



# STATE OF NEW YORK DEPARTMENT OF HEALTH

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[www.health.ny.gov](http://www.health.ny.gov)

Nirav R. Shah, M.D., M.P.H.  
*Commissioner*

Sue Kelly  
*Executive Deputy Commissioner*

February 25, 2011

Dear Pharmacy Provider:

The New York State Medicaid Drug Utilization Review (DUR) Program retrospectively reviews prescribing and dispensing of outpatient prescription medications in order to ensure that prescriptions are appropriate, medically necessary, and are not likely to result in adverse medical outcomes. New York State Medicaid pharmacy claim data indicates that claims submitted by your pharmacy revealed a high incidence of ER-Early Fill overrides.

Effective April 1, 2011, the "04" (Lost/Stolen) Submission Clarification Code-Field 420-DK currently in use, will not be acceptable as an override for the ER-Early Fill edit. At a future date claims processed using the "04" will be denied. Pharmacy providers should instruct beneficiaries to contact their prescriber when medications have been lost or stolen. **In no event will approval be granted for lost or stolen controlled substances.**

Please keep in mind that New York Medicaid's pharmacy fill policy ensures ample supply for beneficiaries, allowing a drug claim to pay when 75% of the previously dispensed amount has been used. Prescribed changes in therapy, increased dose, or changes in frequency bypass the early refill edit.

Prescribers or their authorized agents may, after careful consideration, initiate a prior authorization request for a loss or theft of medication by contacting the Bureau of Pharmacy Policy and Operations at 518-486-3209 for replacement. Approval will be granted for the balance of the medication reported lost or stolen. Thank you for your professional consideration in this matter.

For general program information, please call 518-486-3209, or visit the New York State Medicaid DUR website at [http://www.health.ny.gov/health\\_care/medicaid/program/dur/index.htm](http://www.health.ny.gov/health_care/medicaid/program/dur/index.htm)

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