



STATE OF IOWA

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DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

INFORMATIONAL LETTER NO. 746

To: Iowa Medicaid Hospitals, Physician, Dentist, Podiatrist, Optometrist, Pharmacy, Home Health Agency, Rural Health Clinic, Clinic, Chiropractor, Skilled Nursing Facility, Rehab Agency, Intermediate Care Facility, Community Mental Health, Family Planning, ICF/MR State, Mental Hospital, Community Based ICF/MR, Psychologist, Screening Center, Maternal Health Center, Ambulatory Surgical Center, Certified Nurse Midwife, PMIC, CRNA, Hospice, FQHC, Nurse Practitioner, Nursing Facility-Mentally Ill, and Institutional General Providers

From: Iowa Department of Human Services, Iowa Medicaid Enterprise

Date: September 12, 2008

Subject: Second Phase of Tamper-Resistant Prescription Drug Pads for Covered Outpatient Drugs

Effective Date: **October 1, 2008**

This letter contains critically important information regarding compliance with the Medicaid Tamper Resistant Requirements.

- As of October 1, 2008 all fee-for-service Medicaid prescriptions that are either handwritten or printed from an EMR / ePrescribing application must contain at least one feature from each of the three categories of tamper resistance (see below for details). Note – compliance as of April 1, 2008 only required one feature from one category of tamper resistance – so continued compliance beginning October 1, 2008 may require additional steps by your prescription pad or software vendor.
- Prior guidance for printed prescriptions generated from EMRs or ePrescribing 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 statement, and is now stating that while special paper may be used to achieve copy resistance – it is not necessary.** EMR or ePrescribing generated prescriptions may be printed on plain paper, and be fully compliant with all three categories of tamper resistance – provided they contain at least one feature from each of the three categories detailed below.

As of October 1, 2008, all handwritten and/or computer generated (by electronic medical records or ePrescribing applications) printed prescriptions for fee-for-service Medicaid patients, must be fully compliant with federal and/or state guidance for prescription tamper resistance. While the first phase of tamper resistance guidance required prescribers to use at least one feature from one category of tamper resistance, this second phase requires that these handwritten or computer printed Medicaid prescriptions contain at least one industry recognized feature from each of the three categories of tamper resistance. Prescriptions for Medicaid patients that are telephoned, faxed, or ePrescribed are exempt from these tamper resistance requirements.

As the October 1, 2008 implementation date approaches, we want to provide you with the information you need to ensure Medicaid patients will be able to receive their needed medications and ensure that the transition to these new prescription requirements is as smooth as possible for recipients, pharmacists, physicians, and other prescribers. We hope this guidance will help you comply with the requirements.

For additional information please refer to the Iowa Medicaid website at www.ime.state.ia.us or the National Association of State Medicaid Directors Web site at www.NASMD.org/issues/TRPP.asp. Go to Association Letters at the bottom of the page and click on [NCPDP Prescriber Education Letter](#)

Review of CMS Requirements for October 1, 2008

By October 1, 2008, a handwritten or computer generated and printed prescription must contain at least one feature in **all three** categories. No feature may be used twice:

- 1) One or more industry recognized features designed to prevent unauthorized copying of a completed or blank prescription.
- 2) One or more industry recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber.
- 3) One or more industry recognized features designed to prevent the use of counterfeit prescriptions.

The following best practices are strongly suggested for adoption to meet the tamper-resistant requirements:

Best Practices for Tamper Resistant Printed Prescriptions		
	Feature	Description
<u>Category 1:</u> Copy Resistance	A) Void/Illegal/Copy Pantograph with or without Reverse Rx	<i>The word "Void," "Illegal," or "Copy" appears when the prescription is photocopied.</i>
	B) Micro print signature line for prescriptions generated by an EMR if they cannot produce Void/Illegal/Copy Pantograph with or without Reverse Rx	<i>Very small font which is legible (readable) when viewed at 5x magnification or greater, and illegible when copied.</i>
<u>Category 2:</u> Erasure / Modification Resistance	A) An Erasure revealing background (resists erasures and alterations) for written prescriptions or printed on "toner-lock" paper for laser printed prescriptions, and on plain bond paper for inkjet printed prescriptions	<i>Background that consists of a solid color or consistent pattern that has been printed onto the paper. This will inhibit a forger from physically erasing written or printed information on a prescription form.</i>
	B) Quantity check off boxes, refill indicator (circle number of refills or "NR"), or border characteristics (dispense and refill # bordered by asterisks and optionally spelled out) for prescriptions generated by an EMR	<i>Toner-lock paper is special printer paper that establishes a strong bond between laser-printed text and paper, making erasure obvious. Note – this is NOT necessary for inkjet printers – as the ink from inkjet printers is absorbed into normal "bond" paper. In addition to the written quantity on the prescription, quantities are indicated in ranges.</i>
<u>Category 3:</u> Counterfeit Resistance	A) Security features and descriptions listed on the prescription	<i>Quantities and refill # are surrounded by special characters such as an asterisks to prevent modification, e.g. QTY **50**. A Complete list of the security features on the prescription paper aids pharmacists in identification of features and determine compliance</i>

Suggested Actions

1. Make sure that your prescription pads or printed prescriptions contain at least one industry-recognized feature in each of the three categories listed above. Best practice examples of prescription pads and computer generated prescriptions that meet all three categories are described above and can be viewed at the link on National Association of State Medicaid Directors Web site provided above.
2. Contact your prescription pad vendor to secure an appropriate supply of tamper-resistant prescription pads and/or paper that will meet Iowa's requirements on October 1, 2008; or contact your EMR / ePrescribing vendor to make sure that your use of the application to print prescriptions will be compliant by October 1, 2008.

Impact on Medicaid Patients

In order to ensure that patients do not see any adverse impact regarding their access to medications, it is critical for you to meet **all three** CMS requirements, prior to October 1, 2008. In an emergency situation, prescriptions written on non-tamper resistant pads will be permitted as long as the prescriber provides a verbal, faxed, electronic, or compliant written prescription within 72 hours after the date on which the prescription was filled.

The IME appreciates your partnership as we work together to serve the needs of Iowa Medicaid members within federal requirements. If you have any questions, please contact IME Provider Services at 1-800-338-7909, locally (in Des Moines) at 515-725-1004 or by e-mail at: imeproviderservices@dhs.state.ia.us