

**INTERNET PRESCRIBING OVERVIEW BY STATE**  
**(FSMB May Not Be Aware of Some Actions Taken by States)**

STATE	Action Taken by State Medical Boards Known to FSMB	Action Taken by Other Entities Known to FSMB	Current Legislation
<p>AL</p> <p><b>Rule</b></p>	<p>In <b>April 2000</b>, the Board promulgated a rule pertaining to having physical contact with a patient before prescribing to a patient. The rule states that it is usually inappropriate for a physician to prescribe to a person he/she has not personally examined and prescribing based solely on answers to a questionnaire in inappropriate and unprofessional. (540-X-9-.11)</p> <p><b>June 2000</b>, the Board summarily suspended a physician's license for 90 days and imposed a \$5000 fine for prescribing medications over the Internet based on online questionnaires. Following the suspension, the physician will be on probation for 5 years.</p> <p><b>April 2001</b>, the Board summarily suspended the licensed of a physician for prescribing legend drugs and controlled substances over the Internet to patients he had not examined and with whom he did not have a proper physician-patient relationship.</p> <p>In <b>April 2002</b>, a physician surrendered his medical license in lieu of further inquiry or other action. This same physician was sentenced to serve 51 months in federal prison for his role in a conspiracy to distribute controlled substances through the Internet.</p> <p>In <b>February 2003</b>, one physician was issued a decree of censure for prescribing, dispensing or furnishing a prescription medication to a person without conducting a physical examination of that person or previously establishing a doctor-patient relationship. Another physician surrendered his license to the AZ Board for similar actions and also for failing to furnish information to the board as requested.</p> <p>In <b>March 2003</b>, the Board revoked the license of a physician, for Internet prescribing violations.</p>	<p><b>July 2000</b>, the U.S. Attorney files criminal charges against online clinic's owners for mail fraud, conspiracy, money laundering, obstructing justice and violations of the FDCA.</p> <p>In <b>February 2002</b>, a jury convicted two clinic owners of violations of the FDCA, money laundering, mail fraud, dispensing misbranded drugs, etc. for rewriting foreign prescriptions.</p> <p>In <b>October 2005</b>, the U.S. Attorney for the Northern District of Alabama indicted Christopher Pudol, charging him with distributing several different controlled substances via the Internet outside the scope of professional practice and not for a legitimate medical purpose.</p> <p>In <b>February 2006</b>, the Board of Pharmacy will be examining a proposed rule regarding Internet pharmacies. The proposal would set forth requirements for pharmacists to verify that an authorized practitioner has issued any prescription order for a legitimate medical purpose.</p> <p>In <b>February 2008</b>, the US District Attorney for Northern Alabama announced that three individuals agreed to plead guilty for their roles in illegal distribution of controlled substances through an Internet pharmacy.</p>	
<p>AK</p> <p><b>Statute</b></p>	<p><b>March 2000</b>, the administrative code was changed to make it unprofessional conduct for a physician to provide treatment, render a diagnosis, or prescribe medication based solely on a patient-supplied history that was received by telephone, facsimile, or electronic format.</p> <p><b>April 2003</b>, the Board suspended a physician for Internet prescribing violations. The Board subsequently revoked this physician's license in <b>April 2004</b>.</p>	<p>In <b>March 2003</b>, the Board of Pharmacy adopted the Voluntary Surrender of Alaska Out-of-State Pharmacy, <a href="http://www.Prescriptiononline.com">www.Prescriptiononline.com</a>.</p>	
<p>AZ-M</p> <p><b>Statute/ Statement</b></p>	<p>In <b>September 1999</b>, the Board censured a physician for prescribing over the Internet and put him on probation for 5 years.</p>	<p><b>April 2000</b>, the legislature passed a bill which adds prescribing medication without first conducting a physical exam to the definition of</p>	

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	<p>In <b>April 2000</b>, the Board issued an interim order for a physician to cease practicing Internet medicine while case awaited a hearing. The Board subsequently issued a letter of reprimand and assessed a \$5,000 fine.</p> <p>In <b>April 2001</b>, the Board entered into consent agreements with 2 physicians who agreed to 5 years probation for prescribing drugs over the Internet based solely on an online questionnaire. One of the physician's was also fined \$1.8 million by the CA Medical Board in <b>February 2003</b> for issuing prescriptions to CA residents.</p> <p>In <b>February 2003</b>, one physician was issued a decree of censure for prescribing, dispensing or furnishing a prescription medication or a prescription-only device to a person without conducting a physical examination of that person or previously establishing a doctor-patient relationship. Another physician surrendered his medical license to the Board for similar actions and also for failing to furnish information to the board as requested.</p> <p><b>August 2004</b>, a physician was placed on probation for five years based on action taken in TN and for Internet prescribing.</p> <p>In <b>May 2005</b>, the Board fined and reprimanded a physician for prescribing medicine via the Internet.</p> <p>The Board suspended a physician's license and placed her on five years probation in <b>June 2005</b>.</p> <p>In <b>October 2005</b>, the Board issued a letter of reprimand to a physician for prescribing medicine via the Internet.</p> <p>In <b>June 2006</b>, the Board issued a letter of reprimand to a physician for prescribing medicine via the Internet. Another physician had his license to practice revoked in <b>June 2006</b> for prescribing controlled substances via the Internet and for not establishing a proper physician-patient relationship.</p> <p>In <b>December 2006</b>, the Board adopted a policy statement to provide guidance and education to physicians on the law regarding the use of the Internet in the physician-patient relationship.</p>	<p>unprofessional conduct. Revised Statutes Title 32, Chapter 13 Article 1.</p> <p>In <b>October 2002</b>, a federal grand jury indicted the operators of two online pharmacies on 198 counts including conspiring to distribute drugs, mail fraud, money laundering and introduction of adulterated drugs into interstate commerce.</p>	
AZ-O <b>Statute</b>	The Board has restricted 4 physicians regarding Internet prescribing. One physician was summarily suspended and surrendered his license in <b>October 2000</b> .	<b>April 2000</b> , the legislature passed a bill which adds prescribing medication without first conducting a physical exam to the definition of unprofessional conduct. Revised Statutes Title 32, Chapter 14 Article 1.	
AR	<b>November 2000</b> , the Board revoked a physician's	<b>April 2001</b> Legislation requires	

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<b>Statute</b>	<p>license for prescribing legend drugs over the Internet without an adequate physician/patient relationship. Revocation stayed if specific conditions are met.</p> <p>In <b>March 2002</b>, an online medical company based in AR agreed to stop writing prescription for patients in AR. No formal action taken by the Board.</p>	<p>Internet pharmacies to disclose specific information on their web sites, including the VIPPS seal. Any physician who writes prescription orders through Internet or e-mail for a consumer located in AR must be licensed in AR. Section 17-92-1001 through 1007.</p>	
<b>CA-M Statute/ Statement</b>	<p><b>August 2001</b>, the Board hired an Internet investigator to locate physicians in CA who are illegally approving prescriptions for patients over the Internet without an appropriate examination.</p> <p>In <b>April 2002</b>, an administrative law judge suspended a physician's license for prescribing drugs via the Internet based on an online questionnaire and, in some cases, a telephone consultation.</p> <p>In <b>May 2002</b>, a physician's medical license was revoked due to action by other medical boards. This same physician was sentenced to serve 51 months in federal prison for his role in a conspiracy to distribute controlled substances through the Internet.</p> <p><b>July 2002</b>, the Board prosecutes a physician for writing 8,000 online prescriptions without examining the patients.</p> <p>In <b>August 2002</b>, the Board revoked the license of a physician for prescribing medication to patients without conducting a physical examination, but stayed that revocation and placed conditions on his license.</p> <p>In <b>January 2003</b>, the Board revoked the license of a physician for prescribing medication to patients without conducting a physical examination.</p> <p>In <b>February 2003</b>, the Board cited 6 physicians not licensed in CA for illegally prescribing drugs over the Internet with fines in excess of \$48 million. All issued prescription to CA residents for dangerous drugs without performing a prior good faith examination as required by the CA Business and Professions Code section 2242(a).</p> <p>In <b>March 2003</b>, a physician surrendered his license in lieu of further board action for Internet prescribing violations.</p> <p>The Board has posted consumer service information on their Web site that discusses issues a consumer should consider before obtaining prescriptions via the Internet.</p> <p>The Board issued a letter of reprimand to a physician for</p>	<p><b>September 2000</b> Legislation prohibits any licensed physician from prescribing drugs or devices in CA without first conducting a one-on-one examination of the patient. Business and Professions Code Section 2242 and 4067.</p> <p><b>2002</b> Pharmacy Board regulation prohibits a person from dispensing medication via the Internet if he knew or reasonable should have known that the prescription was not issued via a good faith prior physical examination.</p> <p><b>May 22, 2002</b>, the Board of Pharmacy issued a citation, imposed a \$33,140,000.00 fine and ordered an Internet pharmacy to immediately cease &amp; desist from dispensing or causing employees to dispense drugs such as Viagra, Propecia, Xenical, and Retin-A, pursuant to orders made on the Internet for which they knew or should have known that the prescription was not issued pursuant to a "good faith prior examination."</p> <p><b>May 2002</b>, the Pharmacy Board fined two pharmacists and a pharmacy a total of \$88 million for allegedly filling 3,500 illegal Internet prescriptions. The action was based on a new law that makes it illegal to fill prescriptions without a "good-faith medical examination."</p> <p>The Court of Appeal of the State of California, First Appellate District, Division Two, ruled in <b>May 2007</b> that a physician located in Colorado who prescribed medicine to a consumer in California practiced medicine without a license in California.</p> <p>In <b>July 2007</b>, a federal grand jury</p>	

