



**Department
of Health**

Auditing Mandatory Electronic Prescribing in NYS

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September 12, 2017

**Bureau of Justice Assistance
Harold Rogers Prescription Drug Monitoring Program
National Meeting
September 5-8, 2017**

E-Prescribing

Mandatory E-Prescribing Timeline

Prescription Drug Reform Act
Requiring E-prescribing
Signed by Governor Cuomo
August 27, 2012

Title 10, Part 80
E-prescribing Rules Submitted
for Public Comment
December 31, 2012

Title 10, Part 80
E-prescribing Rules
Approved
March 27, 2013



Mandatory E-Prescribing Timeline

Title 10, Part 80
E-prescribing Rule
Effective Date
3/27/2015

1 Year Legislative Reprieve
from Mandate

New Mandatory E-prescribing
Effective Date
3/27/2016



The E-Prescribing Mandate 'Public Health Law 281'



No person shall issue any prescription in this state unless such prescription is made by electronic prescription from the person issuing the prescription to a pharmacy

EXCEPT...

Exceptions to E-Prescribing

1. Prescriptions issued by veterinarians
2. Temporary technological or electrical failure
3. Prescriber determines use of electronic prescribing would adversely impact the patient's medical condition
4. Prescriptions issued by a practitioner to be dispensed outside of New York State
5. Practitioners who received a waiver (economic hardship, technological limitations, or other exceptional circumstance)

Commissioner of Health's Letter 'Additional Exceptional Circumstances'

- Initially issued by Dr. Zucker, NYS Commissioner of Health, on March 16, 2016
- Renewed and valid until March 26, 2018. It will be reviewed by the NYS Commissioner of Health for potential extension
- Applies to prescribing of both controlled and non-controlled substances

Commissioner of Health's Letter 'Additional Exceptional Circumstances'

Provides a “Blanket Waiver” from electronic prescribing for the following additional exceptional circumstances:

- Nursing home or RHCf defined in Article 2801 of the Public Health Law (*This clause extended until 10/31/18*)
- Complicated directions
- Directions longer than 140 characters
- Compounded prescriptions containing two (2) or more products
- Compounded infusion prescriptions containing two (2) or more products
- A prescription containing certain elements required by the Federal Food and Drug Administration (FDA), such as an attachment
- Approved protocols under expedited partner therapy
- Approved protocols under collaborative drug management
- Response to a public health emergency that would allow a non-patient specific prescription
- Approved research protocol
- A non-patient specific prescription for an opioid antagonist



Certifications

- Certification process implemented June 2016
- Practitioner issues less than 25 prescriptions per year for both controlled and non-controlled substances
- Practitioner specific **NOT** site specific
- No review or approval process
- Valid for one year

http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/certification_information.htm



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E-Prescribing Auditing

Auditing



Auditing

Controlled Substance Prescribing

- Paper vs. electronic: paper is still out there
- First Cut: Identify practitioners not e-prescribing, cross-reference with practitioners with a waiver or certification or if covered under the NYS Commissioner's blanket waiver.
- Remove veterinarians from the mix



Auditing

Considerations

- Will you set a threshold for # of paper prescriptions allowed per practitioner or facility?
- Do you have other exempt groups that you can easily identify?
- Can you manage some manual auditing?

Auditing

ASAP Standard 4.2 Data Elements - Collected & Mandatory in NY:

- DSP 20 - Electronic Prescription Reference Number (Situational in ASAP)
- DSP 21 - Electronic Prescription Order Number (Situational in ASAP)

Auditing

ASAP Standard 4.2 Data Elements - Collected & Mandatory in NY:

'Reflecting the Official NYS Prescription Form'

- DSP 12 Transmission Form of Rx Origin Code
(Situational ASAP)
- AIR 01 State Issuing Rx Serial Number
- AIR 02 State Issued Rx Serial Number
(EEEEEEEEEE)



Auditing

Additional Audit Tool:

- Official New York State Prescriptions
- Monitor prescription form ordering
- Manual review



E-Prescribing Data

Electronic Prescribing in NY and Nationwide

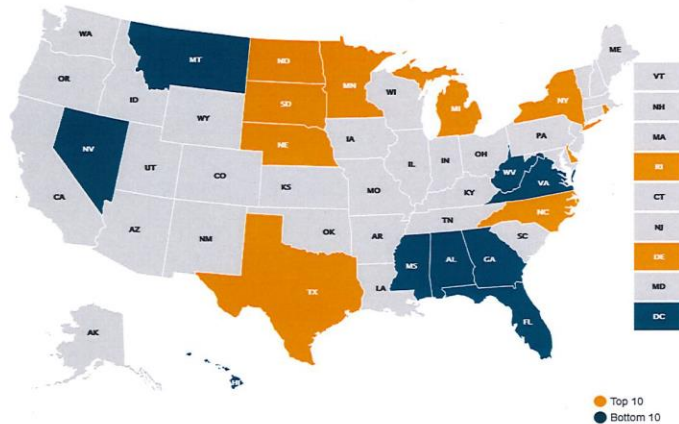
- I-STOP drove the EPCS certification of +100 EHR applications... and still counting
- New York ranks first in the nation for:
 - Active e-Prescribers with 89% (national average is 66%)
 - EPCS enabled prescribers with 73% (North Dakota is 2nd with 33%, average is 17%)
 - e-Prescribing volume representing 11% of the US total
 - EPCS volume representing 28% of the US total

Source: Surescripts network data for the month of June 2017

Electronic Prescribing Enablement

HOW DOES YOUR STATE RANK?

