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## Board of Registration in Pharmacy

### Policy 2000-03: Pharmacy Operations During the Temporary Absence of a Pharmacist

Board Regulations at 247 CMR § 6.02(9)(a) state: " A registered pharmacist shall be on duty and shall be present at all times when non-pharmacist personnel have unrestricted access to the pharmacy department".

This requirement shall not apply during the temporary absence of a pharmacist as set forth below provided that the following requirement is strictly adhered to at all times during the temporary absence of the pharmacist.

This policy is adopted to ensure that pharmacists are able to have necessary and appropriate duty-free breaks and meal periods without unreasonably impairing the ability of a pharmacy to remain open.

1. In any pharmacy that is staffed by a single pharmacist, the pharmacist may leave the pharmacy temporarily for necessary and appropriate breaks and meal periods without closing the pharmacy and removing ancillary staff from the pharmacy if the pharmacist reasonably believes that the security of the dangerous drugs and devices will be maintained in their absence. If in the professional judgment of the pharmacist, for reasons of security or otherwise, the pharmacist determines that the pharmacy should close during their absence, then the pharmacist shall close the pharmacy and remove all ancillary staff from the pharmacy during their absence.

2. During the pharmacist's temporary absence, no prescription medication may be provided to a patient or to a patient's agent unless the prescription medication is a refill medication that the pharmacist has checked; and determined not to require the consultation of a pharmacist; prior to being released for furnishing to the patient. A new prescription which has been previously prepared, visibly checked by a pharmacist and had a drug utilization performed by a pharmacist, may be picked up by a patient provided that a log, including the patients phone number, of all such transactions is

kept. The pharmacist, upon return from break, and within a reasonable time, shall call the patient to review any pertinent counseling deemed appropriate.

3. During such times that the pharmacist is temporarily absent from the pharmacy, the pharmacy technical support staff may continue to perform the non-discretionary duties authorized to them by pharmacy law. However, any duty performed by any member of the ancillary staff shall be reviewed by a pharmacist upon their return to the pharmacy.

4. Pharmacist managers, at their discretion, may develop a written policy for allowing Pharmacy Technician Certification Board ("PTCB") and/or Board approved certified technicians and pharmacy interns to receive telephone prescription orders from practitioners, unless otherwise prohibited by law.

5. In pharmacies where there are two or more pharmacists on duty, the pharmacists shall stagger their breaks and meal periods so that the pharmacy is not left without a pharmacist for a temporary period.

6. The temporary absence authorized by this section shall not exceed 30 minutes. The pharmacist who is on break shall not be required to remain in the pharmacy area during the break period, however the pharmacist shall be required to remain on the premises, licensed by the Board. The total temporary absence shall not exceed more than 30 minutes absence during any work period of at least six consecutive hours.

7. The pharmacy shall have written policies and procedures regarding the operation of the pharmacy during the temporary absence of the pharmacist for breaks and meal periods. The policies and procedures shall include the authorized duties of ancillary staff, the pharmacist's responsibilities for checking all work performed by ancillary staff and the pharmacist's responsibility for maintaining the security of the pharmacy. The policies and procedures shall be open to inspection by the Board or its designee at all times during business hours.

A pharmacist who temporarily leaves the pharmacy for a break or meal period in compliance with this section shall not be subject to Massachusetts Board of Registration in Pharmacy disciplinary action or for acts that they did not authorize and that they, by the exercise of reasonable care, could not have prevented during their absence.

Authority M.G.L. c 112, § 42(A)

**Please direct any questions to: [Pharmacy.Admin@mass.gov](mailto:Pharmacy.Admin@mass.gov)**