

**Bulletin Number:** MSA 07-40

**Distribution:** Pharmacies, Practitioners (Physicians, Advanced Practice Nurses, Medical Clinics, Oral Surgeons, Podiatrists, FQHCs/RHCs/THCs), Dentists, Vision, Local Health Departments, Family Planning Clinics, Hospitals, Prepaid Inpatient Health Plans, Medicaid Health Plans, Community Mental Health Services Programs and Substance Abuse Coordinating Agencies

**Issued:** July 25, 2007

**Subject:** Tamper Resistant Prescription Pads

**Effective:** October 1, 2007

**Programs Affected:** Medicaid

Due to the passage of the US Troop Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act of 2007 (Public Law 110-28), effective October 1, 2007, prescribers will be required to use a tamper resistant pad if writing a prescription for any drug for a Medicaid beneficiary. The purpose of this bulletin is to inform providers of this upcoming change.

The Act, as written, requires Medicaid agencies to limit reimbursement for written (and non-electronic) prescriptions to only those executed on tamper resistant pads. Since the Act does not clearly define "non-electronic" and "tamper resistant", states have requested clarification from the Centers for Medicare and Medicaid Services (CMS) on those definitions, as well as the following:

- Contingency options when Medicaid beneficiaries present at pharmacy with non-compliant written prescriptions
- How faxed prescriptions will be handled
- Accountability for non-compliant pads
- Does the requirement apply to beneficiaries enrolled Medicaid managed care
- How will refills be handled after October 1 if original prescriptions were non-compliant
- How will the requirement be applied to secondary claims

Once the CMS guidance is issued, it will be shared with providers.

#### **Manual Maintenance**

Retain this bulletin until the information has been incorporated into the Michigan Medicaid Provider Manual.

## Questions

Any questions regarding this bulletin should be directed to Provider Inquiry, Department of Community Health, P.O. Box 30731, Lansing, Michigan 48909-8231, or e-mail at [ProviderSupport@michigan.gov](mailto:ProviderSupport@michigan.gov). When you submit an e-mail, be sure to include your name, affiliation, and phone number so you may be contacted if necessary. Providers may phone toll-free 1-800-292-2550.

## Approved

A handwritten signature in black ink that reads "Paul Reinhart". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Paul Reinhart, Director  
Medical Services Administration