

PractitionerUpdate

New York State Department of Health

Spring 2009

Bureau of Narcotic Enforcement

Monitoring Sales of Controlled Substances

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.

Practitioners' Dispensing of Controlled Substances

Practitioners who dispense controlled substances to patients are required to document such dispensing in a written patient record. Practitioners who dispense controlled substances to patients also are required to report information from such dispensing, including the method of payment, to the Department through their Health Commerce System (HCS) Account. Practitioners may establish an HCS account by following instructions at <https://commerce.health.state.ny.us/pub/>.

Practitioners who obtain controlled substances for dispensing or administration to patients are also required to keep a record of all controlled substances purchased. All records

required for controlled substances, including documentation of dispensing or administration in the written patient record, must be maintained at the practitioner's place of business for a period of five years from the date such activity occurred.

Practitioner's Handwritten Signature Required

All written prescriptions – for both controlled and non-controlled substances – are required to contain the **handwritten signature** of the prescribing practitioner. Prescriptions containing only a stamped or computer-generated practitioner's signature do not meet the requirement and are not valid for dispensing.

Indicating Drug Quantity and Refills in Numerical and Word Form

Part 80 regulations require official prescriptions for controlled substances to indicate the quantity of drug prescribed and the number of refills authorized by the practitioner in **both numerical and written word forms**. Because drug-seeking individuals, including 'doctor shoppers,' often alter these numbers in an attempt to divert controlled substances, this requirement will help detect and prevent such illegal activities.

Part 80 regulations can be viewed in their entirety on the Bureau's website at: www.nyhealth.gov/professionals/narcotic, on the link to 'Laws and Regulations.'



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www.nyhealth.gov/professionals/narcotic