

ePrescribing At-a-Glance

January 1, 2020

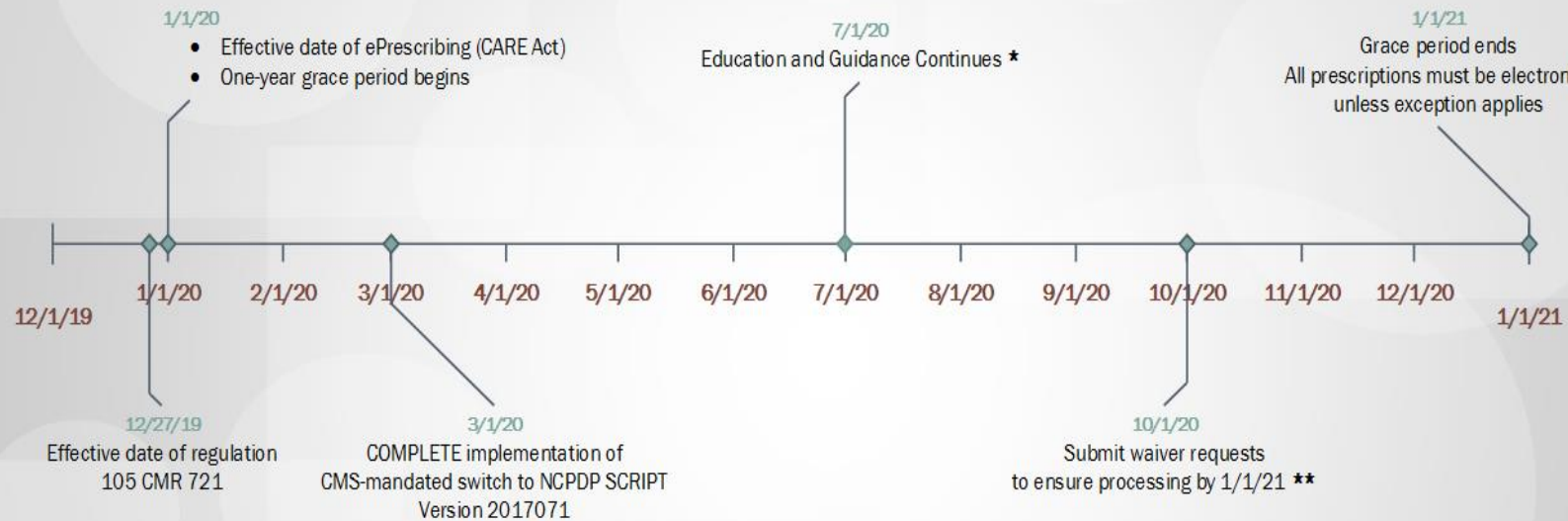
Department of Public Health
Bureau of Health Professions Licensure
Drug Control Program

Ref. DCP 19-12-108:
Electronic Prescribing and Dispensing Manual

Controlled Substance Schedules

- Controlled Substances are placed in a Federal schedule based on
 - currently accepted medical use in treatment in the United States,
 - relative abuse potential, and
 - likelihood of causing dependence when abused.
- **Schedule I Controlled Substances** have no currently accepted medical use in the United States, a lack of accepted safety for use under medical supervision, and a high potential for abuse. **Examples: heroin, LSD, peyote, & Ecstasy.**
- **Schedule II Controlled Substances** have a high potential for abuse which may lead to severe psychological or physical dependence. **Examples: most opioids and stimulants like Adderall® & Ritalin®.**
- **Schedule III Controlled Substances** have a lesser potential for abuse than Schedules I or II, and abuse may lead to moderate or low physical dependence or high psychological dependence.
Examples: buprenorphine, ketamine & anabolic steroids
- **Schedule IV Controlled Substances** have a lower potential for abuse than Schedule III.
Examples: Xanax®, Valium® & Ativan®
- **Schedule V Controlled Substances** have a lower potential for abuse than Schedule IV and consist primarily of preparations containing limited quantities of certain narcotics.
Examples: Robitussin AC®, and Phenergan with Codeine®.
- **Schedule VI Controlled Substances (in Massachusetts)** include all other prescription drugs that are not included in Schedules I-V. **Examples: antibiotics , naloxone, sterile saline, chemotherapy treatments, oxygen and epi-pens.**

Although the CARE Act's ePrescribing mandate becomes effective on January 1, 2020, one-year regulatory grace period makes universal ePrescribing mandate effective on January 1, 2021



* Education and outreach, including published guidance, will begin prior to 1/1/20 and continue throughout 2021. Please visit the Drug Control Program page at Mass.gov to learn more about the implementation of 105 CMR 721.

