



Commonwealth of Massachusetts
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MassHealth
All Provider Bulletin 174
April 2008

TO: All Providers Participating in MassHealth
FROM: Tom Dehner, Medicaid Director 
RE: **Massachusetts Implementation of Tamper-Resistant Prescription Requirements**

Background

This bulletin updates information in All Provider Bulletins 167 and 168 (issued September and October 2007, respectively) as it relates to tamper-resistant prescription requirements that are being phased in this year.

Immediate Requirements

Effective April 1, 2008, the Centers for Medicare & Medicaid Services (CMS) require that all Medicaid prescription blanks incorporate **at least one** of the characteristics below. To be considered tamper-resistant after October 1, 2008, prescription blanks must include **all three** of the following characteristics:

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

MassHealth met with representatives from pharmacy and medical organizations to develop the characteristics of a tamper-resistant blank that would meet the federal requirements and be easily used by all providers. Based on discussions with that group, MassHealth suggests including the following features.

CMS Characteristics	MassHealth Suggested Features
prevent unauthorized copying of a completed or blank prescription form	use of a latent, repetitive, printed word "VOID" that will appear across the front of the prescription if it is scanned or photocopied. This feature must be patterned in such a way as not to obscure prescribing information
prevent erasure or modification of information written on the prescription by the prescriber	erasure protection, such that the prescription has a background that resists alteration and erasure (e.g., special security paper)
prevent the use of counterfeit prescription forms	a heat-sensitive feature that will either change color or disappear and then reappear when rubbed (e.g., sensing imprint or thermochromic ink)

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Immediate Requirements
(cont.)

In addition, MassHealth recommends including a warning band that describes the security features on the prescription to make it easier for pharmacists to notice that your prescription is tamper resistant. Prescriptions must also continue to meet all other requirements of federal and state laws and regulations.

Updated Information

In All Provider Bulletin 167 (September 2007), MassHealth listed *sequentially numbered, duplicate, or triplicate blanks* as a feature to prevent the use of counterfeit prescription forms. According to CMS, sequentially numbered prescriptions or duplicate blanks, in and of themselves, do **not** meet the standard for tamper-resistance. That solution works only if the number ties back into a central registry that is reported to, or maintained by, the state (such as in New York state). Massachusetts does not maintain such a registry, and we have taken steps to alert hospital-based prescribers to the CMS directive.

Computer-Generated Prescriptions

MassHealth has received requests for additional guidance on computer-generated prescriptions using sequentially numbered blanks and barcodes to meet the tamper-resistant requirements. After a recent discussion with CMS, MassHealth has approved the following features to satisfy the April 1, 2008, deadline for a single-characteristic tamper-resistant prescription requirement.

Feature	Description
quantity border and fill (for computer-generated prescriptions on paper only)	Quantities are surrounded by special characters, such as an asterisk, to prevent alteration, e.g. QTY **50**. Values may also be expressed as text, e.g., (FIFTY).
refill border and fill (for computer-generated prescriptions on paper only)	Refill quantities are surrounded by special characters, such as an asterisk, to prevent alteration, e.g. QTY **5**. Values may also be expressed as text, e.g., (FIVE).
quantity check-off boxes	In addition to the written quantity on the prescription, quantities are indicated in ranges. It is recommended that ranges be in increments of 25, with the highest range being "151 and over." The box corresponding to the quantity prescribed MUST be checked for the prescription to be valid.

CMS recently provided updated information that may be of value to health facilities or others using tamper-resistant paper. The update is accessible at <http://www.cms.hhs.gov/DeficitReductionAct/Downloads/TamperUpdate.pdf>.

Purchasing Tamper-Resistant Blanks

MassHealth does not plan to endorse specific suppliers of tamper-resistant blanks. The Massachusetts Medical Society, however, has listed some Web sites to help providers find vendors for tamper-resistant blanks at www.massmed.org/rx.

***Exceptions to the
Tamper Resistant
Requirements***

Exceptions to the tamper-resistant requirements include prescriptions that are:

- submitted electronically, verbally, or via fax;
 - reimbursed through a MassHealth managed care organization (MCO);
 - for drugs reimbursed as part of a bundled rate; or
 - refilled when the original prescription was filled before April 1, 2008.
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Emergency Fills

Emergency fills are allowed as long as a prescriber provides the pharmacy with a compliant prescription in writing or by telephone, fax, or e-prescription, within 72 hours.

For a Schedule II medication, a written prescription must comply with state and federal law. If a prescription is written on a non-tamper-resistant prescription blank, the pharmacist **may** contact the prescriber and verify the prescription, recording the authentication in writing on the back of the prescription, in order to meet the tamper-resistant requirements.

***Additional
Resources***

The Centers for Medicare & Medicaid Services (CMS) has a list of frequently asked questions about the tamper-resistant prescription requirements. All information in this document remains relevant, except for the effective date, which is now April 1, 2008. This list is accessible at <http://www.cms.hhs.gov/DeficitReductionAct/Downloads/MIPTRPFAQs9122007.pdf>

Questions

If you have any questions about the information in this bulletin, please contact MassHealth Customer Service at 1-800-841-2900, e-mail your inquiry to providersupport@mahealth.net, or fax your inquiry to 617-988-8974.
