



EqualityCare News

August 2007

Tamper Resistant Rx Pads

Pharmacy
Bulletin
07-004

ATTENTION EQUALITYCARE PROVIDERS

IMPORTANT INFORMATION OCTOBER 1, 2007 IMPLEMENTATION

On May 25, 2007 Section 7002(b) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007 was signed into law. The Center for Medicare and Medicaid Services (CMS) released guidance providing baseline requirements to States to define and implement tamper-resistant prescription pads as required by this law on August 17, 2007. The Office of Pharmacy Services (OPS) apologizes for the late release of this notification but has been waiting on guidance from CMS in order to provide accurate information to our providers.

The above law requires that **ALL** written, non-electronic prescriptions for Medicaid outpatient drugs must be executed on tamper-resistant pads in order for them to be reimbursable by the federal government. In the letter, CMS clarifies that to be considered tamper resistant on October 1, 2007 a prescription pad must contain at least one of the following three characteristics:

- * One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form; or
- * One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber; or
- * One or more industry-recognized features designed to prevent the use of counterfeit prescription forms.



However, effective October 1, **2008**, a prescription pad must contain **ALL THREE** characteristics to be considered tamper-resistant.



In addition to the guidance outlined above, the tamper-resistant requirement does not apply when a prescription is communicated by the prescriber to the pharmacy electronically, verbally, or by fax; when a managed care entity pays for the prescription; or in most situations when drugs are provided in designated institutional and clinical settings. The guidance also allows emergency fills with a non-compliant written prescription as long as the prescriber provides a verbal, faxed, electronic, or compliant written prescription within 72 hours.

The security paper that the Wyoming Board of Pharmacy allows for their requirement that all controlled substance prescriptions written by a Wyoming practitioner shall be issued on security paper meets at least one if not all three requirements listed above. The Board's website, under "Items of Interest from the Board" has a section on security paper and a listing of approved vendors. Please contact vendors directly for information on security features of their products.

Audits of pharmacies will be performed in the future by the Wyoming Department of Health, Program Integrity Unit to ensure that the above requirement is being followed. If you have any questions about these audits or this regulation, please contact the Wyoming Department of Health, Office of Pharmacy Services at 1-800-438-5785.



Wyoming Department of Health
Public Health Insurance Program



Pharmacy
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Important Changes! Please read!



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