Protocol for Pharmacists Furnishing Nicotine Replacement Products

(a) A pharmacist furnishing nicotine replacement products pursuant to Section 4052.9 of the Business and Professions Code shall follow the protocol specified in subdivision (b) of this section.

(b) Protocol for Pharmacists Furnishing Nicotine Replacement Products

(1) Authority: Section 4052.9(a) of the California Business and Professions Code authorizes a pharmacist to furnish nicotine replacement products approved by the federal Food and Drug Administration for use by prescription-only in accordance with a protocol approved by the California State Board of Pharmacy and the Medical Board of California. Use of the protocol in this section satisfies that requirement.

(2) Purpose: To provide timely access to nicotine replacement products and to ensure that the patient receives information to appropriately initiate smoking cessation medication therapy.

(3) Explanation of Products Covered: Prescription nicotine replacement products approved by the federal Food and Drug Administration and prescribed by a pharmacist for smoking cessation are covered under this protocol. Pharmacists may continue to provide over-the-counter smoking cessation products without use of this protocol.

(4) Procedure: When a patient requests nicotine replacement therapy or other smoking cessation medication, or when a pharmacist in his or her professional judgment decides to initiate smoking cessation treatment and counseling, the pharmacist shall complete the following steps:
   • Review the patient’s current tobacco use and past quit attempts.
   • Ask the patient the following screening questions:
     - Are you pregnant or plan to become pregnant? (If yes, do not furnish and refer to an appropriate health care provider)
     - Have you had a recent heart attack within the last 2 weeks? (If yes, furnish with caution and refer to an appropriate health care provider)
     - Do you have any history of heart palpitations, irregular heartbeats, or have you been diagnosed with a serious arrhythmia? (If yes, furnish with caution and refer to an appropriate health care provider)
     - Do you currently experience frequent chest pain or have you been diagnosed with unstable angina? (If yes, furnish with caution and refer to an appropriate health care provider)
     - Do you have any history of allergic rhinitis (e.g., nasal allergies)? (If yes, avoid nasal spray)
- Have you been diagnosed with temporal mandibular joint (TMJ) dysfunction? (If yes, avoid nicotine gum)

These screening questions shall be made available in alternate languages for patients whose primary language is not English.

- When a nicotine replacement product is furnished:
  - The pharmacist shall review the instructions for use with every patient using a nicotine replacement product.
  - Pharmacists should recommend the patient seek additional assistance for behavior change, including but not limited to the California Smokers’ Helpline (1-800-NO-BUTTS), web-based programs (e.g., http://smokefree.gov), apps, and local cessation programs.

- The pharmacist shall review answer any questions the patient may have regarding smoking cessation therapy and/or nicotine replacement products.

(5) Product Selection: The patient pharmacist, in consultation with Based on the information gathered from the patient during the Procedure outlined above, the pharmacist patient, may select select any nicotine replacement product (alone or in combination) from the list of therapies specified in this protocol in the Table “Nicotine Replacement Therapy Medications for Smoking Cessation.” This list shall be kept current and maintained in the pharmacy or pharmacy health care facility, and shall be available on the Board of Pharmacy’s website.

Furthermore, generic equivalent products may be furnished.

(6) Notifications: The pharmacist shall notify the patient’s primary care provider of any prescription drug(s) and/or device(s) furnished to the patient, or enter the appropriate information in a patient record system shared with the primary care provider, as permitted by that primary care provider. If the patient does not have a primary care provider, or is unable to provide contact information for his or her primary care provider, the pharmacist shall provide the patient with a written record of the prescription drug(s) and/or device(s) furnished and advise the patient to consult an appropriate health care provider of the patient’s choice.

(7) Documentation: Each nicotine replacement product prescribed provided for smoking cessation and furnished by a pharmacist pursuant to this protocol shall be documented in a patient medication record and securely stored within the originating pharmacy or pharmacy health care facility for a period of at least three years from the date when the last nicotine replacement product was furnished of dispense. A patient medication record shall be maintained in an automated data processing or manual record mode such that the required information under title 16, sections 1717 and 1707.1 of the California Code of Regulations is readily retrievable during the pharmacy or pharmacy’s facility’s normal operating hours.
(8) Training: Prior to furnishing prescription nicotine replacement products, pharmacists who participate in this protocol must have completed a minimum of two hours of an Board-approved continuing education program specific to smoking cessation therapy and nicotine replacement therapy, or an equivalent curriculum-based training program completed on or after the year 2000 within the last two years in an accredited California School of Pharmacy.

Additionally, pharmacists who participate in this protocol must complete ongoing continuing education focused on smoking cessation therapy from an Board-approved provider once every two years.

(9) Patient Privacy: All pharmacists furnishing nicotine replacement products in a pharmacy or pharmacy-health care facility shall operate under the pharmacy or pharmacy’s facility’s policies and procedures to ensure that patient confidentiality and privacy are maintained.

10) Nicotine Replacement Therapy Medications for Smoking Cessation
Insert chart

Note: Authority cited: Section 4052.9, Business and Professions Code. Reference: Section 4052(a)(10), Business and Professions Code.

Protocol Sources


CPhA/CSHP, “Pharmacists Protocol for Dispensing Nicotine Replacement Products.” This draft protocol was consulted in development of the Board’s recommended protocol.

Frank Vitale, “Brief Intervention Protocol for Assisting Patients with Tobacco Cessation,” 64 AM. J. HEALTH-SYST PHARM. 2583 (2007). This commentary provides important resources and specific dialogue for a pharmacists’ procedure for assisting patients with tobacco cessation.

Nicole Van Hoey, “Opportunities for Smoking Cessation Services in Emerging Models of Care,” America’s Pharmacist (Oct. 2014). This Continuing Education provided helpful referral resources, especially smartphone resources.

This site offers evidence-based resources for providers as well as continuing education opportunities in smoking cessation for CME and CEU credit.

This site offers evidence-based resources for providers and non-providers.

This website shows ACPE-approved education involving smoking cessation.

This site provides tobacco reference materials and guides for health care providers.