



STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, NY 12237

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

March 17, 2005

Dear Administrator:

Prescription fraud is an increasing problem that drives up healthcare costs and poses a threat to the safety of all New York State citizens. Prescription medications obtained through fraudulent means end up on the street or in the home medicine cabinets of unsuspecting patients.

To combat this serious health care crisis, Governor Pataki recently signed a new law designed to prevent alterations, forgeries, and counterfeiting of your healthcare facility's prescriptions, which will dramatically reduce the amount of drugs being diverted from legitimate medical use. The new law fully takes effect on April 19, 2006, when all prescriptions written in New York must be issued on an Official Prescription form and all practitioners and facilities must register with the Department of Health to order their Official Prescriptions. The Department has begun issuing these new official prescriptions to registered practitioners.

We would like to offer healthcare facilities the opportunity to participate in the transitional phase of the new law. In return for your participation, your facility will no longer need to purchase the official prescriptions that are still required when a practitioner prescribes schedule II and benzodiazepine controlled substances for your patients. If you register with us now and complete the enclosed order form, we will begin providing these prescriptions to you free of charge.

In the near future, registered healthcare facilities will be able to order official prescriptions through the Department of Health's Health Provider Network (HPN) Internet site. At that time, you will be provided with information on how to access the site and place your order. For facilities that employ an electronic medical record system (EMR) to generate prescriptions, the Department also has future plans to provide secure serialized official prescriptions designed for use in computer printers.

We urge you to promptly register your facility with us by completing the enclosed registration application so that you can begin receiving your official prescriptions free of charge. A question and answer sheet is also enclosed to inform you about the new law. Should you have any questions regarding the new law, please call our toll-free number at 1-866-811-7957.

Thank you for your cooperation in helping New York State fight prescription fraud.

Sincerely,

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
Commissioner of Health

NEW YORK STATE DEPARTMENT OF HEALTH
Order Form For Official
New York State Prescriptions

1. Complete items 1-7. Incomplete forms may result in the delay of your order. Only order enough forms which you can reasonably use within 3 months.
2. To receive Official Prescriptions free of charge, please fill out the enclosed registration form. Once you are registered, you may order your Official Prescriptions free of charge. If you are not registered, attach a check or money order for \$12.50 per book of 100 prescriptions made out to the "New York State Health Department". Prescription blanks are only provided in books of 100.
3. Forward registration form and order form to:
New York State Department of Health
Bureau of Narcotic Enforcement
433 River Street
Troy, New York 12180-2299
4. If you are not registered, forward your order form and check to the above address.
5. If you have questions, call 1-866-811-7957.

1. Controlled Substance License Number:

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Name _____

Address _____

Phone Number _____

2. Check Amount (if not registered) _____ 3. No. of Books _____

4. Practitioner Specialty Code _____ Cash line

By my signature, I certify that I am registered with the DEA and that a current order of the Commissioner of Health revoking or canceling use of such forms has not been served to me.

5. Signature _____ 6. Date ___/___/___

7. Official Title _____
(Institutions Only)

Questions and Answers for Healthcare Facilities Regarding the New Official Prescription Program

Q. What new law has recently been passed that affects how practitioners write prescriptions for their patients?

A. A new Section 21 of the Public Health Law requires that by April 19, 2006, ***all*** prescriptions (both for controlled substances and non-controlled substances) written in New York State be issued on an official New York State prescription form, the same form that was previously required for prescribing Schedule II and Benzodiazepine controlled substances.

Q. What is the purpose of the new law?

A. The new law will combat the growing problem of prescription fraud. Official prescriptions contain security features specifically designed to prevent alterations and forgeries that divert drugs for sale on the black market. Some of these contaminated drugs end up in patients' medicine cabinets. By preventing fraudulent claims, the law will also save New York's Medicaid program and private insurers many millions of dollars every year.

Q. Does the law change the way practitioners issue prescriptions?

A. It is important to note that the law makes ***no*** changes in the way practitioners issue prescriptions. ***Practitioners will still prescribe for their patients in the same manner.*** Only the prescription form itself will change.

Q. Does the law change the way patients get their prescriptions filled?

A. No. Pharmacies will still fill prescriptions and maintain prescription records for patients as they always have.

Q. When does the new law go into effect?

A. It is important to note that an official prescription continues to be required for prescribing schedule II and benzodiazepine controlled substances. To give the medical community adequate time to convert to the new forms, ***there will be an 18 month transition period in which both an official prescription or a practitioner's current prescription blank may be used to prescribe all other medications.*** After April 19, 2006, all written prescriptions must be issued on the Official Prescription form.

Q. How will healthcare facilities obtain their official prescriptions for prescribing?

A. A healthcare facility must first register with the Department of Health. The Department will provide official prescriptions to ***registered*** facilities ***free of charge***. The official prescriptions will be imprinted with the name of the facility for use by staff practitioners when prescribing for patients of the facility.

Q. What procedure must healthcare facilities follow to register to receive their official prescriptions?

A. Persons authorized to register for the facility should complete the registration application and mail it to the Bureau of Narcotic Enforcement. **By April 19, 2006, all healthcare facilities must be registered to receive official prescriptions.**

Q. Are healthcare facilities that currently *purchase* official prescriptions by mail for prescribing schedule II and benzodiazepine controlled substances also required to register?

A. Yes. Once these facilities have registered, their official prescriptions will be provided free of charge.

Q. How can registered facilities order official prescriptions?

A. Official prescriptions can be ordered by completing an order form and mailing it to the Bureau of Narcotic Enforcement. An order form is provided with each order of official prescriptions. The Department also is developing a secure Internet web site for this purpose through the utilization of a Health Provider Network (HPN) account. It will be the easiest way to order. Once the site is established, you will receive notification on how to access the site and order official prescriptions.

Q. How must official prescriptions be secured?

A. Healthcare facilities must secure their official prescriptions when not in use and must report any theft, loss, or destruction of the prescriptions to the Bureau of Narcotic Enforcement. Facilities must also keep records of the receipt of official prescriptions and their assignment to staff practitioners or units within the facility.

Q. Is electronic prescribing still allowed under the new law?

A. Yes. An institution or practitioner may still transmit a prescription for a non-controlled medication to a pharmacy by secure electronic means. Electronic prescribing of controlled substances is not yet permissible and will be contingent upon federal and New York State regulations. The new law encourages the conversion to electronic prescribing, which reduces medication errors and does not require the use of an official prescription. For healthcare facilities that utilize an electronic medical records system to generate prescriptions, the Department has future plans to provide official prescriptions forms designed for computer printers.

Q. Whom can healthcare facilities contact with questions about the new law and official prescriptions?

A. A Help Desk is readily available at 1-866-811-7957 to answer your questions and provide information about how to register and order your official prescriptions.