

Bulletin Number: MSA 08-43

Distribution: Nursing Facilities, County Medical Care Facilities, Hospital Long-Term Care Units, Hospital Swing Beds, Ventilator Dependent Units, Nursing Facilities for the Mentally Ill, and Pharmacies

Issued: September 1, 2008

Subject: Return of Unused Prescription Drugs to Pharmacies by Nursing Facilities

Effective: October 1, 2008

Programs Affected: Medicaid

The purpose of this bulletin is to remind and give additional information to nursing facilities on the return of unused prescription drugs to pharmacies as announced in Medicaid policy bulletin MSA 07-36.

Credit for Unused Prescription Drugs

The nursing facility is required to return all prescription drugs that can be appropriately returned to the pharmacy to ensure Michigan Medicaid receives credit for the prescription drugs that are unused, as mandated by the Deficit Reduction Act of 2005, due to the following reasons:

- Discontinuation in use by the prescriber
- Transfer to another facility (e.g., hospital or nursing facility)
- Discharge from nursing facility
- Death of beneficiary

The nursing facility must maintain documentation of:

- The prescription drug(s) dispensed to and consumed by a beneficiary, and
- The return of all the unused prescription drugs as allowed by Federal and State law.

The nursing facility and pharmacy may be subject to post-payment review to ensure the unused prescription drugs (as allowed by Federal and State law) are being returned by the nursing facility and Michigan Medicaid is properly credited for the returned unused prescription drugs.

Returning Unused Prescription Drugs

The nursing facility provider must not return prescription drugs to the pharmacy which are unsuitable for return according to State and Federal law.

The returned prescription drugs must meet all of the following:

- Have been properly stored
- Be returned unopened
- Not be a compounded product
- Be dispensed in the original packaging
- Be a non-controlled substance

The nursing facility should contact its contracted pharmacist consultant for assistance regarding which prescription drugs are not appropriate for return.

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. 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, prominent initial "P".

Paul Reinhart, Director
Medical Services Administration