

PharmacyUpdate

New York State Department of Health

Fall 2007

Bureau of Narcotic Enforcement

Practitioner's Handwritten Signature Required

The Public Health Law and the Education Law require every written prescription issued in New York – for both controlled and non-controlled substances – to contain the **handwritten signature** of the prescribing practitioner. Written prescriptions that contain only a stamped or electronically generated signature of a practitioner do not comply with the law and are not valid prescriptions.



Submission of Prescription Information

Pharmacies are required to submit prescription information specified in section 80.73(f) of Title 10 regulations to the Bureau of Narcotic Enforcement by the 15th of the month following the month in which the controlled substance was dispensed. The Bureau has received incorrect information from pharmacies in the data fields including, but not limited to: quantity dispensed, patient name, and practitioner DEA number. Regarding the submission of the prescribing practitioner's DEA number, it is important to note the following:

- Pharmacists should ensure that they correctly enter the prescriber's Drug Enforcement Administration (DEA) registration number in their prescription database when dispensing all controlled substance prescriptions.
- Submitted prescription information must include the DEA registration number of the individual prescribing practitioner.
- Pharmacies submitting information from hospital prescription forms may submit the DEA registration number

of the hospital only when dispensing prescriptions from interns, residents, or foreign physicians authorized to prescribe under the hospital's DEA registration and assigned a suffix that must be indicated on the prescription.

The Bureau of Narcotic Enforcement closely analyzes all submitted prescription information. **Pharmacies that submit incorrect or incomplete prescription information may be charged with violations of the controlled substance law and regulations.** Such violations may result in commencement of legal action.

Health Provider Network Account

Pharmacists may request Health Provider Network (HPN) Accounts to receive up-to-date information from the Department of Health regarding key public health events such as drug/product recalls and emergency response protocols and procedures. Previously-issued *Pharmacy Updates* are also available through the HPN, which pharmacists can request online at <https://commerce.health.state.ny.us/pub>. Click on 'Request an HPN Medical Professions account application.'

Physician's Assistants May Prescribe Schedule II

Section 3703(3) of the Public Health Law authorizes a registered physician's assistant to prescribe controlled substances – including Schedule II – **beginning December 13, 2007**. The law requires such prescribing to be:

- In good faith and in the physician's assistant's lawful scope of practice;
- Authorized by the physician's assistant's supervising physician;
- For patients under the care of the supervising physician.

Physician's assistants issuing prescriptions for controlled substances must comply with all requirements of Article 33 of the Public Health Law and Part 80 of Title 10 regulations. Physician's assistants also must be registered with DEA to prescribe controlled substances. Physician assistants wishing to prescribe Schedule II controlled substances must contact DEA to amend their registration to include Schedule II prescribing authority, if necessary.



NEW YORK STATE DEPARTMENT OF HEALTH
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