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Pharmacy Facts

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• Editor: Vic Vangel • Contributors: Chris Burke, Gary Gilmore, Paul Jeffrey, James Monahan, Chuck Young, Nancy Schiff •

Update to the Tamper Resistant Prescription Requirement and Computer-Generated Prescriptions

This issue provides important information about compliance with the Medicaid tamper-resistant prescription requirements, and expands upon information described in Pharmacy Facts 37 (April 4, 2008) and MassHealth All Provider Bulletin 174 (April 2008).

Prior guidance from the Centers for Medicare and Medicaid Services (CMS) on printed prescriptions generated from electronic medical records (EMRs) or e- Prescribing applications stated that special copy-resistant paper would likely be required for printed prescriptions to be in compliance as of October 1, 2008. CMS has clarified this by stating that while special paper may be used to achieve copy resistance, it is not required. EMR or e-Prescribing-generated prescriptions may be printed on plain paper and be fully compliant with all three categories of tamper resistance, provided that they satisfy *at least one feature from each of the three categories* listed below. CMS has specifically stated that the features included in these categories are considered tamper resistant for computer-generated prescriptions.

Category 1: Copy Resistance

<u>Feature</u>	<u>Description</u>
A) Void/Illegal/Copy Pantograph with or without Reverse Rx	The word "void," "illegal," or "copy" appears when the prescription is copied.
B) Microprint signature line for prescriptions generated by an EMR	Very small font which is legible (readable) when viewed at 5x magnification or greater, and illegible when copied.

Category 2: Erasure / Modification Resistance

<u>Feature</u>	<u>Description</u>
A) An erasure-revealing background for written prescriptions printed on "toner-lock" paper for laser-printed prescriptions, and on plain bond paper for inkjet-printed prescriptions	The background, which consists of a solid color or consistent pattern printed onto the paper inhibits physical erasure of written or printed information on a prescription form. Toner-lock paper is special printer paper that makes erasure obvious. Toner-lock paper is not necessary for inkjet printers.

Category 2: Erasure / Modification Resistance

<u>Feature</u>	<u>Description</u>
B) Quantity check-off boxes, refill indicator (circle the number of refills or "NR"), or border characteristics (dispense and refill number bordered by asterisks and optionally spelled out) for prescriptions generated by an EMR	In addition to the written quantity on the prescription, quantities are indicated in ranges. Quantities and refill number are surrounded by special characters such as asterisks to prevent modification, e.g., QTY **50**.
Border characteristics (dispense and refill number bordered by asterisks AND spelled out)	

Category 3: Counterfeit Resistance

<u>Feature</u>	<u>Description</u>
Security features and descriptions listed on the prescription	A complete list of security features on the prescription paper, which aids pharmacists in the identification of features and determining compliance

There are many other features that can be used to determine tamper resistance. For a complete list, refer to the National Association of Chain Drug Stores (NACDS) Web site at

http://www.nacds.org/userassets/pdfs/gov_affairs/Issues/Tamper_Resist/FinalLtrMedicaidDrtrsTRPP07_17_08.doc

Please note that some features used in other states (serial numbers, encoding techniques such as bar codes and state approved vendor IDs) are not used in Massachusetts to determine whether a prescription is tamper resistant.

For more information refer to the CMS Fact Sheet for Pharmacists at <http://www.cms.hhs.gov/pharmacy/downloads/update032808.pdf>