February 20, 2008

Dear Provider:

In 2007, Congress enacted Section 2002(b) of PL. 110-28 of the Iraq War Supplemental Appropriations Bill. This provision requires all **written** Medicaid prescriptions to be on "tamper-resistant" pads/paper in order to be eligible for federal reimbursement to Medicaid. This new requirement does not apply to telephoned, faxed, or electronic prescriptions.

While this is a federal law, there is not a single national regulation. Each State Medicaid Agency must implement its own requirements regarding what tamper-resistant features will be required in that state, following general guidelines released by the Centers for Medicare and Medicaid Services (CMS). The guidance from CMS included three (3) general characteristic categories as listed below. The West Virginia Bureau for Medical Services (BMS) has reviewed the recommendations of industry, of states that currently use tamper-resistant prescription pads/paper, and of CMS. In order to eliminate confusion and to more narrowly define BMS requirements, BMS with the assistance of local physicians, pharmacists, and professional association representatives, has chosen security features that are most economical and reasonable to implement within the short time frame available to comply with the Federal law.

Beginning on April 1, 2008, BMS requires that all prescription pads/paper for prescriptions written for Medicaid members are required to have **AT LEAST ONE** of the recognized characteristics listed below.

1. **One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form.**

Feature	Description
"Void" pantograph	The word "Void" appears when document is photocopied. Pharmacy will need to record on document if received via fax.

2. **One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber.**

Feature	Description
Uniform non-white background color – *preferably green*	Background is one color (*preferably green*), inhibits a forger from physically erasing written or printed information on a prescription form. If someone tries to erase copy – the consistent background color will look altered.
Quantity check off boxes, or border characteristics for computer generated printed prescriptions	In addition to the written quantity on the prescription, quantities are indicated in ranges of 25's (or some other, similar range). Box MUST be checked for this feature to be valid. An example of a valid border

Feature	Description
	characteristic is the use of asterisks to surround the numeric quantity prescribed on a computer generated printed prescription. (Example: ***50****)
Refill indicator, or border characteristic for computer generated printed prescriptions	Refill indicator (circle or check number of refills or "NR"). Refill indicator must be used to be a valid feature. An example of a valid border characteristic is the use of asterisks to surround the number of refills permitted. (Example: ****5 refills*****)

3. One or more industry-recognized features designed to prevent the use of counterfeit prescription forms

Feature	Description
Security features and descriptions listed on the front of the prescription	Listing of the security features of the prescription for compliance purposes. This will assist the pharmacist and auditors on what security features are included on the pads/paper.

By October 1, 2008, prescription pads/paper will be required to have **ALL** the features listed above. Additional features are optional and can be added if desired.

Providers who write prescriptions for Medicaid members should contact their printer to secure an appropriate supply of prescription pads or paper that will meet the April 1, 2008 BMS requirements and begin using this paper no later than April 1, 2008. It may be more economical for providers to order pads/paper that meet the October 1, 2008 BMS requirements.

If you or your printer/vendor requires additional information, please refer to the BMS website, www.wvdhhr.org/bms. This site provides an example of a tamper-resistant prescription pad/paper, a description of the required security features outlined above, and a summary of the Federal law and Medicaid requirements. BMS will not be directing providers to specific vendors. However, the following websites from other states whose requirements exceed the CMS' guidelines may be helpful in selecting a vendor.

California: www.ag.ca.gov/bne/security_printer_list.php

Florida: www.floridamedicaid.consultec-inc.com/XJContent/RX_07_071003_Prescription_Pad_List_ver1.2xls?id=000005500053

Maine: www.mainecarepdl.org/index.pl/home/tamper-resistant-prescription-pads

Thank you.

Sincerely,

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Pharmacy Director

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