

Virginia Board of Pharmacy

Access to Prescriptions During Unanticipated Shortened Hours of Pharmacy Operation

Notwithstanding Virginia Code § 54.1-3434 and 18VAC110-20-135, a pharmacy operating with repeatedly shortened hours of operation that are not expected to last more than one week but that prevent patients from accessing prescriptions may be in violation of Virginia Code § 54.1-3316(2), (13), and 18VAC110-20-25(11). The Board strongly encourages pharmacies unable to operate according to designated hours of operation to formally change hours of operation to establish realistic expectations for the public or provide as much notice as possible to the public using various methods of communication. Such pharmacies should also inform patients of how they may access their prescriptions during the time in which the pharmacy is not operating. Pharmacies at risk of unanticipated shortened hours of operation should exercise caution when performing data-entry of prescriptions or adjudicating third-party claims without completing the dispensing process as this may prevent a patient from obtaining the drug from another pharmacy.

For any change in hours of operation expected to last more than one week, the requirements of Virginia Code § 54.1-3434 and 18VAC110-20-135 apply, which require the pharmacy to notify the Board and provide notice to the public pursuant to the provisions of those laws.

For closure of a pharmacy, defined in 18VAC110-20-10, the requirements of Virginia Code § 54.1-3434.01 and 18VAC20-130 apply.

Applicable Statutes:

[Va. Code § 54.1-3316](#)

[Va. Code § 54.1-3434](#)

[Va. Code § 54.1-3434.01](#)

Applicable Regulations:

[18VAC110-20-10](#) (definition of “pharmacy closing”)

[18VAC110-20-25](#)

[18VAC110-20-130](#)

[18VAC110-20-135](#)