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	<p>Internet prescribing violations in <b>February 2004</b>.</p> <p>In <b>March 2004</b>, the Board revoked, then stayed, the license of a physician for inappropriately prescribing drugs via the Internet based on specific terms.</p> <p>In <b>November 2004</b>, the Board placed a physician on 5-years probation and restricted him from supervising physician assistants.</p> <p>In <b>February 2005</b>, the Board revoked the license of a physician for prescribing dangerous drugs to patients whom he had never met via the Internet.</p> <p>In <b>September 2005</b>, the Board revoked the licenses of 2 physicians, but stayed the revocations and placed them on probation for 5 years, for prescribing medicine via the Internet.</p> <p>In <b>October 2005</b>, the Board revoked the license of a physician, but stayed the revocation and placed him on probation for 5 years, for prescribing medicine via the Internet.</p> <p>The Board suspended a physician's license in <b>October 2005</b> due to Internet prescribing violations.</p> <p>In <b>January 2007</b>, the Board revoked the license of a physician, but stayed the revocation and placed him on probation for 2 years, based on action taken against his license in April 2006 by the Florida Board of Medicine. The Board also revoked the license of a physician in <b>January 2007</b>, but stayed the revocation and placed him on probation for 35 months, for prescribing medicine via the Internet. The physician must meet certain terms and conditions while on probation.</p> <p>In <b>March 2007</b>, the Board publicly reprimanded a physician for prescribing dangerous drugs, predominantly narcotics, over the Internet to patients without a good-faith prior examination. The physician must enroll and complete a medical record keeping course, a prescribing practices course, and pay a fine of \$2,000 to the Board.</p> <p>In <b>September 2007</b>, the Board revoked the license of a physician, but stayed the revocation and placed him on probation for 5 years, required him to complete a prescribing practices course, reimburse the cost of the investigation, obtain a practice monitor, and other obligations, for Internet prescribing violations.</p>	<p>indicted 18 individuals on racketeering and related charges for allegedly operating an Internet business that generated \$126 million in gross revenues from the illegal sale of prescription pharmaceuticals to customers across the United States.</p> <p>In <b>February 2008</b>, the US Attorney for the Southern District of California announced that an individual was indicted for conspiracy to illegally import prescription pharmaceuticals from Mexico into the United States. The pharmaceuticals were then sold without a lawful prescription by telephone or via the Internet.</p> <p>A physician was indicted on counts of conspiracy to commit money laundering, money laundering, and four counts of distribution of anabolic steroids and four counts of misbranding drugs held for sale with intent to defraud and mislead in an indictment unsealed in <b>April 2008</b>.</p>	

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CA-O  <b>Statute</b>	<p><b>May 1999</b>, the Board temporarily suspended physician for prescribing without an in-person patient consultation. Current CA law addresses licensing requirements and prior good faith examination.</p> <p>In <b>March 2005</b>, the Board issued a public letter of reprimand to a physician and fined him \$10,000 for issuing prescriptions to patients without performing a good faith medical examination and for failure to maintain adequate records.</p>		
CO  <b>Policy</b>	<p>In <b>November 1998</b>, the Board issued a letter of admonition to physician prescribing Viagra without a physician examination.</p> <p>In <b>November 2000</b>, the Board adopted a policy that an Internet exchange does not qualify as an initial medical exam and no legitimate physician/patient relationship is established by it.</p> <p>In <b>January 2005</b>, the Board suspended the license of a physician for prescribing medicine via the Internet using a suspended DEA number and for other complaints.</p> <p>In <b>August 2005</b>, a physician surrendered his medical license in lieu of board action for Internet prescribing.</p> <p>In <b>July 2006</b>, a physician was issued a letter of admonition for Internet prescribing violations.</p>	<p>In <b>August 2006</b>, the Board of Pharmacy suspended the license of a pharmacy for allegedly dispensing prescription medication without a prescription over the Internet.</p> <p>In <b>January 2007</b>, a pharmacy was fined \$2,500 and relinquished its license following allegations that it filled orders for medications based on prescriptions issued via the Internet.</p> <p>A man was indicted in <b>April 2008</b> for selling counterfeit, misbranded and unapproved prescription drugs to Internet pharmacies and undercover agents. The case was investigated by agents from Immigration and Customs Enforcement and the Food and Drug Administration's Office of Criminal Investigations, with support from the U.S. State Department and Panamanian officials and the cooperation of pharmaceutical companies.</p> <p>One of the nation's largest distributors of pharmaceutical drugs agreed to settle allegations that it violated federal reporting provisions relating to its handling of certain prescription medications regulated by the Drug Enforcement Administration in <b>May 2008</b>. The corporation failed to report to DEA suspicious sales of controlled substance pharmaceuticals it made to pharmacies that filled orders from illegal "Internet pharmacies" that sell drugs online to customers who do not have a legal prescription and agreed to pay \$13,250,000 in civil penalties for the alleged violations.</p>	
CT	In <b>May 2004</b> , the Board entered into a consent	<b>May 2001</b> , the AG announced	

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	<p>agreement with a physician and fined him \$10,000 for actions taken in other states for Internet prescribing.</p> <p><b>February 2005</b>, the Board revoked the license of a physician for issuing prescriptions via the Internet.</p>	<p>intentions to file a lawsuit against seven Internet pharmacies and operators and three doctors approving prescription over the Internet.</p> <p><b>May 2001</b>, CT sued a physician and two pharmacies for approving and filling prescriptions on behalf of USAPrescription.com</p> <p>A man was sentenced to two years of probation for his participation in a conspiracy to distribute anabolic steroids over the Internet in <b>May 2008</b>.</p> <p>A man was sentenced to six months imprisonment, followed by two years of supervised release, for distributing anabolic steroids by mail to individuals who contacted him through his MySpace.com profile in <b>June 2008</b>.</p>	
DE	<p>In <b>October 2006</b>, the Board revoked the license of a physician for Internet prescribing violations.</p>		<p><b>2007 HB 270</b> - Enacts the Internet Pharmacy Consumer Protection Act as a new subchapter within the Uniform Controlled Substances Act; regulates the licensing of internet pharmacies; imposes severe criminal penalties on unlicensed internet pharmacies and practitioners and pharmacists who knowingly violate its provisions; brings internet pharmacies under the regulatory authority of the State Board of Pharmacy; amends consumer fraud statutes to incorporate violations of the Internet Pharmacy Consumer Protection Act.  <b>Replaced by HB 454</b></p> <p><b>2008 HB 454</b> - Enacts the Safe Internet Pharmacy Act. Defines patient-practitioner relationship with respect to prescribing drugs for a patient, a practitioner must</p>

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			<p>conduct at least one in-person medical evaluation of the patient and performed a medical history and physical examination sufficient to establish a diagnosis and to identify underlying conditions of, or contraindications to, the treatment recommended or provided; or personally knows the patient and the patient's general health status through an existing patient-practitioner relationship; or provides treatment in consultation with or upon referral of another practitioner who has an existing patient-practitioner relationship with the patient and who has agreed to supervise the patient's treatment, including follow-up care and use of the prescribed medications. States that an Internet pharmacy shall not sell, dispense, distribute or deliver any prescription drug to a Delaware patient unless the practitioner is a licensed practitioner who has a patient-practitioner relationship with the patient. An Internet pharmacy owner, practitioner, or pharmacist who knowingly violates this act is guilty of a felony and shall be fined not less than \$2,500 nor more than \$25,000 for each offense.</p> <p><b>PENDING</b></p>
DC	<p><b>October 1998</b>, the Board stated that a history and physical examination are necessary in order to prescribe medication to a patient.</p> <p>In <b>July 2003</b>, the Board fined a physician and required her to notify the Board of her intent to practice if she renews her license to practice medicine.</p>		
FL-M	Board issued a statement in <b>December 1998</b> that physicians prescribing Viagra without being licensed in	In <b>January 2002</b> , the AG filed a civil suit against an online pharmacy and a	

