



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

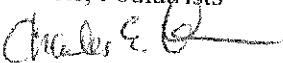
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Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

Office of Systems, Operations & Pharmacy
Medical Care ProgramsCharles E. Lehman
Executive Director

Maryland Medical Assistance Program
General Provider Transmittal No. 68
August 20, 2008

TO: Physicians, Pharmacies, Hospitals, Clinics, Nursing Homes, Intermediate Care Facilities for people with Mental Retardation, Residential Treatment Centers for children under 21, Nurse Practitioners, Nurse Midwives, Dentists, Podiatrists

FROM: Charles E. Lehman, Executive Director 
Office of Systems, Operations & Pharmacy

SUBJECT: Required Features on Tamper-resistant Prescriptions Effective October 1, 2008

The purpose of this transmittal is to remind prescribers who serve Maryland Medicaid recipients of the October 1, 2008 deadline for utilizing for Medicaid patients, only fully tamper-resistant prescriptions that meet ALL THREE REQUIREMENTS listed below, and to communicate the recent clarification from the Centers for Medicare and Medicaid Services (CMS) about prescribers' computer-generated printed prescriptions.

In 2007 Congress enacted federal legislation that requires State Medicaid Program providers to use tamper-resistant prescription pads/paper. The law requires all **written** Medicaid prescriptions for outpatient drugs, whether handwritten or computer-generated, to be tamper-resistant in order for them to be reimbursed by the Medicaid Program. These requirements apply whether Medicaid is the primary or secondary payer of the prescription. Beginning this past April 1, 2008, Medicaid required that all written prescriptions have at least one security feature from the list below.

In order to eliminate confusion and to more narrowly define Maryland requirements, the Maryland Medicaid Pharmacy Program (MMPP) has chosen the security features that are most economical and reasonable to implement. We will accept any of the features listed in the table below; however, the **bolded feature is preferred by the MMPP**.

Providers who write prescriptions for Maryland Medicaid members are encouraged to contact their printer to secure an appropriate supply of prescription pads or paper that will meet the October 1, 2008 MMPP requirements and begin using this paper or prescription pads no later than October 1, 2008 for all new written prescriptions. Prescribers using computer-generated printed prescriptions are advised to obtain software applications and printers that will generate compliant prescriptions. Additionally, individual (not institutional) providers should print their NPI numbers on the prescriptions.

MMPP requires that all prescription pads/paper for prescriptions written on or after **October 1, 2008** must have at least **one feature from each of the three categories** listed below.

Category 1 - One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form.

| Feature | Description |
|--|---|
| "Void" pantograph* | The word "Void" appears when a document is photocopied. Pharmacy must note on prescription if received via fax. |
| Watermarking | Special paper containing "watermarking" |
| Reverse "RX" or white area on prescription | "Rx" symbol or white area disappears when photocopied at light setting. This feature is normally paired with the "Void" pantograph to prohibit copying. |
| Micro printing for computer-generated printed prescriptions. | Very small font (0.5 font or less) that is legible when viewed at 5x magnification or greater, and illegible when copied. |

*Computer software and a color printer are needed to produce this feature on plain paper.

Category 2 - One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber.

| Feature | Description |
|--|--|
| Uniform non-white background color-preferably green | 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. If someone tries to erase or copy, the consistent background color will look altered and show the color of the underlying paper. |
| Quantity check-off boxes, or, for computer-generated printed prescriptions, border characteristics | In addition to the written quantity on the prescription, quantities are indicated in ranges. It is recommended that ranges be 25's with the highest being "151 and over". The range box corresponding to the quantity prescribed MUST be checked for the prescription to be valid. An example of a valid border characteristic is the use of asterisks to surround the numeric quantity prescribed on a computer generated printed prescription (Example: **50**). |
| Refill indicator or, for computer-generated printed prescriptions, border characteristics | Indicates the number of refills on the prescription. Circle or check number of refills or "NR". Refill number MUST be used to be a valid prescription. An example of a valid border characteristic is the use of asterisks to surround the number of refills permitted, e.g. **5 refills**. |

Category 3 - One or more industry-recognized features designed to prevent the use of counterfeit prescription forms.

| Features | Description |
|--|--|
| Security features and descriptions listed on the front of the prescription | Listing of the security features of the prescription for compliance purposes. This will assist the pharmacist and auditors on what security features are included on the pads/paper. |

The Tamper-Resistant requirements DO NOT APPLY:

1. when a prescription is communicated by the prescriber to the pharmacy electronically, verbally, or by fax (please note that controlled substances require a written prescription).
2. when a managed care organization pays for the prescription.
3. to new or refills of written prescriptions presented to the pharmacy before April 1 without one of the features, or before October 1, 2008 without all three features.
4. when drugs are provided in institutional settings where such drugs are not separately reimbursed.
5. when drugs are provided in any situation, such as a long term care facility or a group home for developmentally disabled persons, in which the patient does not have the opportunity to physically handle the prescription.

Information for Pharmacists

After the respective dates, any pharmacist receiving a hard copy of a prescription for a Medicaid recipient not in compliance with tamper-resistant standards must verify the prescription order with the prescriber. Record on the original prescription the person contacted and the date verified. If a prescriber continues to use non-compliant prescription forms, the pharmacist should report the prescriber to the Medicaid Pharmacy Program.

Maryland Medicaid will pay for a 72-hour emergency supply on a non-compliant written prescription to allow the prescriber time to provide a verbal, faxed, electronic or compliant written prescription.

Questions concerning this transmittal should be directed to the manager for Pharmacy Services at 410-767-1455.