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STATE OF OKLAHOMA

OKLAHOMA HEALTH CARE AUTHORITY

Tamper Resistant Prescription Requirements

Effective October 1, 2008, all prescriptions for SoonerCare members that are either hand-written or printed from an Electronic Medical Records (EMR) application must contain at least one feature from each of the three categories of industry-recognized security features listed below.

1) Features designed to prevent unauthorized copying of a completed or blank prescription form

2) Features designed to prevent erasure or modification of information written on the prescription by the prescriber

3) Features designed to prevent the use of counterfeit prescription forms

Although the Federal tamper resistant prescription requirements have been in effect since April 1, 2008, compliance up to this point has required only one security feature from one of the above categories. A feature from each of the three categories will be required effective October 1, 2008, so continuing compliance may require additional steps.

Please Note:

- The requirements will not apply to prescriptions that are called in, faxed in, or to electronic prescriptions (e-prescriptions).
- A prescription that does not comply with the tamper resistant requirements can still be filled as long as the pharmacist calls the prescriber and receives confirmation that the prescription is authentic. Documentation of this call must be retained. This process will bring prescriptions into compliance with the tamper resistant requirement, including prescriptions for Schedule II drugs.
- A written order prepared in an institutional setting where the doctor or medical assistant writes the order into the medical record and medical staff gives the order directly to the pharmacy is considered tamper resistant, as long as the patient never has the opportunity to handle the written order.
- Emergency fills of non-compliant written prescriptions for controlled or non-controlled medications are permitted as long as the prescriber provides a verbal, faxed, electronic, or compliant written prescription within 72 hours.

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Frequently Asked Questions

Q: Does OHCA recommend any companies as preferred vendors for purchasing tamper resistant prescription pads or supplies?

A: OHCA does not maintain an approved vendor list, and is unable to recommend specific vendors.

Q: Which security features does OHCA recommend?

A: Please see the charts on the following pages for examples of industry-recognized security features and OHCA recommendations.

Q: I am a pharmacist and I have been presented with a written prescription that I'm not sure meets the tamper resistant requirements. What should I do?

A: If you are unsure whether a prescription meets the requirements, you can call the prescriber to confirm its authenticity. Documentation of this call will automatically bring the prescription into compliance, including a prescription for a Schedule II drug.

Q: Do the tamper resistant requirements apply to computer-generated prescriptions printed from EMR applications, or only to pre-printed prescription pads?

A: The requirements apply to all written prescriptions, including those printed from a computer. Prior guidance for computer-generated prescriptions stated that special paper would likely be required. However, CMS has clarified that while special paper may be used to achieve tamper-resistance, it is not necessary. Computer-generated prescriptions may be printed on plain paper and be fully compliant with the requirements, provided that they exhibit at least one feature from each of the three categories of tamper resistance features.

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Q: If a tamper-resistant written prescription is faxed to a pharmacy, this can cause the "void" or "copy" pantograph to activate and print out on the pharmacy's copy of the prescription. Can pharmacies fill these prescriptions even though the security pantograph has been activated?

A: Yes. The pharmacist will need to call the prescriber to confirm the prescription's authenticity, thus reclassifying the prescription as having been received by telephone. Documentation of this call will bring the prescription into compliance.

Q: Sometimes my patients become eligible for SoonerCare retroactively. If not originally tamper-resistant, will their original prescriptions need to be updated to comply with tamper resistant requirements?

A: Once you are aware of a patient's retroactive eligibility for SoonerCare, all prescriptions, including refills, dispensed on or after that date will need to be compliant with the tamper resistant requirements. This can be accomplished by verifying authenticity with the prescriber via telephone, obtaining a new written prescription that is fully compliant, or by obtaining a prescription via fax, telephone, or electronic prescription.

Q: Do the tamper resistant requirements apply to OTC products?

A: Yes. OTC products that require a prescription for reimbursement under SoonerCare must comply with the tamper resistant requirements.

Q: Do the tamper resistant requirements apply to durable medical equipment, prosthetics, orthotics, and diabetic supplies?

A: No. The tamper resistant prescription requirements apply only to medications.

Q: Do transferred prescriptions need to be tamper resistant?

A: Your pharmacy needs only to obtain a phone call or fax from the other pharmacy that originally received the prescription to confirm its authenticity. You do not need to obtain confirmation of the original prescription from the prescriber.

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Q: Could my pharmacy be audited by the Oklahoma Health Care Authority for compliant prescriptions?

A: Yes. The tamper resistant requirements will be one of the auditable categories that could be documented during an OHCA audit. The pharmacist is accountable for ensuring that SoonerCare prescriptions are compliant with tamper resistant requirements.