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<b>Rule/ Statute</b>	<p>Florida may be criminally liable.</p> <p>In <b>August 2002</b>, the Board imposed a \$10,000 fine on a physician for prescribing via the Internet w/o having face-to-face patient contact or evaluation.</p> <p>In <b>February 2003</b>, the Board revoked the license of a physician for Internet prescribing violations.</p> <p><b>April 2003</b>, the Board fined, reprimanded, and prohibited a physician from any further Internet prescribing activity.</p> <p>In <b>August 2003</b>, the Board approved a rule stating that prescribing medication based solely on an electronic questionnaire constitutes failure to meet the standard of care and that physicians may not prescribe via electronic or other means unless they have a documented patient evaluation, have discussed treatment options and maintain a contemporaneous medical record. The rule also provides for specific exceptions. (64B8-9.014)</p> <p>In <b>September 2003</b>, the Board suspended the medical license of a physician for prescribing Viagra to a patient without the existence of a physician-patient relationship.</p> <p>In <b>June 2004</b>, a physician was issued a letter of concern, fined, and required to complete community service by the Board for Internet prescribing violations.</p> <p><b>November 2004</b>, the Board fined, reprimanded, and suspended a physician's license for Internet prescribing.</p> <p>In <b>February 2005</b>, the Board fined, reprimanded, and required a physician to complete community service because he issued prescriptions to patients via the Internet. Another physician voluntarily surrendered his medical license that same month due to disciplinary actions taken in other states for Internet prescribing violations and for a felony conviction related to controlled substances violations.</p> <p>The Board issued a letter of concern, fined a physician \$10,000, and placed him on indefinite suspension in <b>April 2006</b> for Internet prescribing violations.</p> <p>In <b>May 2006</b>, the Board suspended the license of a physician for his involvement with an Internet pharmacy.</p> <p>In <b>February 2007</b>, a physician voluntarily relinquished his license to practice medicine based on Internet prescribing violations.</p>	<p>physician on the basis they deceived consumers and endangered their health by selling a variety of prescription drugs, including Cipro, without contacting or examining the customer. Suit was filed in coordination with a similar suit in WA State.</p> <p>In <b>June 2002</b>, the Department of Health suspended the license of an Internet pharmacy charging it constituted "an immediate and serious danger" because it was distributing controlled substances based on prescriptions written by physicians who had not examined the patient. This suspension was set aside by an adm. law judge who opted to fine the pharmacy and put it on probation in January 2003. Subsequently, the 1<sup>st</sup> District Court of Appeal ruled that the health department emergency suspension should be enforced.</p> <p>In <b>October 2002</b>, the Pharmacy Board approved a rule that states that pharmacies and pharmacists who fill prescriptions they know, or reasonably should have known, were written by physicians who never physically examined the patient could be sanctioned by the Board. In <b>January 2003</b>, the Board proposed a new rule that clarifies requirements for a valid physician/patient relationship.</p> <p>In <b>January 2003</b>, a federal court in Miami convicted two persons of dispensing prescription drugs without a prescription as well as conspiracy and wire fraud based on their roles in selling unapproved prescription drugs to the public without a prescription through a telemarketing company they owned.</p> <p>In <b>February 2003</b>, the Pharmacy Board published a revised proposed rule that holds pharmacists accountable to ensure that prescriptions they fill are issued</p>	

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	<p>In <b>September 2007</b>, a physician was reprimanded, suspended and fined for Internet prescribing violations.</p>	<p>pursuant to a valid physician/patient relationship.</p> <p>In <b>March 2003</b>, the Pharmacy Board levied a \$48,000 fine against an online pharmacy business for filling prescriptions that were not valid. The pharmacy was put on probation for 1 year.</p> <p>In <b>April 2003</b>, four individuals were convicted in Federal court in Florida in an action brought by the FDA, the US Attorney and US Postal Inspection Service for conspiring to dispense prescription drugs with the intent to mislead and defraud and introducing misbranded drugs into interstate commerce.</p> <p>In <b>July 2004</b>, a state law became effective that regulates Internet pharmacies in Florida and establishes that pharmacists can only fill a prescription that is based upon a valid practitioner-patient relationship.</p> <p>In <b>November 2006</b>, federal agents and the Florida Department of Law Enforcement seized controlled pharmaceuticals from an online drug company.</p> <p>In <b>February 2007</b>, the DEA and U.S. Attorney announced an indictment charging 14 individuals and seven companies with illegally trafficking prescription drugs through Internet pharmacies.</p> <p>In <b>January 2008</b>, the US District Attorney for the Middle District of Florida announced that a physician agreed to plead guilty to conspiracy to distribute phentermine and conspiracy to commit money laundering for his role to prescribe medication for Internet customers.</p>	
<p>FL-O  <b>Rule/ Statute</b></p>	<p>In <b>October 2001</b>, the Board adopted a rule that it is not an acceptable standard of care to prescribe medications based solely on an electronic questionnaire. Exceptions are allowed in emergency situations and in consultation situations. (64B15-14.008)</p>		

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	<p>In <b>June 2005</b>, the Board disciplined a physician for prescribing medicine via the Internet and fined him \$10,000, required him to complete 12 hours CME, required him to perform 100 hours of community service, and required him to agree not to prescribe medicine over the Internet unless it is in complete compliance with the Board's telemedicine rule.</p> <p>In <b>June 2005</b>, the Board disciplined a physician for prescribing medicine via the Internet and issued him a letter of reprimand and required him to perform 100 hours of community service, and required him to agree not to prescribe medicine over the Internet unless it is in complete compliance with the Board's telemedicine rule.</p> <p>In <b>December 2007</b>, a physician was reprimanded, fined, required to obtain additional CME, and ordered to perform 100 hours of community service for Internet prescribing violations.</p> <p>The Board suspended, reprimanded, fined, required courses and required a physician to perform community service in <b>June 2008</b> for Internet prescribing violations.</p>		
GA <b>Rule</b>	<p>In <b>February 2002</b>, the Board adopted a rule that it is unprofessional conduct for a licensee to provide treatment and/ or consultation recommendations via electronic or other means unless they have performed a history and physical examination of the patient sufficient for diagnosis and identification of contraindications to the treatment recommended. (Rules 360-3)</p> <p>In <b>May 2004</b>, the Board revoked the license of a physician, for Internet prescribing violations.</p> <p>The Board placed a physician on probation in <b>April 2005</b> for Internet prescribing violations.</p>	<p>In <b>February 2007</b>, two former "hi-tech pharmaceuticals" conspirators plead guilty in a scheme to sell generic pills over the Internet. Sentencing is scheduled in May 2007, before a U.S. District judge.</p>	
GU			
HI	<p>In <b>October 1999</b>, the Board issued a cease and desist order to a physician for prescribing Viagra over the Internet.</p> <p>In <b>October 2006</b>, the Board revoked the license of a physician for prescribing medication via the Internet and for disciplinary action taken in other states.</p>		<p><b>2007 SB 1487</b> - States that to establish a physician-patient relationship, the treating physician or the physician's designated member of the health care team, must at a minimum personally perform a face-to-face history and physical examination of the patient, make a diagnosis and formulate a therapeutic plan, discuss with the patient the diagnosis or treatment, and ensure the</p>

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			availability of appropriate follow-up care. States that it is unlawful for any person subject to this act except a pharmacist, to administer, prescribe, or dispense any controlled substance without a bona fide physician-patient relationship. <b>Signed by Governor 6-17-08</b>
ID		<p>In <b>March 2004</b>, the Drug Enforcement Administration revoked the DEA registration of an Idaho physician for writing prescriptions for controlled substances via the Internet.</p> <p>In <b>March 2006</b>, the legislature enacted language that addresses the validity of prescription drug orders and the need for an appropriate prescriber-physician relationship. Based on definition in FSMB Model Policy.</p>	
IL	<p>In <b>May 1999</b>, the Department of Professional Regulation suspended license of physician prescribing Viagra over Internet without personal interview.</p> <p>In <b>October 2002</b>, the Board issued a cease and desist order against an Internet pharmacy due to its diagnosing and prescribing without a prior physician-patient relationship or physical exam, and operating in IL without a license.</p> <p>In <b>October 2003</b>, the Board revoked the license of a physician for prescribing via the Internet based on an online questionnaire and without a prior examination.</p> <p>In <b>November 2004</b>, the Board indefinitely suspended the license of a physician for Internet prescribing violations.</p>	<p>AG filed four lawsuits against out-of-state Internet pharmacies and their physicians in <b>October 1999</b> alleging the online drug stores were not licensed in IL and physicians were not licensed in IL.</p> <p>The Pharmacy Board issued a cease and desist Order against an unlicensed pharmacy and filed a complaint seeking civil penalties against the pharmacy.</p> <p>In <b>November 2001</b>, the Cook County DA filed suit against three Internet based prescription vendors for offering Cipro via the Internet without being licensed in Illinois.</p> <p>In <b>January 2006</b>, a man brought suit in U.S. District Court against two physicians for prescriptions issued to him via the Internet.</p> <p>In <b>October 2006</b>, Operation Cyber-Roid charged six defendants with conspiracy to distribute controlled substances, including anabolic steroids, through an Internet pharmacy.</p>	<p><b>2007 HB 691</b> - States that licensed prescribers may not knowingly prescribe medications for a patient via the Internet, World Wide Web, telephone, facsimile, or any other electronic means unless the patient has been physically examined by the prescriber or has been given a documented patient evaluation, including history and physical examination, to establish the diagnosis for which any legend drug is prescribed; the prescriber and patient have discussed treatment options and the risks and benefits of treatment; and the prescriber has maintained the patient's medical records. A person convicted of violating this section is guilty of a business offense and shall be fined not less than \$1,000 for the first violation</p>

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			<p>and not less than \$2,000 for a second or subsequent violation and will be reported to the Division of Professional Regulation of the Department of Financial and Professional Regulation for appropriate licensing board review. <b>PENDING</b></p> <p><b>2008 HB 4391</b> - Creates the Internet Prescribing Prohibition Act to prohibit licensed prescribers from knowingly prescribing controlled substances for a patient via the Internet, World Wide Web, telephone, facsimile, or any other electronic means unless the prescriber has physically examined the patient or has been given a documented patient evaluation, including health history and a physical examination, to establish the diagnosis for which any legend drug is prescribed; the prescriber and patient have discussed treatment options and the risks and benefits of treatment; and the prescriber has maintained the patient's medical records. A person convicted of violating this act is guilty of a business offense and shall be fined not less than \$1,000 for the first violation and not less than \$2,000 for a second or subsequent violation. Further, a person convicted under this act will be reported to the Division for appropriate licensing board review. The medical practice act is changed to include as grounds for disciplinary action violating any provision of the Internet Prescribing</p>