Use the map to explore the nation's enablement.



New York

State Rank 1

Prescriber Enablement (%) 72.1%

Pharmacy Enablement (%) 98.1%

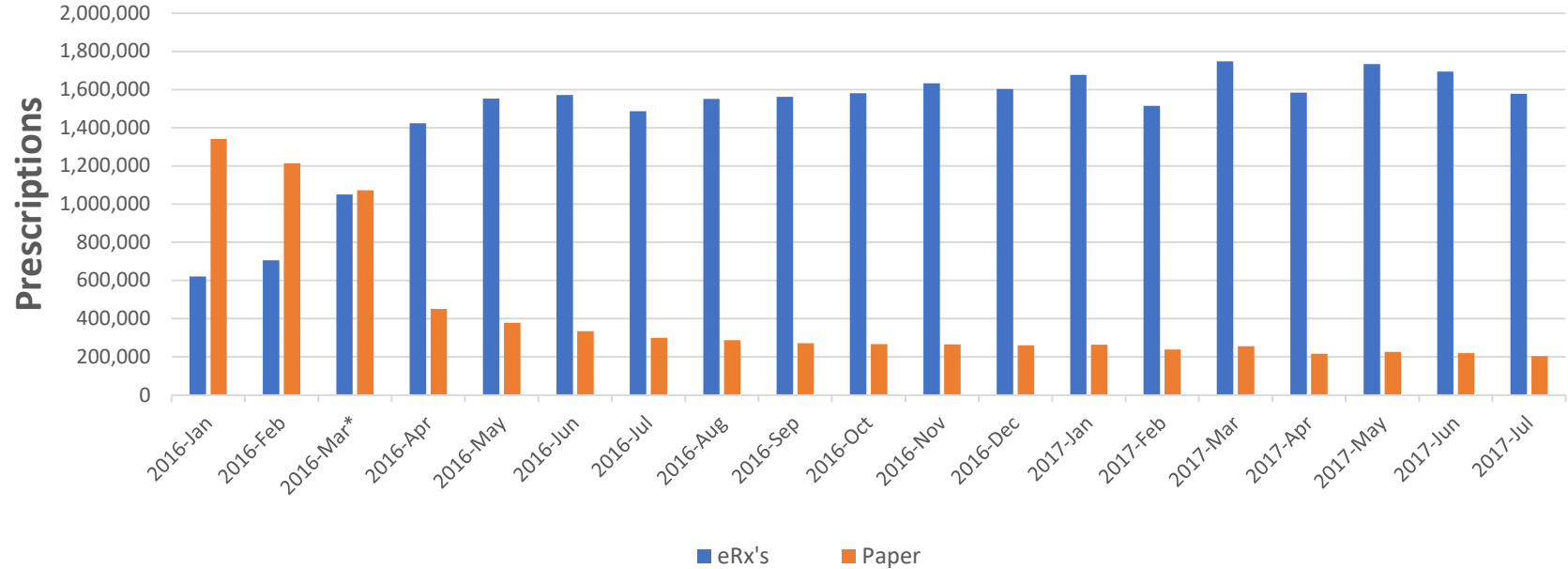
% of Controlled Substances Prescribed Electronically 91.9%

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Source: Surescripts.com Accessed 8/30/17

Electronic Prescribing of Controlled Substances

Electronic Rx's vs Paper



*During March 2015 there were 15,774 controlled substances prescriptions transmitted electronically, during the month of March 2016 there were 1,050,163.



Electronic Prescribing--Current NY Statistics

As of 08/30/2017

- Electronic prescriptions for controlled substances dispensed monthly on average is **1.7 million (~210,000 paper scripts)**
- Practitioners with approved waivers: **8,286**
- Practitioners with approved waivers who are not yet e-prescribing ready: **8,269**
- Practitioners with a certification: **2,037**

Take Away Messages

Take Away Messages

- As the electronic prescribing program is being built/implemented, think about audit requirements in tandem—what data elements will you need
- Review, update and share your electronic data transmission requirements with stakeholders **prior** to implementation



Take Away Messages

- Determine what fields you want mandatory or situational and if the submission is critical or can be a warning. Be somewhat flexible if possible
- Understand that entire files vs. records may bomb based on the types of edits you have on a record

Bureau of Narcotic Enforcement

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