



# Ohio State Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

## **What is a Valid Signature on a Prescription?**

Please remember that rule 4729-5-30 (Manner of Issuance of a Prescription) of the Ohio Administrative Code requires that all hard-copy (written) prescriptions must be manually signed by the prescriber. If a patient arrives with a prescription that has a computer-generated signature, a rubber-stamped signature, or a signature that has the format of prescriber's name/office nurse's signature, the prescription is not valid and must be verified prior to dispensing. Of course, if it is a prescription for a Schedule II controlled substance, it may not be filled without the manual signature.

## **Tamper-Resistant Prescription Pads and Federal Law**

By now, everyone should be aware that President Bush signed HR 3668 on September 29, 2007, thereby delaying for six months the implementation of the requirement that all written Medicaid prescriptions be on tamper-resistant paper. The new effective date will be April 1, 2008. While that is a date that may strike some people as being appropriate for this type of a proposal, it should be assumed by everyone that this will probably be the only extension, although there will certainly be some continuing efforts made to amend or remove this requirement on the federal level. For right now, however, please assume that on April 1, 2008, doctors will be required to issue all written prescriptions for Medicaid patients on tamper-resistant forms. While the law requires the doctor to issue every prescription on the right form, the penalties for violations of this law will probably fall on the pharmacists who knowingly fill prescriptions that are written on incorrect forms and then bill Medicaid for the drugs. Please be aware that this is still coming and help your doctors prepare so we do not experience all the last-minute panic like we did in late August and September.

One additional aspect of this change in format is that the prescriptions that are written and then sent to the pharmacy via fax will now be coming through with "COPY" or "VOID" or another similar designation appearing on the fax when it arrives in the pharmacy. Please treat these as you would any other fax. If you are sure that the source of the fax is the prescriber's office and it is a prescription issued legitimately, then please fill the prescription. As far as is known, it is impossible to fax one of these tamper-resistant forms without that warning appearing at the pharmacy end. Please use good judgment and take care of the patient as you have always tried to do.

## **Health Care Professionals Needed for Disaster Response – Ohio Medical Reserve Corps**

*This article was primarily written by Timothy R. Lanese, RPh, MBA, FASHP, FACHE.*

We do not know when the next disaster will occur, but when it does, Ohio Medical Reserve Corps (OMRC) volunteers *are ready to respond*. The landscape of emergency management has changed since the terrorist attacks of September 11, 2001, and Hurricane Katrina. In these large-scale emergencies, first responders and the health care system quickly became overwhelmed. As a result, it was realized that the only way to answer the needs of the community is to have an organized group of health care professional volunteers that can be quickly mobilized.

OMRC provides the structure for organized health care volunteers in the Buckeye State. Dr Forrest Smith, state epidemiologist and OMRC co-coordinator says "Ohio Medical Reserve Corps will help to ensure that if a medical crisis hits, our communities will be ready to respond and protect our citizens." Since OMRC's inception in 2003, the program has rapidly grown with more than 7,000 volunteers throughout the state. Volunteers are coordinated through local health jurisdictions or county emergency management agencies. OMRC operates in most of the state's counties including all major metropolitan areas. OMRC volunteers are willing to donate their time and expertise to prepare for and respond to emergencies and promote healthy living throughout the year. Pharmacists are specifically needed to assist in mass prophylaxis and vaccination programs should the need arise. Several communities have already developed point-of-dispensing (POD) programs with critical need for pharmacist input. Timothy Lanese is a member of several Cleveland-area teams and has been involved in the planning and activation of several POD drills. He feels this "has been a very valuable and rewarding experience. The other members of the team have varying degrees of medical experience and really value my contribution. It is amazing how many questions come up during these events that only a pharmacist can answer."

Liability protection is provided (Ohio Revised Code 121.404) for OMRC volunteers during local, state, or federally declared emergencies, disasters, drills, and trainings. The statute also protects a registered volunteer's personal information on the OMRC database from public disclosure.

Pharmacists are often reluctant to become involved due to a fear of liability for the dispensing process. The Ohio State Board of Pharmacy explains that, as in all cases, it is the pharmacist's duty to act in the best interests of patients being served. In a declared emergency, the pharmacist's knowledge and expertise can be critical to the proper



provides the pharmacy with a verbal, faxed, electronic, or tamper-resistant written prescription within 72 hours of the date the prescription was filled.

**Questions?** Contact Sandy Loveland at the OSMA at (800) 766-6762 or [Loveland@osma.org](mailto:Loveland@osma.org).

The OSMA will continue to gather information on how to obtain the tamper-proof pads and inform members. Please check <http://www.osma.org> for updates.

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<http://www.serveohio.org/hottopics/OMRCPharmacynovember2007.pdf>

Check out the above address for Ohio tamper resistant information updates.

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