All non-electronic prescriptions must be written on tamper-resistant pads/paper in order to be eligible for reimbursement by Medicaid. The tamper-resistant prescription pads/paper requirement applies to all outpatient drugs, including over-the-counter drugs. Tamper–resistant prescription pads/paper are more difficult to erase, alter, or fraudulently reproduce. This type of hard copy prescription pad/paper includes features that resist duplication and changes. The intent of this policy is to reduce forged, unauthorized and altered prescriptions and to deter drug abuse.

This mandate applies whether DOM is the primary or secondary payer of the prescription being filled. This new provision impacts all DOM prescribers: physicians, dentists, optometrists, nurse practitioners and other providers who prescribe outpatient drugs.

A prescription must contain at least one feature in **all three categories** in order to be considered "tamper-resistant."

Category 1- Copy Resistance: One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form. Examples may include but are not limited to:

- "Void" or "Illegal" pantograph with or without reverse "RX"
- Security back print (artificial watermark)
- Special paper watermarking

And

Category 2- Erasure/Modification Resistance: One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber. Examples may include but are not limited to:

- To Prevent Erasure
  - Erasure revealing background
  - Toner receptor coating/Toner lock
  - Chemically reactive paper
- To Prevent Modifications
  - Quantity check off boxes and refill indicator
  - Quantity Border/ refill Border and Fill (Computer generated prescriptions on paper only)

Note: While only one feature from Category 2 is required, DOM recommends that one feature of erasure and one feature of modification resistance be used.

And

Category 3- Counterfeit Resistance: One or more industry-recognized features designed to prevent the use of counterfeit prescription forms. Examples may include but are not limited to:

- Security features and descriptions listed on prescriptions
- Thermo chromic ink

For additional information regarding industry-recognized features refer to the DOM website at www.medicaid.ms.gov under Pharmacy Services.

Note that computer generated prescriptions are not exempt from the CMS mandate.

Pharmacies presented with a prescription written on a non-tamper resistant prescription pad/paper may satisfy the federal requirement by calling the provider's office and verbally confirming the prescription with the physician or prescriber. The pharmacy should document through notations on the hard copy of the prescription, or electronically, that such communication and confirmation has taken place. Documentation should include the following:

- Date
- Time
- Person who verified the prescription
- Beneficiary name
- Beneficiary age
- Drug information (name, strength, quantity, number of refills) and
- Verification that all medications were ordered if more than one medication is specified

Emergency fills with a non-compliant written prescription are allowed as long as the prescriber provides a verbal, faxed, electronic or compliant written prescription within 72 hours.

Exemptions

Exemptions to this mandate include:

- prescriptions presented by other modes of transmission, e.g., facsimile, electronic or e-prescribed, and telephone;

- refills for which the original prescription was filled prior to April 1, 2008;

- written orders prepared in an institutional setting, including intermediate care facilities and nursing facilities, provided that the beneficiary **never** has the opportunity to handle the written order and the order is given by licensed staff directly to the dispensing pharmacy;

- transfer of a prescription between two pharmacies, provided that the receiving pharmacy is able to confirm by facsimile or telephone call the authenticity of the tamper-resistant prescription with the original pharmacy;

A prescription order written on a tamper resistant prescription pad/paper does not automatically make the prescription compliant or valid. The pharmacist must ensure the validity of any prescription received and comply with federal and state statutes, laws and regulations when dispensing. Prescribing providers are required to comply with federal and state statutes and laws.

A uniform layout, format, or style is not required. Prescribing providers who prescribe for Medicaid beneficiaries are responsible for ordering the pads. Prescribers may choose to customize the layout and use the pads for non-Medicaid beneficiaries.