** Waiver requests may be submitted at any time following effectiveness of the regulation. To ensure processing and approval by 1/1/21, please submit request by 10/1/20.

A Failover may be dispensed as a valid oral prescription, without written follow-up

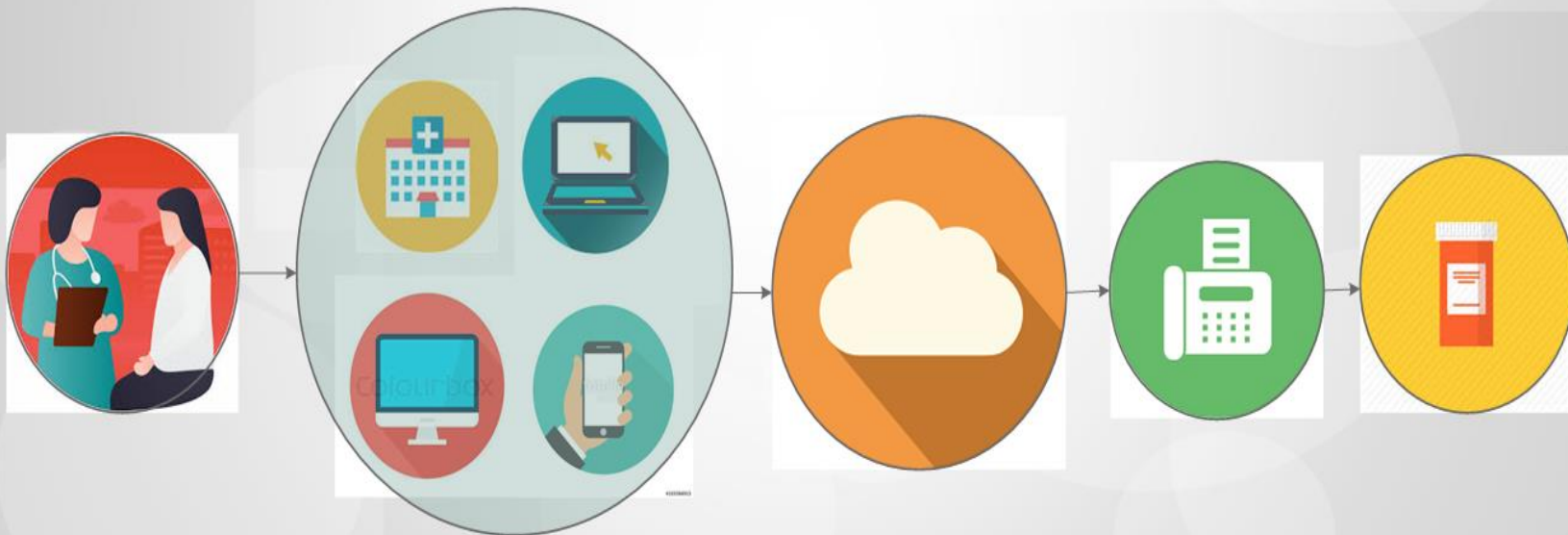
A Failover results when ...

1
prescriber issues
Schedule VI
ePrescription

2
defect occurs
outside prescriber's
control

3
system converts
prescription during
transmission

4
pharmacy receives
prescription as
computer generated
fax



As of January 1, 2021, all prescriptions for controlled substances and medical devices must be issued on Federally compliant ePrescribing systems

UNLESS
the prescription ...

Is for
Durable Medical
Equipment

or

Is for a Schedule VI
medication

or

Is for a Compounded
Drug Preparation

UNLESS
the prescriber ...

Is a Veterinarian

or

Has an approved
Waiver

or

Is outside the
Jurisdiction of the
Commonwealth

UNLESS
there is ...

An
Emergency Situation

or

A temporary
technological or
electrical failure

or

A law that
does not permit
ePrescribing

UNLESS
the patient ...

