirements of [AB 149](#) should a technological or electrical failure prevent a prescription from being issued electronically. A list of the approved security prescription printers is available on the [State Attorney General's website](#).

Additional Resources:

- For additional information about the requirements, please visit the [California Legislation Information webpage – AB 2789](#)
- For information about the Drug Enforcement Administration's Electronic Prescriptions for Controlled Substances procedures, visit https://www.deadiversion.usdoj.gov/ecommm/e_rx/index.html

- For the California State Board of Pharmacy's Electronic Data Transmission Prescriptions (E-Prescriptions) FAQ, visit <https://pharmacy.ca.gov/licensees/erx-faqs.shtml>

Please note the Department of Consumer Affairs and the boards regulating licensed prescribers are unable to recommend or suggest what products or services will comply with the law.

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