

PractitionerUpdate

New York State Department of Health

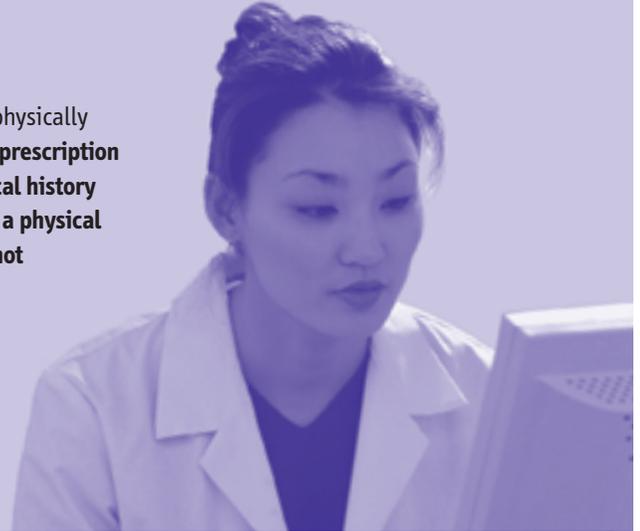
Summer 2007

Bureau of Narcotic Enforcement

Internet Prescribing of Controlled Substances

Section 80.63 of the controlled substance regulations requires a practitioner to physically examine a patient prior to initially prescribing a controlled substance. **Issuing a prescription for a controlled substance solely on the basis of a questionnaire or other medical history submitted to a practitioner over the Internet does not meet the requirement of a physical examination or establish a legitimate practitioner-patient relationship and is not a valid prescription.**

After the initial physical examination of the patient, the frequency and need for future examinations prior to prescribing a controlled substance for the same acute or chronic condition will be made by the practitioner utilizing generally accepted medical standards.



Oral Prescriptions for Controlled Substances

The controlled substance law and regulations authorize **only** a practitioner to orally prescribe a controlled substance to a pharmacist. Nurses or other office personnel are **not** authorized to phone in a controlled substance prescription to a pharmacist. Only oral prescriptions for controlled substances that are phoned in by a practitioner are valid.

No Refills on Schedule II or Benzodiazepine Prescriptions

Because an official New York State prescription form is required to be utilized when issuing written prescriptions for both controlled and non-controlled substances, the newly designed official New York State prescription forms

contain an indication for a practitioner to authorize refills of the prescription. However, under the controlled substance law and regulations, prescriptions for schedule II controlled substances and benzodiazepines may **not** be refilled. It is important to note that anabolic steroids and testosterone are classified as schedule II controlled substances in New York State, and prescriptions for these drugs may **not** be refilled.

Indicating Maximum Daily Dose

In addition to containing the specific directions for use and all other information required by the controlled substance law and regulations, all prescriptions for controlled substances must indicate the maximum daily dose (MDD) of the prescribed drug.

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 a stamped or computer-generated practitioner's signature do not meet the requirement and are not valid for dispensing.

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 e-mail narcotic@health.state.ny.us.



NEW YORK STATE DEPARTMENT OF HEALTH
BUREAU OF NARCOTIC ENFORCEMENT

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www.nyhealth.gov/professionals/narcotic