Needs care as part of a
Public Health
Emergency

or

Needs
Expedited Partner
Therapy

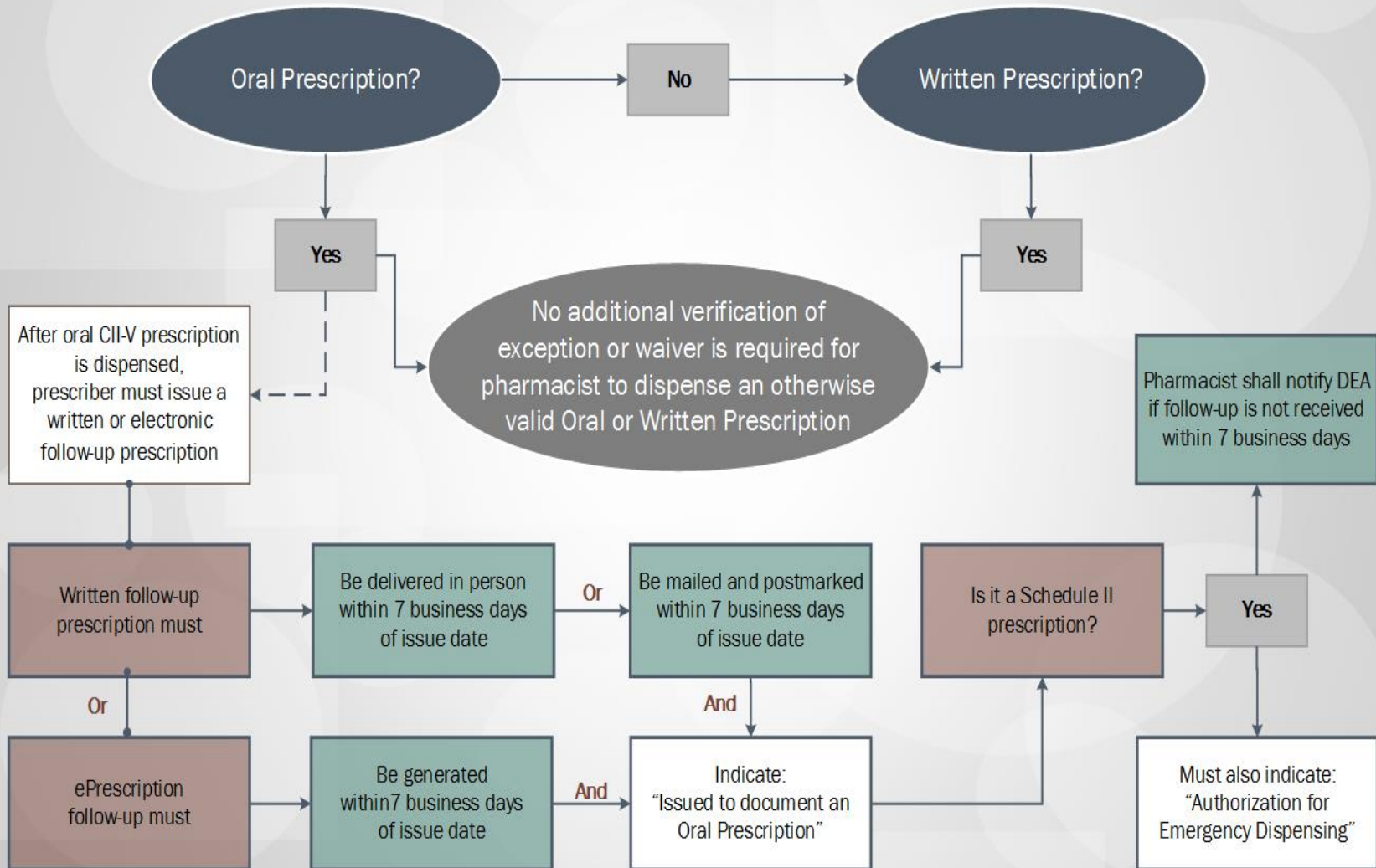
or

Is a
Nursing Home Resident

Temporary exception
available until 1/1/23

A prescriber may issue an oral or written prescription when an exception applies

As of January 1, 2021, when an ePrescribing exception applies, a pharmacist may dispense a controlled substance upon receiving an otherwise valid Oral or Written Prescription



A time-limited waiver may be issued to a health care facility or a prescriber of one or more of the requirements imposed through this regulation

Approval of a waiver request shall be based on a finding that:

compliance would impose a demonstrable economic hardship on the applicant

or

applicant is impacted by technical limitations that are not reasonably within the applicant's control

or

other exceptional circumstances

and

applicant's temporary non-compliance does not jeopardize health or safety of individuals or public

and

applicant has instituted acceptable compensating measures

An application will be available for the waiver applicant to provide written documentation supporting all elements

A pharmacist who receives an otherwise valid Written or Oral Prescription is not required to verify that such Prescription properly falls under a waiver

Shared Responsibility



Exceptions and waivers build flexibility into the ePrescribing requirements, subject to an expectation of responsible prescribing practices and open communication to ensure the safety and security of controlled substances and quality of patient care.



No written or oral prescription may be issued under any enumerated exception in an effort to circumvent ePrescribing requirements



A pharmacist who receives an otherwise valid written or oral prescription is not required to verify that such prescription properly falls under an ePrescribing waiver or exception