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IN  <b>Rule</b>	<p>In <b>October 2003</b>, the Board adopted <b>Rule 3: Appropriate Use of the Internet in Medical Practice</b> that incorporates FSMB's recommendations. The rule states that treatment, including issuing a prescription, based solely on an on-line questionnaire or consultation is prohibited.</p> <p>In <b>September 2007</b>, a physician had his license suspended for 90 days based on Internet prescribing violations.</p>	<p>In <b>January 2003</b>, a federal jury convicted a pharmacy owner of dispensing prescription drugs without a prescription with intent to defraud or mislead for selling drugs such as dopamine, leva dopa and clenbuterol via the Internet.</p> <p>In <b>April 2006</b>, two men were sentenced to 77 months in prison after pleading guilty to introducing misbranded drugs into interstate commerce. The men sold a powder form of dextromethorphan, an ingredient in cough syrup, through the Internet.</p>	<p>Prohibition Act. <b>PENDING</b></p> <p><b>2008 SB 302</b> – Requires a nonresident pharmacy that dispenses more than twenty-five percent of its total prescription volume through the Internet to be accredited by the NABP VIPPS program or similar program. <b>Signed by Governor 3-21-08</b></p>
IA	<p>In <b>June 2007</b>, a physician voluntarily surrendered his license to practice medicine based on Internet prescribing allegations.</p>	<p><b>September 12, 2003</b>, the Board of Pharmacy immediately suspended an Internet pharmacy license under an emergency order based upon numerous charges including unethical conduct by participating in an agreement or arrangement with <b>Pharmacom LLC/buymeds.com</b> involving fee splitting or special charges in exchange for professional pharmaceutical services.</p> <p>Since <b>September 2003</b>, three Iowa pharmacists in the above case have surrendered their licenses.</p> <p>In <b>November 2007</b>, six individuals were indicted for drug conspiracy, money laundering, distribution of Schedule III-IV controlled substances, and distributing the same to minors.</p>	
KS	<p>Referred one physician to the medical board in another state, obtained an injunction against the physician, and filed a law suit alleging unauthorized practice of medicine.</p> <p>In <b>October 2003</b>, the Board revoked the license of a physician for Internet prescribing, based in part, on actions taken in other states.</p>	<p>Kansas AG filed one lawsuit in <b>February 1999</b> and five lawsuits in <b>June 1999</b> against out-of-state pharmacies and their physicians. Injunctions granted in five cases and temporary injunction in one. Kansas has settled one case, taken a default judgment in one and settled with one defendant in another case.</p> <p>In <b>January 2002</b>, the KS Supreme Court ruled that a WA physician who dispensed Viagra online to two KS residents did not engage in “unconscionable conduct” in violation</p>	<p><b>2007 HB 2207</b> - States that no nonresident pharmacy shall ship, mail or deliver, in any manner, prescription drugs to a patient in Kansas unless registered as a nonresident pharmacy. Such registration will only be provided to nonresident pharmacies that comply with certain requirements. <b>Signed by Governor 4-11-08</b></p>

**INTERNET PRESCRIBING OVERVIEW BY STATE**  
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		<p>of the KS Consumer Protection Act. <u>Stovall v. Confimed.com, LLC &amp; H. Levine</u></p> <p>In <b>January 2003</b>, the KS Supreme Court affirmed an appeals court denial of a physician's motion to set aside a ruling by the district court. <u>Stovall and Ks Bd of Pharmacy v. Roy C. Alivio, Bo Platt, and Male Clinic, LLC.</u></p> <p>In <b>February 2008</b>, the US District Attorney announced the conviction of two individuals for conspiring to unlawfully distribute prescription drugs to customers who ordered them over the Internet.</p>	
<p>KY</p> <p><b>Statute/ Statement</b></p>	<p>In <b>May 2001</b>, the Board prohibited a physician from prescribing via the Internet based on an FSMB complaint and action taken by the AZ Osteo Board. In <b>September 2005</b>, this same physician's license was revoked due to his conviction of a felony related to distribution of controlled substances via the Internet.</p> <p>In the <b>Winter 2002</b> Newsletter, the KY Board issued a position statement that prescribing drugs to individuals the physician has never met based solely on an online questionnaire is inappropriate and unprofessional.</p> <p>In <b>June 2002</b>, the Board entered into an "Agreed Order of Indefinite Restriction and Fine" with a physician for prescribing via the Internet without having an established physician-patient relationship. The physician's license was limited for an indefinite period of time and he was fined \$50,000.</p> <p>In <b>March 2008</b>, the Board accepted the surrender of a physician's medical license for prescribing medication over the Internet to patients he never met.</p>	<p>In <b>April 2002</b>, legislation made it unprofessional conduct for a physician to prescribe or dispense any medication based on an electronic communication unless the physician had verified the identity of the person; established a diagnosis through accepted medical practices and maintains a current medical record. Use of an online or telephonic evaluation is inadequate for evaluation of a patient. (KRS 311.597(1)(e))</p> <p>In <b>March 2005</b>, legislation was enacted to require Internet pharmacies to be certified by the NABP VIPPS program.</p> <p>In <b>April 2007</b>, legislation was enacted that defined a good faith prior examination and to require a prescribing practitioner to physically examine and take a medical history from a patient prior to issuing a prescription for a controlled substance. A person who violates this act is guilty of a Class D felony for the first offense, and a Class C felony for subsequent offenses.</p>	
<p>LA</p> <p><b>Policy</b></p>	<p>In <b>May 2000</b>, the Board adopted a policy statement on Internet prescribing stating that it is a contravention of the MPA for a physician to prescribe medication to a patient unless they have an established physician-patient relationship.</p>	<p><b>September 2003</b>, the Board of Pharmacy issued a cease and desist letter to a company that may provide financial services and/or software to several online pharmacies.</p>	

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	<p>In <b>May 2004</b>, the Board suspended the license of a physician for prescribing medicine on the Internet. The suspension was stayed pending the completion of a 3-year probation, payment of a fine, CME hours, community service, surrender of registration as a dispensing physician, course on ethics, and a prohibition on further Internet prescribing.</p>	<p><b>November 2003</b>, the Board of Pharmacy issued a cease and desist letter to an online pharmacy.</p> <p>In <b>October 2006</b>, federal authorities raided an Internet pharmacy and accused its owners of dispensing suspiciously large quantities of painkillers without valid prescriptions from doctors.</p> <p>In <b>July 2007</b>, legislation was enacted that states that a prescription issued solely on the results of answers to an electronic questionnaire, in the absence of a documented patient evaluation including a physical examination, is not valid. A pharmacist who suspects that a prescription is not valid shall not fill the prescription unless it is proven to be valid.</p>	
<p>ME-M <b>Policy</b></p>	<p>In <b>November 2002</b>, the Board approved a policy on Internet prescribing that states that prescribing, dispensing, or furnishing a prescription to a person who is not an established patient and whom the physician has not examined may be unprofessional conduct. Additionally, prescribing based solely on an online questionnaire is inappropriate and unprofessional conduct. Physicians providing care and/or treatment in Maine must be licensed in Maine.</p>	<p>In <b>May 2007</b>, the Board of Pharmacy fined a pharmacy \$500,000 and two pharmacists \$300,000 and \$5,000, respectively, for filling Internet prescription orders for at least 180,000 prescriptions or more than \$3 million worth of drugs. One pharmacist had his license revoked, and the other pharmacist had her license suspended for a month.</p>	
<p>ME-O <b>Policy</b></p>	<p>In <b>June 2003</b>, the Osteo Board adopted a Board policy on Internet Prescribing and the <b>Appropriate Use of the Internet in Medical Practice</b> based on FSMB's Guidelines.</p>		
<p>MD <b>Statement</b></p>	<p>Board announced in <b>May 1999</b> that it is monitoring Internet sites. Physicians prescribing on-line to patients in MD must be licensed in MD. On-line prescribing is subject to peer review.</p> <p>The <b>Spring 1999</b> Newsletter of the Board stated that the Board did not believe that Internet prescribing met the standard of care for medical practice.</p> <p>The <b>Spring 2005</b> Newsletter of the Board advises physician licensees that prescribing medicine via the Internet is inappropriate if the physician does not know the patient.</p>	<p>In <b>October 2006</b>, federal agents arrested the owners of a pharmacy and accused them of selling more than \$20 million worth of painkillers to Internet customers without legitimate prescriptions.</p>	
<p>MA <b>Policy</b></p>	<p>In <b>December 2001</b>, the Board adopted a policy on Internet prescribing that states that for a prescription to be legally valid, it must be issued within the context of a</p>		<p><b>2007 SB 1285</b> - Requires a physician to obtain a documented patient</p>

