

## Frequently Asked Questions (FAQs) on Medication Guides

This document provides a summary of FAQs related to Medication Guides and their distribution in health-system settings. The Food and Drug Administration (FDA) has required Medication Guides for certain drugs as part of a drug's labeling for a number of years, and they are now often incorporated into many FDA-required Risk Evaluation and Mitigation Strategies (REMS). The distribution of a Medication Guide to a patient may be all that a REMS requires, or it might be part of a REMS that also includes "elements to assure safe use," such as certification requirements for healthcare providers and/or pharmacies.

This discussion focuses on providing practical information for health-system pharmacists on Medication Guides and their distribution requirements across multiple care settings. The discussion includes all Medication Guides, whether or not required under REMS, unless otherwise stated.

Please see disclaimer on page 6.

### **What resources and guidance are available from the FDA on the distribution of Medication Guides?**

In November 2011, the FDA published a Guidance document for Medications Guides. This guidance describes the healthcare settings in which Medication Guides are required by the FDA to be dispensed, and describes when a Medication Guide is required as part of a REMS. This Guidance document is designed to provide information to industry, healthcare providers, and authorized dispensers of prescription drugs.

<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM244570.pdf>

### **Why are Medication Guides required?**

21 CFR 208.1 states that "the purpose of patient labeling for human prescription drug products required under this part [Medication Guides] is to provide information when the FDA determines in writing that it is necessary to patients' safe and effective use of drug products."

<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=208.1>

### **Are Medication Guides required under the law?**

Yes. The requirements for Medication Guides are contained in the Code of Federal Regulations, 21 CFR 208. If FDA determines a Medication Guide is needed, the Medication Guide must be compliant with the content and format requirements specified in the regulation (<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?fr=208.20>) when dispensed to a patient or agent of the patient as defined in Section 208.3. (<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?fr=208.3>)

The FDA can require a Medication Guide in one of two ways. They can be a requirement of patient labeling, or they can be mandated as a component of a REMS.

### **Are there rules for what is contained in a Medication Guide?**

Yes. These rules can be found at:

<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?fr=208.20>

Each medication guide must be approved by the FDA.

### **Do hospital INPATIENTS need to receive a Medication Guide?**

No. There is no requirement under 21 CFR 208 for hospital inpatients to receive a Medication Guide when the drug is dispensed to a healthcare professional for administration to a patient, and this was further clarified in the FDA Guidance. Based on the FDA Guidance, the distribution of a Medication Guides is only required:

1. When the patient or the patient's agent requests a Medication Guide.  
OR
2. When a drug is subject to a REMS that includes specific requirements for reviewing or providing a Medication Guide as part of an element to assure safe use. Under these circumstances, the Medication Guide must be provided in accordance with the terms of the REMS, as when healthcare providers are required to review the Medication Guide with patients before patients are enrolled in a REMS program.

See Table 1 for further details

### **Do hospitals need to provide Medication Guides to patients in outpatient clinics and procedural areas (e.g. infusion center, clinic, outpatient dialysis unit, etc.)?**

Yes, Medication Guides are required to be distributed in the following situations:

1. When the patient requests a Medication Guide
2. When a drug is dispensed in an outpatient setting to be used by the patient without direct supervision by a healthcare professional

3. The first time a drug is dispensed to a healthcare professional for administration to a patient in an outpatient setting, such as in a clinic or infusion center
4. The first time a drug is dispensed to a healthcare professional for administration in any outpatient setting, after material changes have been made to the Medication Guide
5. When a drug is subject to a REMS that includes specific requirements for reviewing or providing a Medication Guide as part of an element to assure safe use, the Medication Guide must be provided in accordance with the terms of the REMS, as when healthcare providers are required to review the Medication Guide with patients before patients are enrolled in a REMS program

See Table 1 for further details

**If we have a hospital-based outpatient pharmacy that dispenses prescriptions for patients to continue self-administered therapy once they are released from the hospital, do we need to provide a Medication Guide?**

Yes, if a Medication Guide is required by FDA as part of that drug's patient labeling or under a REMS. See Table 1 for further details.

