

PharmacyUpdate

New York State Department of Health

Summer 2008

Bureau of Narcotic Enforcement

New Code D Designation for Chronic Pain

The Department of Health is pleased to inform you that new regulations are now in effect that can be of significant benefit to patients who are being treated with controlled substances as part of their care. The Code D designation in Part 80 regulations has been amended to allow practitioners greater leeway when prescribing controlled substances to treat chronic pain caused by conditions other than diseases. By indicating 'Code D' on the prescription, a practitioner may now prescribe up to a three month supply of a controlled substance for the relief of pain in patients suffering from **conditions or diseases** known to be chronic or incurable. Previously, such prescribing was allowed only for diseases known to be chronic and incurable.



Monitoring Sales of Controlled Substances

New Part 80 regulations now require pharmaceutical manufacturers and distributors to electronically submit reports to the Bureau of Narcotic Enforcement from the sales of controlled substances in New York. The Bureau will closely analyze the reports to detect inappropriate procurement of controlled substances by practitioners, pharmacies, health care facilities, researchers, and others. Controlled substance sales records will be compared with administration and dispensing records to detect unlawful activity. Such monitoring will protect the public health by preventing controlled substance diversion by health care professionals who are authorized to purchase and possess these drugs solely for legitimate use within their scope of practice.

Submission of Prescription Information

Part 80 regulations now require pharmacies to include payment method, number of refills authorized, and refill number in their submission of controlled substance prescription information to the Department. Analysis of such information will detect and prevent drug diversion by persons receiving numerous prescription refills or paying cash to avoid detection. **Pharmacies should contact their software vendor to ensure that all required prescription information is submitted beginning no later than January 1, 2009.** However, pharmacies may begin submitting required controlled substance prescription information in the new format immediately, if their software is capable.

Part 80 regulations can be viewed in their entirety on the Bureau's website at: www.nyhealth.gov/professionals/

narcotic, on the link to 'The Rules and Regulations on Controlled Substances.'

Partial Fills Extended for Hospice and RHCF Patients

New amendments to Part 80 regulations now also allow partial fillings of schedule II and benzodiazepine prescriptions issued for more than a 30-day supply for patients residing in a residential health care facility (RHCF) or patients enrolled in a hospice program licensed or approved by the Department to occur within **60 days** from the date the prescription was issued. Previously, partial fillings of such prescriptions had to occur within 30 days. Allowing hospice and RHCF patients more time to partially fill their controlled substance prescriptions can better meet their medication needs and will reduce surplus medications and health care costs.



**NEW YORK STATE DEPARTMENT OF HEALTH
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