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	<p>physician-patient relationship. Such a relationship must conform to specified standards. Prescribing via the Internet while deviating from these standards is unlawful.</p> <p>In <b>September 2006</b>, the Board accepted the surrender of a physician's license for Internet prescribing violations.</p>		<p>evaluation, including history and physical evaluation, prior to providing treatment, including issuing prescriptions, electronically or otherwise. Treatment based solely on an online questionnaire or consultation does not constitute an acceptable standard of care. Based on FSMB Model Guidelines.  <b>PENDING</b></p>
<p>MI-M Statute</p>	<p>In <b>December 1999</b>, the Board suspended a physician's license for prescribing Viagra over the Internet without a physical exam.</p> <p>In <b>October 2004</b>, the Board revoked the license of a physician for prescribing medicine on the Internet.</p> <p>In <b>January 2008</b>, the Board suspended the license of a physician for prescribing medicine on the Internet.</p> <p>The Board fined a physician \$5,000 in <b>May 2008</b> for prescribing medicine on the Internet.</p>	<p>In <b>December 1999</b>, AG filed Notices of Intended Actions against 10 online pharmacies operating without a license.</p> <p>In <b>August 1999</b>, the AG filed felony criminal charges against 2 individuals for solicited sales and manufacture of controlled substances.</p> <p>In <b>January 2000</b>, the State of Michigan appointed a Task Force to study Internet prescribing, telemedicine and mail order pharmacies.</p> <p>In <b>February 2000</b>, Rx Direct, an online pharmacy, sued the State of Michigan to get the state to allow Internet prescription drug sales in Michigan.</p> <p>In <b>December 2003</b>, the Department of Community Health issued a statement on Internet Prescribing and Prescriptions.</p>	<p><b>2008 SB 956</b> - Removes provisions regarding the transmission of controlled substance prescriptions by out-of-state physician prescribers. Modifies provisions regarding individuals authorized to dispense a prescription for a controlled substance received via electronic means. <b>PENDING</b></p>
<p>MI-O Statute</p>		<p>In <b>December 2003</b>, the Department of Community Health issued a statement on Internet Prescribing and Prescriptions.</p>	
<p>MN Statute</p>	<p>In <b>October 2002</b>, the Board reprimanded a physician for unethical and unprofessional conduct for prescribing Viagra via the Internet for a patient he never examined.</p> <p>In <b>January 2004</b>, the Board revoked the license of a physician, for Internet prescribing violations.</p>	<p>In <b>May 2005</b>, federal authorities shut down an Internet pharmacy operating in MN and seized assets worth more than \$4 million. The operator of the Internet pharmacy was convicted of charges related to running the pharmacy in <b>November 2006</b>.</p> <p>An Internet pharmacy operating out of</p>	<p><b>2007 HB 1849 (SB 1819)</b> - States that a prescription or drug order for a legend drug is not valid unless it is issued for a legitimate medical purpose arising from a prescriber-patient relationship that includes a documented patient</p>

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		<p>MN agreed to pay \$300,000 to settle civil charges of filling prescriptions that did not comply with federal regulations in <b>April 2007</b>.</p> <p><b>May 2008</b> statute states that a prescription or drug order for specified drugs is not valid unless it can be established that the prescription or order was also based on a documented patient evaluation, including an examination, adequate to establish a diagnosis and identify underlying conditions and contraindications to treatment.</p>	<p>evaluation adequate to establish diagnoses and identify underlying conditions and contraindications to the treatment. Treatment, including issuing a prescription or drug order, based solely on an online questionnaire or consultation outside of an ongoing clinical relationship does not constitute a legitimate medical purpose. <b>FAILED</b></p> <p><b>2008 HB 2639 (SB 2941)</b> - States that a prescription or drug order for specified drugs is not valid unless it can be established that the prescription or order was also based on a documented patient evaluation, including an examination, adequate to establish a diagnosis and identify underlying conditions and contraindications to treatment. <b>HB 2639 FAILED, SB 2941 Signed by Governor 5-15-08</b></p>
MS <b>Policy</b>	<p>In <b>July 2000</b>, the Board adopted a policy statement that prescribing drugs to individuals whom a physician has never met based solely on an online questionnaire fails to meet a basic standard of care and constitutes unprofessional conduct.</p>		
MO <b>Statute/ Statement</b>	<p>In <b>February 2003</b>, the Board revoked the license of a physician based on action taken by ND against the physician for prescribing medication over the Internet to patients without performing a physical examination</p> <p>In <b>2003</b>, the medical and pharmacy boards issued a joint statement on Internet prescribing. The statement reinforces that practitioners licensed by the boards of healing arts and pharmacy must adhere to all applicable state and federal statutes and regulations in the practice of medicine and pharmacy including practices that utilize electronic modalities.</p> <p>In <b>October 2004</b>, the Board reprimanded a physician and restricted him from prescribing via the Internet.</p>	<p>In <b>October 1999</b>, a Missouri judge issued a permanent injunction against an online pharmacy based in Texas blocking the sale of prescription drugs to Missouri residents.</p> <p><b>August 2001</b> Missouri statute 334.100.2(4)(h) requires physicians to perform a sufficient examination before dispensing, prescribing or administering drugs and prior to rendering any type of treatment.</p> <p><b>July 2003</b> – After receiving information from NABP about the website <a href="http://www.myviagrascript.com">www.myviagrascript.com</a>, the</p>	

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		<p>Board of Pharmacy investigated the site and sent a cease and desist warning letter to Ancona Drug Solution, in FL.</p> <p>In <b>January 2008</b>, the US District Attorney for the Eastern District of Missouri announced that an individual plead guilty to a federal misbranding charge involving the selling of DXM through an Internet website.</p> <p>In <b>February 2008</b>, the US District Attorney for the Western District of Missouri announced that five individuals were indicted for participating in a conspiracy to illegally distribute nearly one million in prescription drugs.</p>	
MT	<p>In <b>November 2002</b>, the Board suspended the license of a physician based on action taken in ND against the physician for prescribing medication over the Internet to patients without performing a physical examination.</p>	<p>In <b>February 2008</b>, the US District Attorney for Montana announced that an individual plead guilty to money laundering following investigation into the illegal sale of steroids through the Internet.</p>	
NE <b>Policy</b>	<p>In <b>January 2001</b>, Board adopted a policy on Internet prescribing stating that it is unprofessional conduct for a physician to prescribe drugs to a person without first establishing a proper physician-patient relationship. The policy defines such a relationship. It specifically states that prescribing drugs based on an online questionnaire is inappropriate and unprofessional.</p> <p>In <b>August 2001</b>, the Board considered proposed regulations expanding the definition of unprofessional conduct to include prescribing drugs to a person without first establishing a proper physician-patient relationship and/or prescribing drugs based solely on answers to a questionnaire.</p>	<p>The Nebraska Courts issued a cease and desist order to a physician in <b>February 2004</b> to stop practicing medicine without a license in the state by issuing prescriptions to NE residents.</p>	
NV-M <b>Statute/ Statement</b>	<p>Board issued an opinion in <b>August 1998</b> that Viagra could not be prescribed by a physician without an in-person examination.</p> <p>In <b>September 2003</b> the Board revoked the license of a physician for prescribing medication to patients he had never seen. Their action was based on actions taken in other states.</p>	<p><b>2001</b> statute requires Internet pharmacies to be certified by Pharmacy Board. Physicians associated with Internet pharmacies may not prescribe prescription drugs for persons in NV unless they have physically examined the person within 6 months. Gives AG jurisdiction to prosecute violations which are a class C or B felony. Revised Statutes 453.3611</p> <p><b>December 2002</b> – DEA suspends the controlled substance license of</p>	

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		<p>PrescriptionOnline.com.</p> <p><b>January 2003</b>, the Board of Pharmacy revokes license of prescriptiononline.com and imposes a \$150,000 fine based upon allegations of failing to verify the existence of a bona fide patient-prescriber relationship prior to dispensing controlled substances prescriptions, and diverting large quantities of controlled substances</p> <p><b>August 2003</b> – A US Attorney in NV prosecuted the operator of an online pharmacy, who pled guilty to conspiracy to distribute controlled substances over the Internet for a German business established by the defendant, to ship drugs from Germany to customers in the US.</p>	
NV-O			
<p>NH</p> <p><b>Statute/ Policy</b></p>	<p>In <b>April 2004</b>, the Board issued Guidelines for Physician Internet and Telephone Prescribing.</p>	<p><b>October 2000</b> statute requires online pharmacies to be licensed by the Pharmacy Board and by the state where the pharmacy is located. Revised Statutes Chapter 318.</p>	<p><b>2008 HB 1396</b> - Requires prescriptions to be ordered pursuant to a practitioner-patient relationship, and defines the practitioner-patient relationship as a medical connection between a licensed practitioner and a patient that includes an in-person exam, a history, a diagnosis, a treatment plan appropriate for the licensee's scope of practice, and documentation of all prescription drugs including name and dosage. It also states it shall be unlawful for any person to knowingly obtain, or attempt to obtain, a prescription for a controlled substance without having formed a valid practitioner-patient relationship. It shall be a prohibited act within the controlled drug act to submit an electronic or online medical history form that fails to establish a valid practitioner-patient relationship. <b>PENDING</b></p>

