



Tamper-Resistant Prescription Pads

Presentation to the House Public Health Committee

Health and Human Services Commission
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U.S. Appropriations Act 2007

- Required by section 7002b of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.
- Prohibits payment to a provider for a written prescription unless it was executed on a tamper-resistant pad.
 - Applies to all non-electronic prescriptions for Medicaid beneficiaries (including managed care) in all states.
- Purpose – cost savings from reduced instances of unauthorized, improperly altered, and counterfeit prescriptions.

Federal Guidance

- The Centers for Medicare and Medicaid Services (CMS) issued guidance in August 2007.
 - Prescription pads must meet three criteria in order to be considered tamper-resistant:
 - Prevent unauthorized copying of completed or blank prescription forms.
 - Prevent erasure or modification of written information.
 - Prevent use of counterfeit prescription forms.
- Regulation does not apply to prescriptions transmitted electronically via:
 - Telephone
 - Fax
 - E-prescription

Implementation Timeline

- **October 2007 - Texas:**
 - Opposed implementation on the grounds it could decrease access to care
 - Requested an exemption from CMS
- **December 2007**
 - CMS denied Texas request.
- **April 1, 2008 –**
 - Federal date for limited implementation.
- **October 1, 2008 –**
 - Federal date for full implementation.

HHSC Guidance for Prescribers

- Any prescription or order handed to a Medicaid patient must be on tamper-resistant paper.
- HHSC and the Texas Medical Association (TMA):
 - Encouraged prescribers to adopt the use of tamper-resistant paper for all of their patients to reduce risk and avoid the confusion of determining which pad to use for which patient.
- HHSC encourages prescribers to purchase prescription paper that lists the security features on the actual paper.

HHSC Guidance for Pharmacists

- If a Medicaid patient presents to the pharmacy a prescription not written on tamper-resistant paper, the prescription:
 - May be filled immediately if the pharmacy calls the prescriber's office and verifies the prescription.
 - May be filled immediately if a prescription written on tamper-resistant paper or electronic prescription will be obtained within 72 hours.
- Pharmacists are expected to use their best professional judgment. If a prescription appears questionable, the pharmacist should contact the prescriber.

Samples

SAFETY FEATURES ON THIS DOCUMENT INCLUDE: ON FACE - COLORED VOID BACKGROUND - MICROPRINT LINES - ERASURE PROTECTION
REVERSE RX DROPOUT - THERMOCHROMIC INK - ON BACK - ARTIFICIAL WATERMARK

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Name _____ Age _____
Address _____ Date _____

R Order #

REFILL NR 1 2 3 4 5 _____ SCRIPT#

IN ORDER FOR A BRAND NAME PRODUCT TO BE DISPENSED, THE PRESCRIBER MUST HAND WRITE "BRAND NECESSARY" OR "BRAND MEDICALLY NECESSARY" IN THE SPACE ABOVE.

SECURE VERIFICATION BOX. HOLD BETWEEN THUMB AND FOREFINGER OR BREATHE ON IT. COLOR WILL DISAPPEAR, THEN REAPPEAR DURING THE ABSENCE OF COLOR THE WORD SECURE WILL SHOW IN THE WINDOW.

Form lists the security features

Color background + ink resists erasure

Thermo-sensitive features

VOID APPEARS IF COPIED, BLUE BACKGROUND RESISTS ERASURES & ALTERATIONS, SECURITY BACKPRINT

Name _____ Date _____
Address _____

VOID APPEARS IF COPIED, BLUE BACKGROUND RESISTS ERASURES & ALTERATIONS, SECURITY BACKPRINT

Refill NR 1 2 3 4 5 _____

Void After _____ SIGNATURE _____

A generically equivalent drug product may be dispensed unless the practitioner hand writes the words "BRAND NECESSARY" or "BRAND MEDICALLY NECESSARY" on the face of the prescription.

RX 630

Hidden words appear if copied

HHSC General Guidance

- **Schedule II Drugs:**
 - Prescription forms issued by the Texas Department of Public Safety comply with the regulation.
 - Prescribers should continue to use those pads for Schedule II controlled substances.
- **Tamper-resistant Prescription Pad Suppliers -**
 - Suppliers of compliant prescription pads/paper can be located on the internet: www.texmed.org/Template.aspx?id=6495.
 - HHSC does not certify suppliers.
 - Prescribers may refer to the guide developed by the National Council for Prescription Drug Programs for available features when selecting a supplier.

HHSC General Guidance

- Prescriptions and drug orders for patients in nursing homes and other facilities:
 - Only written prescriptions provided directly to the patient are required to be on tamper-resistant paper.
 - Therefore, patients in nursing homes and other facilities are generally exempt from this regulation.
- Prescriptions printed in a practitioner's office from a patient's medical record:
 - May not require tamper-resistant paper if the prescription is printed with CMS-compliant features, such as "micro print".