Dispensing Pharmacy/Location Requirements

Services for which claims are submitted must be personally rendered by a pharmacist in the legal employ of the pharmacy provider or under the personal direction of a pharmacist employed by the pharmacy provider. Legal employ includes pharmacists who are owners.

Further, the provider cannot dispense prescriptions in off-site locations. An off-site location is one that is different from the provider's actual address (physical location of the pharmacy).

Prescribing Providers

DOM recognizes a provider as a prescribing provider when he/she is duly licensed and is acting within the scope of practice of his/her profession according to state law. Types of practitioners may include but are not limited to physicians, nurse practitioners, physician assistants, and dentists.

Tamper Resistant Prescription Pad

Refer to Provider Policy Manual Section 31.27 for Tamper Resistant Prescription Pad/Paper policy.

Telephone, **Electronic** and/or Faxed Prescriptions

The prescription shall be in writing from a provider licensed under state law; however, an electronically transmitted (e-prescribed), ~~a~~ telephoned or faxed prescription from the prescriber may be accepted when it is not in conflict with federal and state laws and regulations. E-prescribed and ~~Telephone~~ telephoned prescriptions are allowed for the convenience of the prescriber. E-prescribed and ~~Telephone~~ telephoned prescriptions are to be transcribed to a hard copy ~~written~~ document including all pertinent information and also, including the name or initials of the pharmacist taking the oral order and the name of the individual giving the order. It is the provider's responsibility to ensure the integrity of the prescription.

Transfer of Prescriptions

DOM allows the transfer of a prescription from one pharmacy to another pursuant to state and federal regulations.

Prescriptions for Newborns

Physicians who write a prescription for a newborn must clearly indicate "NEWBORN" on the prescription. This will assure the pharmacist that he/she can file a claim. Pharmacists must use the baby's name, baby's date of birth, the mother's ID number, and the infant exception code (K) when filing a claim for these prescriptions.

Prescription Documentation Requirements

All written prescriptions must contain (but are not limited to) the following components and information:

- Patient name and address
- Date of prescription
- Name of prescribed drug and quantity to be dispensed (no more than a 31-day supply).
- Specific directions for its use (specific directions are needed in order that the pharmacist may dispense medication within the framework of rules and regulations of DOM regarding prescribed drugs)
- Prescriber's signature
- Authorized refills
- Name and address of the prescriber (with DEA number when required)
- Date filled and serial number of prescription
- Drug name

Prescription Limitations

All Medicaid beneficiaries are limited to five (5) prescriptions per month with no more than two (2) being brand name drugs, including refills, with the exception of long-term care residents.

Children under the age of twenty-one (21) may receive more than the prescription limit as allowed through expanded EPSDT when medically necessary and the physician receives prior authorization from the Division of Medicaid's Pharmacy Benefits Manager.

Maximum Dispensing Amounts (Units)

A pharmacy may not bill for a quantity that exceeds a 31-day supply. DOM will allow a prescription to be billed the maximum dose calculation as determined by the Food and Drug Administration and the manufacturer's recommended maximum total daily dose and supplied to First DataBank. If a beneficiary requires more than this amount, the prescriber must request an exception override of this requirement by seeking approval from DOM's Pharmacy Benefits Manager. Supporting documentation must be in the beneficiary's medical record to substantiate a request for total maximum daily dose in excess of recommended maximum dose. Approval will not be granted for non-FDA approved indications.

The following exceptions are allowed:

- Contraceptives issued by the MS State Department of Health (MSDH) may be dispensed in a one year supply.
- Six vials (60ml) of insulin may be dispensed at one time.
- Those products with cumulative maximum daily and/or monthly units as recommended by the Food and Drug Administration and the manufacturer, and supplied to First DataBank and/or as recommended by the Drug Utilization Board and approved by DOM.
- Those products limited by authority of the Division of Medicaid with the potential for misuse abuse, or diversion for the public safety, well-being and/or health.
- A limited listing of generic maintenance medications which may be dispensed in no more than ninety (90) day increments.

Refer to the Pharmacy Services page on the DOM website at ~~www.dom.state.ms.us~~ www.medicaid.ms.gov for a listing of these medications.

72-Hour Emergency Supply

According to Title XIX of the Social Security Act for Mississippi, in emergency situations, DOM will allow payment for a 72-hour supply of drugs that are to be prior authorized.

Emergency supplies should be reserved for situations in which the pharmacist may dispense a one time only 72-hour supply without prior authorization (PA), if the beneficiary's monthly prescription benefit limit has not been met. A 72-hour emergency supply may be provided to beneficiaries who are awaiting the acknowledgment of PA. The pharmacy will be reimbursed for this product even if the prescription is changed to an alternative medication or the PA is denied.

If the drug is approved for PA, the emergency supply should be submitted as part of the original fill. The dispensing fee and beneficiary co-pay may not be collected until the remainder of the drug is dispensed.

Claims for a 72-hour supply when the PA is not approved should be billed by hard copy claim to:

Division of Medicaid
Attn: Pharmacy Bureau
Walter Sillers Building
550 High Street, Suite 1000
Jackson, MS 39201

Dispensing NDC Requirements

Prescription drugs that are available as over-the-counter (OTC) products must not be billed with the National Drug Code (NDC) for the legend product.