



# MEDICAL ASSISTANCE BULLETIN

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF PUBLIC WELFARE

ISSUE DATE  
October 29, 2007

EFFECTIVE DATE  
April 1, 2008

NUMBER  
99-07-18

SUBJECT  
Delay in Implementation of Tamper-Resistant Prescription Pad Requirements

*Michael Nardone*  
By Michael Nardone, Deputy Secretary  
Office of Medical Assistance Programs

## **PURPOSE:**

The purpose of this bulletin is to notify prescribers and providers enrolled in the Medical Assistance (MA) Program of the delay in implementation of the Tamper-Resistant Prescription Pad requirements until April 1, 2008, and that with the exception of the change in the implementation to April 1, 2008, all information provided in MA Bulletin 99-07-16 remains the same.

## **SCOPE:**

This bulletin applies to all providers enrolled in the MA Program who provide written outpatient drug prescriptions for MA recipients in the fee-for-service delivery system, including the ACCESS Plus Program.

## **BACKGROUND:**

On September 28, 2007, the Office of Medical Assistance Programs issued MA Bulletin 99-07-16 titled "Tamper Resistant Prescriptions Pads", advising providers that on and after October 1, 2007, providers must use tamper-resistant prescription pads when writing prescriptions for outpatient drugs, including over the counter (OTC) drugs, for MA recipients in the fee-for-service delivery system, including the ACCESS Plus Program.

On September 29, 2007, President George W. Bush signed the "Transitional Medical Assistance, Abstinence Education and QI Programs Extension Act of 2007", Public Law 110-90, which postponed the October 1, 2007 implementation date for requiring that written outpatient drug prescriptions be on tamper-resistant prescription pads/paper. Under the new law, effective with dates of service on or after April 1, 2008, all written outpatient drug prescriptions, including OTC drugs, for MA recipients in the fee-for-service delivery system, including the ACCESS Plus Program, must be written on tamper-resistant prescription pads/paper.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

The appropriate toll-free number for your provider type.

Visit the Office of Medical Assistance Programs website at [www.dpw.state.pa.us/omap](http://www.dpw.state.pa.us/omap)

Additionally, on October 5, 2007, the Centers for Medicare and Medicaid Services provided further guidance that the two-phased approach for implementing the tamper-resistant prescription pad requirements will still be in effect.

**DISCUSSION:**

The six month delay of the implementation date will allow providers and prescribers additional time to better understand the requirement, to develop compliant operational policies and procedures, and if necessary, to obtain compliant tamper-resistant prescription pads/paper.

Providers are reminded that this Federal requirement does not apply to verbal, facsimile or electronic outpatient prescriptions, including over-the-counter (OTC) drugs. Therefore, providers and prescribers should consider these alternative prescribing mechanisms as they develop their own compliance implementation plan for April 1, 2008.

Additionally, MA Bulletin 99-07-16 provided notice that pharmacy providers are to populate the National Council for Prescription Drug Programs (NCPDP) Version 5.1, field 419-DJ - Prescription Origin Code, using the following codes, to identify how the pharmacy received the prescription:

- 1 - written prescription;
- 2 - telephone prescription;
- 3 - electronic prescription;
- 4 - facsimile prescription.

The six month delay will allow pharmacy providers time to make software system changes to meet the requirements identified above.

**PROCEDURE:**

Effective with dates of service on and after April 1, 2008, written outpatient drug prescriptions, including OTC drugs, for MA recipients must be on tamper-resistant prescription pads/paper that have one of the Federally prescribed characteristics identified in MA Bulletin 99-07-16.

Effective with dates of service on and after April 1, 2008, pharmacy providers are to populate the NCPDP Version 5.1, field 419-DJ – Prescription Origin Code, to identify how the pharmacy received the prescription.

Effective with dates of service on and after October 1, 2008, written outpatient drug prescriptions, including OTC drugs, for MA recipients must be on tamper-resistant prescription pads/paper that have all three of the Federally prescribed characteristics identified in MA Bulletin 99-07-16.

Additional information about this new Federal requirement may be found in the Frequently Asked Questions and Answers that are posted on the Department of Public Welfare's (Department) website at the following website address:

[http://www.dpw.state.pa.us/Resources/Documents/Pdf/QAs\\_Tamper\\_Resistant\\_091707.pdf](http://www.dpw.state.pa.us/Resources/Documents/Pdf/QAs_Tamper_Resistant_091707.pdf)

The Department will update the questions and answers periodically as additional Federal clarification is provided.