



## **Attention TennCare Providers:**

The Bureau of TennCare is providing the following information in response to the Centers for Medicare and Medicaid Services (CMS) requirements for all state Medicaid programs to implement the use of tamper-resistant pads/paper by April 1, 2008.

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**Effective April 1, 2008, ALL prescriptions for TennCare patients must be written using tamper-resistant pads/paper**, with the limited exceptions outlined below:

- Refills of written prescriptions presented at a pharmacy before April 1, 2008
- Prescriptions sent to the pharmacy electronically (either by e-prescribe or by fax)
- Prescriptions communicated to the pharmacy by telephone
- Drugs administered in nursing facilities and ICFMR's

**WHY?** – A federal law/mandate intended to reduce fraud and abuse was embedded in a law passed by Congress primarily dealing with funding for the Iraq War.

**WHAT YOU NEED TO DO?** - If you are not already using tamper-resistant pads/paper, contact your supplier of prescription pads and order a supply of tamper-resistant pads/paper prior to April 1, 2008.

**WHAT IS A TAMPER RESISTANT PRESCRIPTION PAD?** - According to the federal government, to be considered tamper resistant on **April 1, 2008, a prescription pad must have at least one feature from any category listed below.** And on October 1, 2008, prescriptions will be required to have a minimum of one feature from each of the three CMS categories listed below:

- 1) Industry-recognized feature(s) designed to prevent unauthorized copying
- 2) Industry-recognized feature(s) designed to prevent erasure or modification of information written by the prescriber
- 3) Industry-recognized feature(s) designed to prevent use of counterfeit prescription forms

**WHAT HAPPENS ON OR AFTER April 1, 2008, IF A TENNCARE PATIENT PRESENTS TO A PHARMACY WITH A PRESCRIPTION THAT IS NOT TAMPER-RESISTANT?** - If the pharmacist determines that an emergency exists, he/she may provide a 72 hour supply of the drug. But he/she will have to follow-up with the prescriber to get a verbal, electronic, or compliant written prescription within 72 hours after the time the prescription was filled. The patient will then have to return to retrieve the remaining balance of their prescription.

**In a non-emergency situation**, the drug will not be provided unless the pharmacist is able to reach the prescriber and obtain a verbal, electronic, or compliant written prescription.

TennCare encourages providers to implement all security features by April 1, 2008 if possible. This will avoid wasting old pads/paper and reordering pads/paper for the October deadline.

If you have already purchased tamper-resistant pads/paper that contain these required features, or other features such as:

- Microprinting
- Thermochromatic ink
- High security watermark on reverse side of blank
- Tamper-resistant background ink - shows attempts to change written information through the use of abrasion or chemicals
- Individual numeric identifier/sequentially numbered prescription pads

Then these features will be deemed compliant until October 1, 2008.

Even if you plan to transmit your prescriptions electronically (via e-prescribe or fax), you will need a supply of tamper resistant prescriptions if you prescribe controlled substances, since these prescriptions may not be transmitted electronically at this time.

Access to electronic prescribing is available to all TennCare providers through Shared Health. You may contact **Shared Health at 1-888-283-6691** to find out how to get connected.

**The features to be considered compliant for October 1, 2008 are explained on the next page.**

Category 1 – Designed to prevent unauthorized copying of a completed or blank prescription form.

Feature	Description
“Void” or “Illegal” pantograph	The word “Void” appears when the prescription is photocopied. Due to the word “Void” on faxed prescriptions, this feature requires the pharmacy to document if the prescription was faxed.
Watermarking	Special paper containing “watermarking”.

Category 2 - Designed to prevent the erasure or modification of information written on the prescription by the prescriber.

Feature	Description
Quantity check off boxes with Refill Indicator ( <i>circle or check number of refills or “NR”</i> )	In addition to the written quantity on the prescription, quantities are indicated in ranges. It is recommended that ranges be 25’s with the highest being “151 and over”. The range box corresponding to the quantity prescribed MUST be checked for the prescription to be valid.  Indicates the number of refills on the prescription. Refill number must be used to be a valid prescription.
Uniform non-white background color	Background that consists of a solid color or consistent pattern that has been printed onto the paper. This will inhibit a forger from physically erasing written or printed information on a prescription form. If someone tries to erase or copy, the consistent background color will look altered and show the color of the underlying paper.

Category 3 - Designed to prevent the use of counterfeit prescription forms.

Feature	Description
Security features and descriptions listed on prescriptions ( <i>This feature is required on all TennCare tamper-resistant pads/paper after 10/1/2008</i> )	Complete list of the security features on the prescription paper for compliance purposes.
Heat sensing imprint	By touching the imprint or design, the imprint will disappear.