



STATE OF NEW YORK DEPARTMENT OF HEALTH

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TO: ALL NEW YORK STATE PHARMACIES
FROM: JAMES GIGLIO, DIRECTOR, BUREAU OF NARCOTIC ENFORCEMENT
DATE: January 2007
SUBJECT: CONTROLLED SUBSTANCE AND OFFICIAL PRESCRIPTION PROGRAM UPDATE

Faxed Official Prescriptions for Controlled Substances

- Pharmacists may now accept faxed official prescriptions for controlled substances for patients enrolled in a hospice program or residing in a Residential Healthcare Facility (RHCF) if the dispensing pharmacy has a written agreement with the hospice program or RHCF to dispense controlled substances to a patient. The practitioner must note on the prescription that the patient is a “hospice patient” or “RHCF patient”.
- Pharmacists also may now accept faxed official prescriptions for controlled substances to be compounded for direct parenteral administration to patients.
- **Practitioners faxing official prescriptions for controlled substances in the above situations must send the original official prescription to the dispensing pharmacy within 72 hours. If the pharmacist does not receive such prescription, he/she must notify the Bureau in writing within 7 days of dispensing the substance.**
- All other faxed prescriptions for controlled substances must comply with requirements for oral prescriptions for controlled substances.

Emergency Medication Kits in Class 3a Facilities

Regulations authorize a pharmacy to provide sealed emergency medication kits containing controlled substances to facilities licensed as a Class 3a institutional dispenser limited. Such kits may contain up to a 24-hour supply of up to 10 different controlled substances in unit dose packaging, no more than three of which may be injectables. Each kit must be secured in a stationary, double-locked system. Controlled substances from an emergency medication kit may be administered to a patient in an emergency situation pursuant to an order of an authorized practitioner. The Class 3a facility must notify the pharmacy within 24 hours of each time the emergency kit is unsealed, opened, or shows evidence of tampering.

Prescriptions from Veteran’s Administration (VA) Facilities

Practitioners in VA facilities and military bases are not required to use official prescriptions when prescribing both controlled and non-controlled substances. Pharmacists may dispense such prescriptions as out-of-state prescriptions if they contain all information required by New York State Law. When transmitting prescription information to the Department of Health from out-of-state prescriptions dispensed for controlled substances, pharmacists should enter the letter ‘Z’ eight times in the field for the prescription serial number.

Coupons and Vouchers for Controlled Substances

Effective January 12, 2007, the Department of Health rescinded its determination that coupons, vouchers, and other programs reimbursing a pharmacy for the cost of a controlled substance dispensed without charge was an unlawful distribution of free samples of controlled substances. Such coupons or vouchers are now acceptable for redemption at a pharmacy when accompanied by a valid prescription for the controlled substance that has been issued by an authorized practitioner.

The controlled substance law and regulations may be viewed online at: www.nyhealth.gov/professionals/narcotic. Pharmacists with questions about official prescriptions or controlled substances may contact the Bureau of Narcotic Enforcement at (866) 811-7957 or online at: narcotic@health.state.ny.us.