

## 2007 Fact Sheet:

# Tamper-resistant prescription pads

### THE BACKGROUND

Effective April 1, 2008, all written Medicaid prescriptions must be written on tamper-resistant prescription pads. The requirement is part of a federal law passed earlier in 2007. It means:

- 1) **All written Medicaid prescriptions for fee-for-service must be written on tamper-resistant paper after April 1, 2008.**
- 2) **This requirement does not apply to prescriptions paid for by Washington's Healthy Options program or other Medicaid managed care programs, as well as cases in which drugs are provided in designated institutional or clinical settings.**
- 3) **The law applies to all prescribed drugs, including over-the-counter medications.**
- 4) **The new law does not apply to telephone, fax or electronic prescriptions.**
- 5) **The tamper-resistant requirement does not apply to refill prescriptions if the original written prescriptions were presented at a pharmacy before April 1, 2008.**
- 6) **Pharmacists are expected to use their best professional judgment to determine whether the prescription is written on compliant paper. If a prescription appears to be written on plain paper or if the pharmacist has any doubts, the prescriber should be contacted.**
- 7) **Telephone, fax or electronic verification of any prescription complies with the law.**

### EMERGENCY DISPENSING:

The requirements allow for emergencies. In those instances, the pharmacy may fill the prescription as long as the pharmacy verifies it and a faxed, electronic, or compliant written prescription from the prescriber is forwarded to the pharmacy within 72 hours after the prescription was filled.

### DEFINITION OF TAMPER-RESISTANT

**After April 1, 2008**, CMS says the tamper-resistant prescription forms must meet at least one of the following characteristics:

- 1) **No copying:** Pads must prevent unauthorized copying of completed or blank prescription forms. For example: Pantographs that reveal the word "void" when copied.
- 2) **No alterations:** Pads must prevent erasure or modification of writing on the prescription form. For example, chemical stains or altered background reveal attempts at ink or toner removal.
- 3) **No counterfeiting:** Pads must be distinctive and can't be reproduced, such as a watermark.

**After October 1, 2008**, the pads must meet all three characteristics to be considered tamper-resistant.

Washington Medicaid pharmacists are encouraged to try to verify prescriptions on noncompliant pads by calling, faxing or e-mailing prescribers. **DSHS encourages prescribers and pharmacists to use these approved processes whenever possible to ensure continuity of care and access to necessary medications for Medicaid recipients.**

All providers are cautioned to be rigorous about the possibility of tampered prescriptions in the case of Schedule II drugs and to report any suspicious prescriptions to the prescribing provider as quickly as possible.

### FRAUD ALERT:

Citizens and providers who suspect Medicaid fraud may phone a special DSHS hot line (1.800.562.6906) or report their suspicions by e-mail to [hottips@dshs.wa.gov](mailto:hottips@dshs.wa.gov)