**Are there any exemptions available to a "dispenser" from having to provide a Medication Guide to specific patients?**

Yes, under very limited circumstances. Details of when an exemption may apply can be found at: <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=208.26>

**When are Medication Guides required to be provided by a manufacturer?**

Manufacturers are required to provide Medication Guides with their medications when the FDA determines that one or more of the following circumstances exists:

1. The drug product is one for which patient labeling could help prevent serious adverse effects.
2. The drug product is one that has serious risk(s) (relative to benefits) of which patients should be made aware because information concerning the risk(s) could affect patients' decision to use, or to continue to use, the product.
3. The drug product is important to health and patient adherence to directions for use is crucial to the drug's effectiveness.

<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=208.1>

And, "each manufacturer who ships a container of drug product for which a Medication Guide is required under this part is responsible for ensuring that Medication Guides are available for distribution to patients."

<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=208.24>

### **Does every drug with a REMS have a Medication Guide requirement?**

No. A REMS can have several components, and not every REMS will have a medication guide.

### **Does every drug with a Medication Guide requirement have a REMS?**

No. Depending on the medication and its associated risks, the FDA may approve a Medication Guide without requiring a REMS. In the future, the FDA expects to include Medication Guides as part of a REMS only when the REMS includes elements to assure safe use. The FDA will include a Medication Guide in a REMS that does not include elements to assure safe use if the agency determines that having the Medication Guide without a REMS will not be sufficient to ensure the benefits of the drug outweigh the risks.

Note that the number of Medication Guide-only REMS was reduced significantly in 2011.

### **Can Medication Guides be removed from REMS?**

Yes. Applicants with current REMS including a Medication Guide can submit a REMS modification request to remove the Medication Guide component or eliminate the entire REMS if the only component is a Medication Guide.

### **What are some other resources regarding Medication Guides?**

- The Final FDA Guidance on the Distribution of Medication Guides can be found here:  
<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM244570.pdf>
- The entire text of the CFR regarding Medication Guides can be found here:  
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?CFRPart=208>
- A list of all Medication Guides can be found on this FDA website:  
<http://www.fda.gov/Drugs/DrugSafety/ucm085729.htm>
- A list of REMS can be found here:  
<http://www.fda.gov/Drugs/DrugSafety/PostmarketDrugSafetyInformationforPatientsandProviders/ucm111350.htm> Note that a Medication Guide is the most common type of REMS.

**Table 1. Medication Guide Enforcement Discretion Policy From the FDA (i.e. Medication Guide Distribution Requirements for Various Settings of Care)**

Setting	Patient or Patient's agent requests Medication Guide	Medication Guide provided each time drug is dispensed	Medication Guide provided at time of first dispensing	Medication Guide provided when Medication Guide materially changes	Drug is subject to an ETASU REMS that included specific requirements for providing and reviewing a medication guide	Examples
<u>Inpatient</u>	PROVIDE	NEED NOT PROVIDE	NEED NOT PROVIDE	NEED NOT PROVIDE	PROVIDE as specified in REMS	Hospitals, hospice inpatient services, skilled nursing facilities
<u>Outpatient</u> (drug dispensed to HCP for administration to patient)	PROVIDE	NEED NOT PROVIDE	PROVIDE	PROVIDE	PROVIDE as specified in REMS	Clinic, infusion center, emergency department, outpatient surgery
<u>Outpatient</u> (drug dispensed directly to patient or caregiver)	PROVIDE	PROVIDE	PROVIDE	PROVIDE	PROVIDE as specified in REMS	Retail pharmacy, hospital ambulatory pharmacy, patient samples

Table adapted from The Final FDA Guidance on the Distribution of Medication Guides found at:

<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM244570.pdf>

### Disclaimer

*The information contained in this FAQ is provided for informational purposes only and should not be construed as legal or other professional advice of any kind.*

*No recipients of this FAQ should act or refrain from acting on the basis of any content included in this report without seeking the appropriate legal or other professional advice on the particular facts and circumstances at issue from an attorney licensed in the recipient's state. The content of the document contains general information and may not reflect current legal developments, verdicts or settlements. The ASHP expressly disclaims all liability in respect to actions taken or not taken based on any or all the contents of the document. The content of the document addresses topics of interest to our membership and other audiences, and is offered on a blind basis, without any knowledge as to your specific circumstances. The application and impact of relevant laws will vary from jurisdiction to jurisdiction. There may be delays or omissions in information contained in the document. The content should not be relied upon or used as a substitute for consultation with professional advisers.*