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NJ	<p>In <b>September 2002</b>, the Board published a proposed regulation intended to regulate facsimile and electronic prescriptions which states that a practitioner shall not dispense drugs or issue prescriptions to an individual without first having conducted an examination which is appropriately documented in the patient record.</p> <p>In <b>August 2003</b>, a physician surrendered his medical license due to Internet prescribing allegations.</p> <p>In <b>August 2005</b>, the Board disciplined a physician for Internet prescribing violations.</p> <p>In <b>March 2007</b>, the Board revoked the license of a physician for Internet prescribing violations.</p>	<p><b>March 2000</b>, the AG charged 8 online pharmacies with consumer fraud violations for selling prescription medications over the Internet w/o a pharmacy license.</p> <p><b>December 2000</b>, the AG filed suit against 2 online pharmacies and a physician from Ohio for not requiring customers to have a valid prescription or a physical exam.</p> <p>In <b>January 2001</b>, the AG filed suit against 2 online pharmacies for illegally selling drugs over the Internet.</p> <p>In <b>May 2005</b>, the Pharmacy Board took disciplinary action against a pharmacist for failing to exercise professional judgment in dispensing drugs for filling prescriptions issued on the Internet.</p> <p>In <b>April 2007</b>, the Board of Pharmacy shut down a pharmacy for allegedly filling bogus prescriptions and misleading consumers.</p>	
NM-M <b>Rule</b>	<p>In <b>July 2001</b>, the Board added “prescribing drugs to a patient when there is no established physician-patient relationship” to the list of actions constituting unprofessional conduct.</p>		
NM-O			
NY <b>Policy</b>	<p><b>March 2003</b>, the Board revoked a physician’s license. The Hearing Committee of NY sustained the charges finding the physician guilty of having been disciplined by the ND State Board of Medical Examiners for writing prescription’s over the internet w/o examining or obtaining appropriate information from the patient; engaging in a continuing pattern of inappropriate care and unprofessional conduct; having been disciplined by the WI Board; practicing fraudulently and engaging in conduct which evidences moral unfitness.</p> <p>In <b>September 2003</b>, the Board censured, fined and reprimanded a physician for Internet prescribing violations.</p> <p>In <b>December 2003</b>, the Board took the position that failure to conduct a physical examination of a patient prior to prescribing medications is unprofessional conduct. Incorporated as part of the Board’s Statements on Telemedicine.</p>	<p><b>2001</b> legislation requires nonresident pharmacies to be registered. As a condition of registration, the pharmacy must provide proof of licensure in the state where it resides and must provide a toll-free number for customers to contact a pharmacist who has access to the patient’s records. (AB 83)</p> <p>In <b>May 2002</b>, the Manhattan DA filed charges against 7 people and 5 companies for selling counterfeit versions of Viagra from India and China.</p> <p>In <b>March 2007</b>, at several people were indicted on charges they operated an Internet pharmacy that illegally sold steroids and human</p>	

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	<p><b>November 2004</b>, a physician surrendered his medical license based on disciplinary action taken against him in another state for Internet prescribing.</p> <p>In <b>January 2005</b>, the Board placed a physician on probation, fined him, and reprimanded him for Internet prescribing violations.</p> <p>In <b>October 2005</b>, the Board revoked the license of a physician for Internet prescribing violations. The revocation was stayed, and the physician was placed on probation for five-years.</p>	<p>growth hormone nationwide. Clients purportedly include professional athletes, celebrities, and bodybuilders.</p> <p>In <b>October 2007</b>, the scope of the March 2007 indictment widened to include pharmacies, physicians, and a local gym chain in New York.</p> <p>In <b>November 2007</b>, a state appeals court upheld the conviction of a physician who originally pled guilty to selling painkillers over the Internet in June 2006. Also in <b>November 2007</b>, a physician involved in the March 2007 indictment received a two-year jail sentence for issuing prescriptions via the Internet.</p>	
<p>NC</p> <p><b>Policy/ Statute</b></p>	<p>Board issued a position statement in <b>November 1999</b>, that prescribing drugs based solely on a questionnaire is unprofessional conduct.</p> <p>In <b>February 2001</b>, the Board amended its position to state that prescribing drugs to individuals the physician has never met based solely on answers to a set of questions, as is common in Internet prescribing, is inappropriate and unprofessional.</p> <p><b>October 2001</b> the Board initiated a crackdown on doctors approving prescriptions for antibiotics to treat anthrax over the Internet without first examining the patient.</p> <p>In <b>February 2002</b>, the Board suspended the license of a physician for Internet prescribing violations.</p> <p><b>April 2002</b>, the Board suspended three physicians charged with unprofessional conduct for inappropriately prescribing Cipro via the Internet. <b>May 2002</b>, the Board stayed the suspensions of the physicians mentioned above.</p> <p>In <b>June 2002</b>, the Board suspended the license of a physician for Internet prescribing violations.</p> <p>In <b>May 2004</b>, the Board revoked the license of a physician for Internet prescribing violations.</p> <p>In <b>November 2004</b>, the Board revoked the license of a physician for prescribing medicine via the Internet.</p> <p>In <b>March 2006</b>, the Board accepted a voluntary surrender of a physician's medical license due to</p>	<p><b>April 2001</b> legislation establishes that a person may not treat or prescribe medication for a patient by use of the Internet or a toll-free number unless the person is licensed in NC. Chapter 90-18.</p> <p>In <b>December 2001</b>, city and county vice officers in New Hanover County arrested an owner pillsforyou.com. Authorities confiscated ~15,000 controlled substances tablets, among other things. Owner charged with drug trafficking and possession.</p> <p>In <b>April 2006</b>, the Board of Pharmacy shut down two pharmacies that were dispensing medication based on Internet prescriptions.</p> <p>In <b>May 2006</b>, the Board of Pharmacy and the Drug Enforcement Administration shut down two pharmacies and suspended the licenses of four pharmacists that were dispensing medication based on Internet prescriptions.</p> <p>In <b>July 2007</b>, a pharmacist and four others were indicted on drug distribution and money laundering charges in connection with an alleged unlawful prescription drug operation via the Internet.</p>	

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	allegations of Internet prescribing.		
ND	<b>July 2002</b> , the Board revoked a physician's license for prescribing drugs over the Internet based solely on an online questionnaire and without an appropriate examination.	The Pharmacy Board issued warning letters to unlicensed pharmacies soliciting sales of prescription drugs to citizens in ND.	
NMI			
OH  <b>Rule/ Statute</b>	<p>In <b>July 1999</b>, the Board cited a physician for prescribing drugs over the Internet and failing to meet minimum standards of care.</p> <p>Board adopted rules to regulate the sale of drugs over the Internet in <b>October 1999</b>. Physicians may not prescribe dangerous drugs to persons they have never examined.</p> <p>In <b>August 2000</b>, a physician pled guilty to criminal charges of selling dangerous drugs and received two years probation. The physician also was required by the Board to give up his medical license and pay a fine.</p> <p>In <b>February 2001</b>, the board revoked the license of a physician for prescribing medications to persons via the Internet without having an appropriate physician/ patient relationship. This decision was upheld upon appeal to the Ohio Court of Common Pleas in <b>May 2002</b>.</p> <p>In <b>September 2001</b>, a physician had his license to practice medicine revoked for Internet prescribing violations.</p> <p>In <b>November 2002</b>, a physician surrendered his license to practice medicine in lieu of inquiry, investigation, or other action based on actions for Internet prescribing taken in AZ and KY.</p> <p>In <b>February 2004</b>, the Board revoked the license of a physician for Internet prescribing violations.</p> <p>In <b>February 2006</b>, the Board revoked the license of a physician for prescribing narcotics via the Internet.</p>	<p>The Pharmacy Board in conjunction with the AG obtained an indictment against a physician based upon allegations of drug trafficking (phentermine and Meridia) and the illegal sales of prescription drugs, including Viagra, online.</p> <p><b>2001 Legislation</b> requires OH-licensed retailers and wholesalers who sell online to comply with all state and federal laws regarding drug distribution. Specific information must be posted for the public. Licensees must be keep customer information confidential, secure and it must not be disclosed without consent.</p> <p><b>February 2001</b> – Memorandum of Agreement executed by Board of Pharmacy and online pharmacy. Pharmacy agreed not to reapply for licensure unless its owners engage in the practice of pharmacy consistent with OH Code.</p> <p>Pharmacy Board regulations require OH-licensed retailers and wholesalers who sell via online to comply with all state and federal laws regarding drug distribution. Specific information must be posted on Internet Web sites.</p> <p>In <b>April 2008</b>, the Ohio State Board of Pharmacy voted to revoke the license of a pharmacist for improperly selling controlled substances over the Internet. The state presented evidence that the pharmacist had filled 8,324 online prescriptions for 5,621 patients across the United States between October 2005 and mid-February 2006.</p>	
OK-M  <b>Policy</b>	In <b>January 2001</b> , the Board issued a policy on Internet prescribing which stated that it is unprofessional conduct for a physician to prescribe or administer drugs or	In <b>March 2001</b> , the Pharmacy Board revoked the license of an Internet pharmacy after a hearing on	

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	<p>treatment without a sufficient examination and a valid physician/patient relationship. The policy further states that it is inappropriate for a physician to manage a patient's care by Internet or e-mail.</p> <p>In <b>February 2001</b>, the Board suspended the license of a physician for prescribing medications for patients without an appropriate examination.</p> <p>In <b>July 2002</b>, the physician who was sentenced to prison in May 2002 surrendered his medical license in lieu of Board action.</p> <p>In <b>March 2003</b>, the Board revoked the license of a physician based on action taken by other states and for prescribing on internet without establishing a valid doctor/patient relationship.</p>	<p>complaints that the pharmacy was dealing in excessive quantities of controlled drugs online.</p> <p>In <b>May 2002</b>, a physician was sentenced to 51 months in federal prison for his role in a conspiracy to distribute controlled substances through the Internet.</p>	
OK-O Statute		<p><b>2001</b> legislation establishes that osteopathic physicians who engage in prescribing drugs, devices, or treatment via electronic means may do so only in the context of an appropriate physician/patient relationship including a current history and physical. Title 59 Chapter 622.</p>	
OR Rule	<p>In <b>March 2000</b> the Board put a physician on 10 years probation for prescribing Viagra without an appropriate physician-patient relationship.</p> <p>As a part of the Board rules implementing their telemedicine license, they have included language that says physicians shall refrain from writing prescriptions resulting only from a sale or consultation over the Internet. Adopted <b>July 2000</b>.</p>	<p>In <b>October 2003</b>, the AG filed a lawsuit against two OR physicians alleging violation of state consumer protection laws in the unlawful sale and advertising of prescription drugs on the Internet.</p>	
PA-M	<p>In <b>November 2001</b>, the Board filed a disciplinary action against a physician for prescribing via the Internet based solely on an online questionnaire with having an established physician/patient relationship.</p> <p>In <b>October 2003</b>, a physician had her license to practice suspended by the Board for Internet prescribing violations.</p> <p>In <b>December 2003</b>, the Board reprimanded and fined a physician for Internet prescribing violations.</p> <p>In <b>February 2004</b>, the Board revoked the license of a physician for Internet prescribing violations.</p>	<p>The AG filed lawsuits on <b>May 3, 2000</b>, against three out-of-state companies, pharmacies and doctors for selling prescription drugs without proper state licensing. The lawsuit asks that the companies halt sales of online drugs; provide a refund to customers, and pay civil penalties.</p> <p>In <b>October 2000</b>, the AG entered into a Consent Decree with an Internet pharmacy to refund consultation fees previously charged PA customers and to post a notice on their web site that they may not sell drugs to PA residents.</p> <p>In <b>February 2002</b>, a pharmacist was</p>	

