

EXHIBIT

Creek-76

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## Good Faith Practices and Fraudulent Prescriptions

The pharmacist **must** use the elements of good faith dispensing in conjunction with state and federal controlled substance laws when filling **all** prescriptions. The pharmacist must ensure that a prescription for a controlled substance is dispensed for a legitimate medical purpose.

### Elements

The elements of good faith dispensing that should alert a pharmacist to questionable circumstances are as follows:

- Numerous controlled substance prescriptions written by the same prescriber or several different prescribers
- Numerous prescriptions submitted by the same person
- Increased frequency of prescriptions for the same controlled drug:
  - by one prescriber
  - for large numbers of patients
  - for quantities beyond those normally prescribed
- Unusual dosages or instructions in conflict with approved labeling
- Unusual geographical distances between patient, pharmacist, and prescriber
- Consistent prescriptions for habit-forming drugs
- Lack of consistent prescriber/patient relationship

### Office-Use Prescriptions

Prescriptions must be issued for a specific patient. Prescriptions written for "office use" are not valid.

### Prescription Validation Procedures

If a pharmacist is unable to dispense a prescription in good faith:

1. Scan the prescription, and then enter the information (F1).
2. On the hard copy, write **Call Prescriber - Verify valid prescription**.
3. Contact the prescriber and confirm or clarify the prescription.
  - If the prescriber confirms the validity of the prescription, document this on the hard copy, and then process the prescription as normal.
  - If the prescriber informs the pharmacist that a prescription for a controlled substance is not valid or authorized, contact local law enforcement. A copy of the scanned image should be given to local law enforcement upon verbal request. Maintain a copy of the prescription in the CII cabinet for future reference, along with any documentation received from local law enforcement, e.g., case number, police officer's card.
4. The prescription may be returned to the patient upon the patient's request.

#### **IMPORTANT: IF THE PRESCRIBER CANNOT BE REACHED, DO NOT DISPENSE THE PRESCRIPTION.**

5. Document the occurrence by faxing an image to the prescriber's office, if fax is available, as follows:
  1. Verify the prescription, and then create a DUR exception.
  2. In the Exception Queue, select the prescription.
  3. Select **FAX Create**.
  4. Enter a message in the message box, for example, "Please verify the validity of the prescription."
  5. In the **Include Rx Image** field, enter **Y**.
  6. Send fax.

**Note:** Controlled substances may only be dispensed to patients who have a prescription for a valid medical purpose (good faith dispensing), written by a practitioner acting in the usual course of professional practice. A **corresponding**

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**responsibility** rests with the pharmacist to ensure that controlled substance prescriptions are issued for a legitimate medical purpose by an individual practitioner in the usual course of professional practice.

**OKLAHOMA STORES:** In Oklahoma, if notified by a prescriber about an allegedly illegal activity involving a controlled substance, contact your local police department immediately.

### Compounded Nonsterile Preparation

Policy and procedure regarding compounding practice shall be reviewed on an annual basis by the pharmacist in charge (PIC).

All Company pharmacies are authorized to prepare compounds according to the recipes for which they have the ingredients, equipment, and expertise. Pharmacists should use their professional judgment and refer all complex compounds to a designated Compounding Center.

### Internet Prescriptions

Patients can order new prescriptions, refills, and transfer prescriptions from competitors online using the Company websites. The patient has the option of mail delivery or store pickup.

<b>Note:</b>	When the patient requests a prescription via the internet and wants to pick it up at a store, he or she will designate a pickup date, time, and store. The earliest pickup time the patient can request is two hours from the time of the order.
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If the prescription is a...	Then...
New prescription	the pharmacy will receive an Intercom Plus Mail message containing applicable patient and prescription information.
Prescription transferred from a non-company location	
Refill	the refill will be routed into the Intercom Plus Work Queue (or the Message Queue if prescription(s) can't be processed) and a prescription label will print at the designated time.

### Accepting Internet Prescriptions

Step	Action
1.	The Pharmacy receives a voice mail message on the prescriber line from the Tempe Mail Service Facility to notify the pharmacy that a new or transferred Internet prescription order has been sent to Intercom Plus Mail.
2.	The Pharmacist <u>accesses the mail message</u> at the Verification terminal, prints a copy, and exits Intercom Plus Mail. The mail message contains applicable patient and <u>prescription information</u> .
	<b>Note:</b> Do <b>not</b> delete the message until the prescription is verified.

3.	The Pharmacist calls the prescriber (new prescription) or pharmacist (prescription transferred from competitor) to obtain the prescription.
	<b>Note:</b> If the prescriber or pharmacist request becomes a "Will Call Back", write the date and time of the initial call on the printed mail message. Attach the message to the prescription.
4.	The Pharmacy Technician enters the prescription(s) into Intercom Plus, using all information provided in the mail message.
	<b>Note:</b> You should use the patient's phone number and date of birth to verify you have selected the correct patient. If this information is missing from the prescription, it should be verified with the prescriber or patient prior to dispensing the prescription.  You <b>must</b> enter the pickup date and time listed on the message into Intercom Plus.
5.	Follow normal procedures for <u>filling a prescription</u> .

#### When the Prescription is Ready for Pickup:

The patient will automatically receive an "Rx Ready" email when the prescriptions are "Ready" for pick-up. In the event that the patient has more than one prescription, the patient will not receive the Rx Ready email until all prescriptions are ready for pickup provided that the technician entered the same pickup time on all prescriptions.

<b>Note:</b>	The patient will also receive an "Rx Ready" phone message for prescriptions that have been "ready" for 24 hours unless otherwise requested. Once an online order has been placed, the patient will receive an "Rx Ready" email for all future prescriptions ordered, regardless of the ordering method.
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When the patient picks up the prescription(s), follow normal procedures for retrieving medication for the patient

#### Additional Information:

If a customer returns an Internet prescription that was filled at the Tempe Mail Service Facility or any other Company pharmacy, follow normal return procedures for your district.

If you have questions about the website, contact your Pharmacy Supervisor or a walgreens.com Customer Service Representative toll-free at 1-877-250-5823.

### Verbal Prescriptions

Do not accept verbal prescriptions for new patients and/or from new prescribers unless:

- You verify the identity of the prescriber.
- You verify that the prescriber has authority to prescribe controlled substances.
- You verify the practitioner's federal DEA number and state license numbers.

**Note:** The telephone number received via a verbal prescription must match the number in the telephone directory.

Make sure to follow good faith dispensing guidelines.

Regular dispensing of verbal controlled drug prescriptions to the same patient from the same or different prescribers **must not** continue until the pharmacist establishes existence of a patient-prescriber relationship and a legitimate medical purpose for the medication.

The pharmacist **must** exercise professional judgment regarding the patient's continued need for controlled substances. The pharmacist must contact the prescriber when all elements of good faith dispensing cannot be met. Notify your district pharmacy supervisor if a prescriber fails to provide a hard copy for an emergency Schedule II telephone prescription within the legally required time period. The pharmacy supervisor will evaluate the situation, and then contact the appropriate regulatory agencies, if necessary.

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