

## From the Chief of Staff / Executive Associate Dean for Clinical Affairs

It has come to my attention that there is some confusion over the new Medicaid regulations regarding the use of so-called “tamper proof” prescriptions. You can find more details via the links included below, but here is what you need to know:

1. Effective April 1, 2008, any PAPER outpatient prescription written for a Medicaid patient must, by law, be written on a “tamper resistant” prescription. Pharmacists will be vigilant about enforcing this law because they are responsible for compliance and they risk not being reimbursed for prescriptions they fill from noncompliant, i.e. non-tamper-proof, forms.
2. The law is being put into effect in phases. The first phase started on April 1<sup>st</sup>. The rule about what is acceptable as a “tamper proof” prescription gets stricter as of October 1, 2008.
3. **Any prescription printed from WebCIS is compliant with the regulations that are in place as of April 1, 2008.** I strongly encourage you to use WebCIS for every prescription you write. Whenever possible, use the e-prescription feature: not only is it fast, and convenient for the patient, but this new law does not apply to e-prescriptions, so your patient is guaranteed to not have an e-prescription rejected by the pharmacist. If you print a prescription from WebCIS, the UNC Health Care logo on the printed copy meets the current legal standard.
4. Any prescription faxed or phoned to a pharmacy is also exempt from this new law regarding “tamper proof” prescriptions.
5. As detailed in the memo “linked” below, the UNC Hospitals Department of Pharmacy has limited quantities of tamper-resistant prescription pads, for hand-written prescriptions, that meet the current requirements. We will soon review the rules that take effect in October 2008 and will decide whether to continue to make these pads available after September, or whether instead to require the use of WebCIS for all prescriptions. If you have an opinion about the future availability of hand-written prescriptions, please discuss your views with your Department Chair, as this topic will be discussed at an upcoming Medical Staff Executive Committee meeting.

Brian P Goldstein, MD, MBA, FACP

Chief of Staff, UNC Hospitals

Executive Associate Dean for Clinical Affairs, UNC School of Medicine

**Reprinted from the Physicians Newsletter, September 17-21, 2007:** In May, Congress legislated that by October 1, 2007, all Medicaid outpatient prescriptions be written using “tamper resistant” pads. CMS, and then the NC Medicaid Program, quickly issued more detailed implementation guidelines. Please read carefully this NC DHHS [memo](#) for more information. Key points: (1) Prescriptions printed from within WebCIS, and prescription pads with the UNC Hospitals logo, comply with the 2007 requirement. We will notify you later about additional changes that we will have to make to comply with more extensive

requirements by October 2008. (2) The "tamper resistant pad" requirement does not apply to e-prescriptions, faxed prescriptions, or those called to a pharmacy by telephone. As before, we strongly encourage you to use WebCIS e-prescribing whenever possible (we recognize that controlled substances cannot be e-prescribed; we will be lobbying through the appropriate channels to try to legalize secure e-prescribing for controlled substances). (3) UNCH has a [new procedure](#) for obtaining prescription pads as of October 1, 2007.