**INTERNET PRESCRIBING OVERVIEW BY STATE**  
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STATE	Action Taken by State Medical Boards Known to FSMB	Action Taken by Other Entities Known to FSMB	Current Legislation
		<p>indicted by the AG for illegally selling prescription “lifestyle” medications online.</p> <p>In <b>April 2006</b>, two men were convicted of drug conspiracy, money laundering, and operating a continuing criminal enterprise for their roles in the operation of an Internet pharmacy. Seven other defendants have pled guilty in this case, and three others await trial.</p> <p>In <b>July 2006</b>, a lawsuit was filed against the federal government (Attorney General Alberto Gonzales, DEA Administrator Karen Tandy, U.S. Attorney for the Eastern District of Pennsylvania Patrick Meehan) claiming they do not have the authority to regulate Internet pharmacy operations.</p> <p>In <b>August 2006</b>, five people were charged with operating an Internet pharmacy that generated more than \$33 million through the distribution of controlled substances to patients without a physician ever performing a physical examination or seeing the patients.</p>	
PA-O			
PR		Seven Puerto Rico physicians were indicted by a federal grand jury in <b>January 2007</b> for allegedly prescribing controlled substances via the Internet.	
RI	<p><b>August 2001</b>, the Board found a physician guilty of unprofessional conduct for prescribing drugs over the Internet based on an online questionnaire. In <b>November 2001</b>, the board placed the same physician on probation for 3 years for prescribing drugs over the Internet to patients he had never met.</p> <p>In <b>February 2003</b>, the CA Medical Board fined this physician \$3.9 million for issuing prescriptions to CA residents.</p> <p>In <b>November 2007</b>, a physician was found guilty of unprofessional conduct for Internet prescribing violations.</p>		
SC	In <b>May 2001</b> , the Board implemented a regulation that makes it unprofessional conduct for a physician to		

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<b>Rule/ Statute</b>	<p>initially prescribe drugs to an individual without first establishing a proper physician-patient relationship and defines such a relationship.</p> <p>In <b>February 2004</b>, the Board revoked the license of a physician for Internet prescribing violations.</p> <p>In <b>November 2004</b>, the Board fined and suspended the license of a physician for issuing prescriptions via the Internet.</p> <p><b>June 2006</b> legislation states that it is unprofessional conduct to prescribe drugs to individuals the licensee has never personally examined based solely on answers to a set of questions. A physician must first establish a proper physician-patient relationship, which is defined.</p>		
SD			
<b>TN-M Policy</b>	<p>In <b>September 2000</b>, the Tennessee Board adopted a position statement that it is unprofessional conduct for a physician to prescribe or dispense any drug to any individual the physician has never met based solely on answers to an online questionnaire.</p> <p>In <b>November 2001</b>, the Board disciplined a physician for prescribing for individuals with whom he did not have a physician/patient relationship. The Board required physician to complete a 2-day course on prescribing practices. This same physician was fined \$1.5 million in <b>February 2003</b> by the CA Board for issuing prescriptions to CA residents.</p> <p>In <b>March 2003</b>, a physician had his license to practice medicine revoked by the Board based on actions taken in other jurisdictions for Internet prescribing.</p> <p>In <b>September 2003</b>, a physician had his medical license revoked due to Internet prescribing violations. This same physician was sentenced to serve 51 months in federal prison for his role in a conspiracy to distribute controlled substances through the Internet.</p> <p><b>January 2004</b>, placed on 5 years probation and fined \$25,000 for prescribing medicine via the Internet to patients he had not examined.</p> <p>In <b>July 2005</b>, the Board revoked the medical license of a physician for Internet prescribing violations. Another physician surrendered his medical license in lieu of further board action for similar violations.</p>		
TN-O			
TX	In <b>December 1999</b> , Board established a policy that it is unprofessional conduct for a physician to initially	In <b>August 2000</b> , the AG filed suit against two online pharmacies for	

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<b>Rule</b>	<p>prescribe a dangerous drug without first establishing an appropriate physician-patient relationship.</p> <p>In <b>February 2000</b>, Board placed a physician on 5 years probation for prescribing medications without an appropriate examination.</p> <p>In <b>August 2000</b>, Board issued a public reprimand to a physician for prescribing over the Internet without physically examining patients.</p> <p>In <b>February 2001</b>, the Board suspended a physicians license for prescribing drugs over the Internet without a proper physician/patient relationship.</p> <p>In <b>August 2002</b>, the Board revoked a physician's license to practice medicine for prescribing over the Internet, failure to maintain adequate records, failure to follow rules for intractable pain.</p> <p>In <b>September 2002</b>, the Board fined a physician \$5,000 and required him to obtain 10 hours Category I CME for prescribing medications based only on an online consultation.</p> <p>In <b>October 2002</b>, the Board fined a physician for prescribing drugs for patients he had never examined.</p> <p><b>December 2002</b>, a physician was fined \$1,000, had restrictions placed on his license for 3 years, and agreed that he will not prescribe medications to patients via the Internet.</p> <p>In <b>April 2003</b>, the Board adopted a comprehensive Rule relating to Telemedicine and Internet Medical Practice. The portion relating to <b>Internet Medical Practice is similar to FSMB's Guidelines April 2002.</b> (Chapter 174.1 – 174.17)</p> <p>In <b>February 2004</b>, the Board fined a physician \$25,000 and restricted his license for 3 years for prescribing controlled substances and dangerous drugs over the Internet w/o first establishing a proper physician/patient relationship.</p> <p>In <b>August 2004</b>, the Board fined a physician \$2,000 and required him to complete 30 hours of Continuing Medical Education for prescribing Viagra to four patients he had never met via the Internet.</p> <p>In <b>November 2007</b>, a physician surrendered his medical license in lieu of further action based on allegations of</p>	<p>selling dangerous drugs and controlled substances over the Internet on the basis of an online consultation.</p> <p>In <b>May 2001</b>, the Board of Pharmacy adopted a policy barring pharmacists from knowingly filling a prescription written based an Internet or telephonic consultation without a valid physician-patient relationship.</p> <p><b>2001</b> legislation establishes that health care activities that occur through the use of the Internet are subject to the regulatory authority of the state licensing board. (HB 100)</p> <p>Other <b>2001</b> legislation requires Internet pharmacies to include a link to the Pharmacy Board Web site on the page where drugs are sold and directs the Pharmacy Board to adopt rules regarding the sale and delivery of drugs via the Internet. (HB 99)</p> <p>In <b>February 2002</b>, the Board of Pharmacy filed suit against the license of a San Antonio-based Internet pharmacy seeking to impose a record \$3.8 million fine for filling prescriptions which it should have known were not based on a valid physician/patient relationship.</p> <p><b>March 2002</b>, a federal grand jury indicted a pharmacist and three doctors on charges of conspiring to illegally dispense controlled substances through an Internet pharmacy. <b>June 2002</b>, the DOJ obtained an indictment based upon, among other charges, allegations of conspiring to illegally dispense controlled substances related to the operation of an Internet pharmacy. <b>June 2002</b>, the BOP revoked the pharmacy license and the pharmacist-owners license.</p> <p><b>March 2005</b>, a federal district court sentenced the owner of an Internet pharmacy to 20 years in prison for</p>	

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STATE	Action Taken by State Medical Boards Known to FSMB	Action Taken by Other Entities Known to FSMB	Current Legislation
	improperly prescribing medicine over the Internet.	<p>improperly dispensing drugs via the Internet.</p> <p>In <b>September 2005</b>, a federal grand jury indicted 16 individuals in a case for distributing more than \$200 million worth of prescription drugs through the Internet.</p> <p>In <b>November 2006</b>, a physician pleaded guilty to conspiracy to commit health care fraud, two counts of mail fraud and conspiracy to distribute controlled substances. This physician operated more than 20 pharmacies that filled and shipped drug orders processed by an Internet pharmacy.</p>	
UT-M <b>Statute</b>	<p>In <b>December 2002</b>, the Division of Occupational and Professional Licensing entered into a consent order with operators of an Internet pharmacy website. The order allows physicians associated with this Internet pharmacy in Utah to prescribe Viagra, Propecia, Xenical and Celebrex to customers based solely on an online questionnaire; allows for Internet prescribing of controlled substances with approval from the Division; and stipulates that an online consultation via a questionnaire constitutes an examination of the patient. Pfizer has requested that the Division reopen and set aside the consent order on the basis that it is inconsistent with FDA policy and Federal law and outside the mainstream of medical board policies on these issues.</p> <p>In <b>January 2003</b>, the Board fined a physician and placed him on probation for Internet prescribing violations.</p>	<p>In <b>July 2004</b>, legislation became effective that establishes that it is unprofessional conduct to issue or order a prescription without: prescriptive authority conferred by a license in UT; without first obtaining information that is sufficient to establish a diagnosis, identify underlying conditions, and identify contraindications; and/or based on an online questionnaire when there is no bona-fide patient-practitioner relationship. Additionally, it is unlawful conduct when a physician issues or orders more than 100 prescriptions within a 30-day period. The bill also specifies that it does not apply to treatment rendered in an emergency and in on-call or cross coverage situations.</p>	
UT-O			
VT-M	<p>In <b>June 2003</b>, the Board summarily suspended the license of a physician for failure to examine a patient, failure to take an appropriate medical history, failure to document care of the patient and general failure to exercise that degree of care and skill that an ordinary careful and prudent physician would engage in under similar conditions in regard to authorizing prescription via the Internet. In <b>August 2003</b>, this physician surrendered his medical license.</p>		
VT-O			
VA <b>Statute</b>	<p>In <b>September 2002</b>, the Board entered into a Consent Order with a physician for prescribing controlled substances via the Internet to patients with whom he did</p>	<p><b>April 2000</b> Legislation establishes that a prescription for a controlled substance can be issued or filled only</p>	