Q: What are the audit penalties for non-compliance?

A: Non-compliance with Federal tamper resistant requirements may result, at a minimum, in the recoupment of funds determined to have been reimbursed for non-compliant prescriptions.

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Industry-Recognized Tamper Resistance Features

Note: "OHCA Recommended" designation indicates security features that OHCA can recommend based upon cost effectiveness, ease of implementation, and effectiveness in deterring fraudulent activities. OHCA recommended features are not required for compliance.

Effective October 1, 2008, a prescription is defined as compliant when it exhibits at least one feature from each of the three broad categories of industry-recognized security features. Prescriptions that meet the federal definition will be accepted by OHCA.

Category 1
Features designed to prevent unauthorized copying of a completed or blank prescription form

OHCA Recommended?	Feature	Description
✓	"Void" or "Illegal" Pantograph	The word "Void" or "Illegal" appears when the prescription is photocopied. Hollow pantographs are strongly preferred, as those that appear as solid letters can obscure information written on the prescription if faxed or scanned for the pharmacy's records.
✓	Reverse "Rx" or White Area on Prescription	The "Rx" symbol or white area disappears when photocopied at light setting. This feature is typically used in conjunction with the "Void" or "Illegal" pantograph to prohibit copying on a light setting.
	Coin-Reactive Ink	This ink changes color when rubbed by a coin. This feature can be expensive and is not recommended.
✓	Security Back Print	Printed on the back of a prescription form. The most popular wording for the security back print is "Security Prescription".
✓	Watermarking	Special paper containing watermarks (similar to those found on newer U.S. currency notes) that can be seen when held in front of a light source.
	Diagonal Lines (patented "Void")	Diagonal lines with the word "Void" or "Copy". Can be expensive and/or distracting.
	Micro Printing	Very small font printing, perhaps as a signature line. This is difficult to photocopy, but can also be difficult for a pharmacist to see.

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Category 2

Features designed to prevent the erasure or modification of information written by the prescriber

OHCA Recommended?	Feature	Description
✓	Uniform Non-white Background Color	This type of background consists of a solid color or consistent pattern that has been printed on to the paper. If a forger attempts to physically erase information or copy the prescription, the background color will look altered and show the color of the underlying paper.
✓	Quantity Check-off Boxes	These are used to cross-check the written quantity on the prescription. Quantities are indicated in ranges, typically in intervals of 25, with the highest being "151 and over". The range box checked must match the quantity written on the prescription or the prescription is not considered valid.
✓	Refill Indicator	The prescriber circles or checks the number of refills allowed, or the "No Refill" option. One of these options must be indicated, or the prescription is not considered valid.
✓	Pre-Print "Rx is void if more than ____ Rxs on paper" on prescription form	This reduces a forger's ability to add medications to the prescription. Line must be completed or the prescription is not considered valid.
✓	Quantity Border and Fill (for computer generated prescriptions only)	Quantities are surrounded by special characters such as an asterisk to prevent alteration. For example "QTY **50**".
✓	Refill Border and Fill (for computer generated prescriptions on paper only)	Refill quantities are surrounded by special characters such as an asterisk to prevent alteration. For example "Refill **3**".
	Chemically Reactive Paper	If exposed to chemical solvents, oxidants, acids, or alkalis to alter, the prescription paper will react and leave a visible mark.
	Paper Toner Fuser/Toner Lock Paper	Special printer toner or paper that establishes a strong bond between laser-printed text and paper, makes erasure obvious. Not needed for inkjet printers, as the ink from inkjet printers is absorbed into normal bond papers.

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Category 3 **Features designed to prevent the use of counterfeit prescription forms**		
OHCA Recommended?	**Feature**	**Description**
✓	Security Features and Descriptions Listed on Prescription Form	Complete list of the security features on the prescription paper for compliance purposes. This feature is strongly recommended to aid pharmacists in identification of features implemented on the prescription.
	Logos	Sometimes used as part of the background color or pantograph.
	Metal Stripe Security	Metal stripe on paper, difficult to counterfeit.
✓	Heat Sensing Imprint	By touching the imprint or design, the imprint will disappear.
	Invisible Fluorescent Fibers/Ink	Visible only under a black light. Not recommended, as many pharmacists will not have access to the equipment required to determine compliance.
	Thermo Chromic Ink	Ink changes color with temperature change. This can be expensive and problematic for storage in areas that are not climate controlled.
✓	Holograms that Interfere with Photocopying	May interfere with photocopying or scanning.
	Sequentially Numbered Prescription Pads	Sequential numbers pre-printed on prescription forms.