

PractitionerUpdate

New York State Department of Health

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Bureau of Narcotic Enforcement

DEA Multiple Prescription Ruling *Not* Allowed in New York

The Drug Enforcement Administration (DEA) finalized a rule effective December 19, 2007 that allows a practitioner to issue a patient multiple prescriptions for the same controlled substance on the same day, with written instructions on the prescriptions indicating a future date on which a pharmacist may fill each prescription.

It is important to note that New York State Public Health Law is more stringent than federal law regarding the issuance of multiple prescriptions for a controlled substance. New York State law **prohibits** a practitioner from issuing a patient multiple prescriptions for the same controlled substance on the same day. The law also prohibits a practitioner from post-dating a prescription.

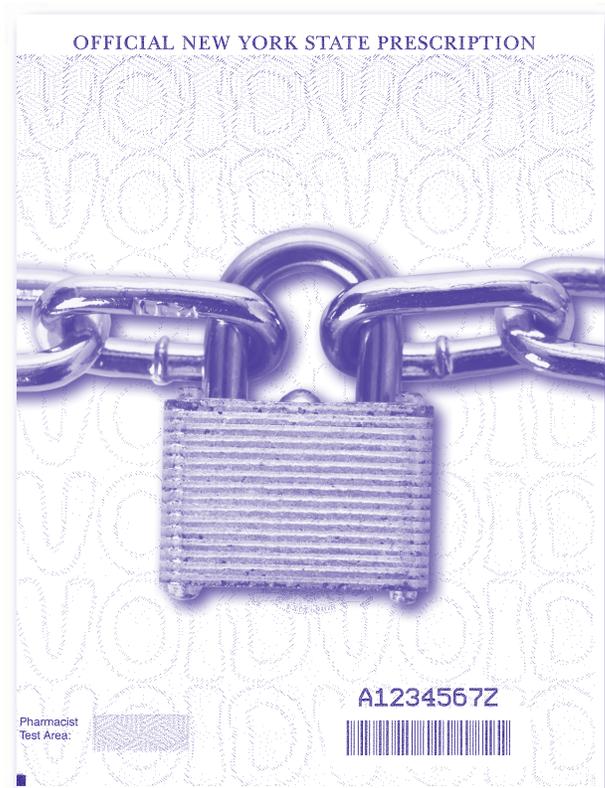
New York State law authorizes a practitioner to issue only a single prescription for the same controlled substance to a patient on the same day. Each prescription for a controlled substance is required to be dated and signed by the practitioner on the date it is issued.

Official Prescriptions Satisfy Tamper-Resistant Requirement

A new federal law requires the use of tamper-resistant prescription forms for written prescriptions for Medicaid patients beginning April 1, 2008. In order to be considered tamper-resistant, a prescription form must contain at least one of the following three characteristics:

- One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form;
- One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber;
- One or more industry-recognized features designed to prevent the use of counterfeit prescription forms.

The federal Centers for Medicaid and Medicare Services has specified that tamper-resistant prescription forms already required by State laws meet or exceed the above three characteristics. **Therefore, issuing written prescriptions for Medicaid patients on an official New York State prescription form satisfies the federal law requirement that such prescriptions be tamper-resistant beginning April 1, 2008.**



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