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	<p>not have a bona-fide physician-patient relationship. According to the order, the physician must meet specific conditions, including, paying a fine, completing a course in medical ethics and a mini-residency in proper prescribing of controlled substances, and having an unannounced inspection of his practice.</p> <p>In <b>September 2002</b>, the Board suspended the license of a physician based on action taken by ND against the physician for prescribing medication over the Internet to patients without performing a physical examination.</p> <p>In <b>March 2006</b>, a physician was suspended for Internet prescribing violations and required to comply with board orders related to the same charges in NY and CA.</p> <p>In <b>October 2007</b>, a physician was reprimanded and fined for Internet prescribing violations.</p>	<p>for persons with whom a practitioner has a bona fide practitioner-patient relationship. Code 54.1-3303 and 54.1-3434.1</p> <p>As of <b>October 2002</b>, the Pharmacy Board reported it has taken action against two pharmacies and three pharmacists for Internet activity.</p>	
VI			
WA-M Policy	<p>In <b>May 1999</b>, the Board charged a physician prescribing Viagra over the Internet with unprofessional conduct.</p> <p>In <b>December 1999</b>, the board issued an emergency order for a physician to stop prescribing over the Internet immediately.</p> <p>In <b>October 2000</b>, the Board adopted an interpretive statement stating that a physician who prescribes medications solely on the basis of an electronic communication via the Internet does not meet the standard of care of medical practice. Defines the standard. RCW 34.05.010(8)</p> <p>In <b>October 2002</b>, the WA Board adopted <b>Guidelines for the Appropriate Use of the Internet in Medical Practice</b> based on FSMB Guidelines April 2002.</p> <p>Between <b>May 1999</b> and <b>October 2001</b>, the Board disciplined three physicians for improper prescribing over the Internet.</p> <p>In <b>April 2003</b>, Board fined a physician \$2,500 and placed him on probation for 2-years for Internet prescribing.</p> <p>In <b>February 2005</b>, the Board revoked the license of a physician for prescribing medication via the Internet to patients without performing a physical examination.</p> <p>In <b>January 2007</b>, the Board suspended the license of a physician for prescribing medication via the Internet. The suspension was stayed, and the physician must complete a PACE or CPEP program, obtain CME, and</p>	<p>In <b>January 2002</b>, the AG filed suit against an online pharmacy and a physician alleging they prescribed and delivered prescription drugs without having seen or consulted with the patient or determined whether a prescription was advisable. Suit filed in coordination with similar suit in FL.</p> <p>In <b>September 2007</b>, the Court of Appeals affirmed the February 2005 license revocation of a physician for Internet prescribing violations.</p>	

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STATE	Action Taken by State Medical Boards Known to FSMB	Action Taken by Other Entities Known to FSMB	Current Legislation
	pay a fine while only practicing as an emergency physician until approved to do otherwise.		
WA-O			
WV-M  <b>Rule</b>	<p>In <b>November 2001</b>, the Board charged a physician with unprofessional conduct for prescribing via the Internet for persons he had not examined and with whom he did not have an established physician/patient relationship.</p> <p>In <b>January 2004</b>, the Board revoked the license of a physician for Internet prescribing violations.</p> <p>In <b>April 2004</b>, the Board adopted rules regarding Licensing and Disciplinary Procedures that states that unprofessional conduct includes issuing a prescription, via electronic or other means, for persons without having an on-going physician-patient relationship.</p>	<p><b>September 2000</b> - The AG filed a civil suit against a pharmacy for illegally advertising, selling, prescribing and dispensing drugs on various Internet sites. The suit also named two pharmacists. In <b>February 2002</b>, the owners were criminally convicted of conspiracy to commit violations of the FDCA, fraud, et al.</p> <p>Pharmacy Board regulations prohibit a pharmacist from dispensing prescriptions when he has knowledge that the prescription was issued without the existence of a physician/patient relationship. An online evaluation by questionnaire is inadequate to establish an appropriate practitioner/patient relationship except in specific circumstances. At least 2 pharmacies have been issued cease and desist letters to keep them from filling prescriptions issued on the Internet.</p>	
WV-O			
WI	<p>Board took action against a D.O. for prescribing over the Internet without a physician-patient consultation in <b>June 1999</b>.</p> <p>In <b>January 2003</b>, the Board revoked the license of a physician for prescribing medication over the Internet to patients without performing a physical examination.</p>		
WY	Board notified an Internet pharmacy from Wyoming that filling prescriptions without a physician-patient relationship is the unauthorized practice of medicine in Wyoming. Pharmacy agreed to post a disclaimer on web site that drugs could not be obtained by Wyoming residents.		

**Actions Taken By FDA and other Federal Agencies**

President Bush spoke about the 2008 National Drug Control Policy in his weekly radio address on March 1. He spoke about the growing availability of highly addictive prescription drugs online. To listen to this radio address and obtain a copy of the 2008 National Drug Control Policy, visit: <http://www.whitehouse.gov/radio/>.

**Federal Legislation**

Senator Dorgan introduced Senate Bill 242 on January 10, 2007. This legislation would define a qualifying medical relationship for purposes of Internet prescribing, and would allow state Attorneys General to seek a nationwide injunction to address Internet pharmacy practices that could harm patients.

## **INTERNET PRESCRIBING OVERVIEW BY STATE** **(FSMB May Not Be Aware of Some Actions Taken by States)**

Senator Gregg introduced Senate Bill 596 on February 14, 2007. This legislation requires an Internet pharmacy to be licensed by the Secretary of Health. An Internet pharmacy must post contact information on the home page of the website or by a link to a separate page, the names of all States in which the Internet pharmacy and its pharmacists are licensed or otherwise authorized to dispense prescription drugs; if the Internet pharmacy makes referrals to, or solicits on behalf of, a health care practitioner or group of practitioners in the United States for prescription services, contact information for the practitioners and the name of each State in which each practitioner is licensed or otherwise authorized to prescribe drugs; a statement that the Internet pharmacy will dispense prescription drugs only after receipt of a valid prescription from a treating provider; and a distinctive tamper-resistant seal to identify that the Internet pharmacy is licensed. Defines “treating provider” and states that a treating provider must perform a documented patient evaluation (including a patient history and physical examination) of an individual, portions of which may be conducted by other health professionals; discuss with the individual the treatment options of the individual and the risks and benefits of treatment; and maintain contemporaneous medical records concerning the individual. The Secretary of Health may make an award of a grant or contract to an entity with experience in developing and maintaining systems for the purpose of identifying unlicensed Internet pharmacies, reporting such Internet pharmacy websites to State medical licensing boards and State pharmacy licensing boards, and to the Attorney General and the Secretary, for further investigation, and submitting a report to the Secretary describing investigations undertaken each year the grant or award is made.

Senator Dianne Feinstein introduced Senate Bill 980 in March 2007 regarding the prescribing of controlled substances via the Internet. This legislation passed unanimously out of the Senate on April 1, 2008, and is currently before the House. The “Ryan Haight Online Pharmacy Consumer Protection Act of 2008” (S.980), which would regulate the sale of controlled substances over the Internet, was unanimously agreed to with an amendment out of the U.S. Senate on April 1. The bill amends the Controlled Substances Act and would: Bar the sale, distribution and delivery of a controlled substance via the Internet without a valid prescription; Addresses concerns related to the practice of telemedicine; Require online pharmacies seeking to deliver controlled substances via the Internet to display information identifying the business, the pharmacist and any physician associated with the website; Increase penalties for illegal distributions of controlled substances categorized by the Drug Enforcement Administration as Schedule III, IV and V substances; and allow states to bring civil action on behalf of their residents in a U.S. district court to enjoin conduct that violates the Act.

Representative Bart Stupak introduced House Bill 6353 in June 2008 as a companion to S.980. The “Ryan Haight Online Pharmacy Consumer Protection Act of 2008” (H.6353), which would regulate the sale of controlled substances over the Internet, is currently pending before the House. The bill amends the Controlled Substances Act and would: Bar the sale, distribution and delivery of a controlled substance via the Internet without a valid prescription; Addresses concerns related to the practice of telemedicine; Require online pharmacies seeking to deliver controlled substances via the Internet to display information identifying the business, the pharmacist and any physician associated with the website; Increase penalties for illegal distributions of controlled substances categorized by the Drug Enforcement Administration as Schedule III, IV and V substances; and allow states to bring civil action on behalf of their residents in a U.S. district court to enjoin conduct that violates the Act.