

LAW REVIEW

Regulatory Issues Affecting Pharmacy in New York State

Changes and Additions to Controlled Substance Prescriptions

A common problem facing community pharmacists is the presentation of a prescription for a controlled substance which is missing legally required information. Additionally, there are often clinical, insurance coverage, or patient preference issues which require changes to be made to such prescriptions. In the past, many such additions and/or changes were prohibited and pharmacists were required to request new prescriptions in order to serve their patients. In order to facilitate proper patient care, the New York State Department of Health adopted regulations on May 19, 1999 that allow pharmacists to add or change certain information on controlled substance prescriptions, including those for C-II drugs. Sections 80.73(m) and (n) of the Rules and Regulations on Controlled substance state:

“When an official New York State prescription prepared by a practitioner is incomplete, the practitioner may orally furnish the missing information to the pharmacist and authorize him or her to enter such information on the prescription. The pharmacist shall write the date he or she received the oral authorization on the prescription and shall affix his or her signature.”

“A practitioner may orally authorize a pharmacist to change information on an official New York State prescription. The pharmacist shall write the date he or she received the oral authorization on the prescription, reason for the change and his or her signature. The pharmacist shall also indicate the change on the prescription and initial the change.”

There are certain items which may *never* be added or changed for controlled substance prescriptions, and some items which *do not require* the prescriber’s authorization. We have created an easy reference chart for pharmacists (see below).

N.Y. STATE REGULATIONS ON CHANGES TO CONTROLLED SUBSTANCE PRESCRIPTIONS			
ADDITIONS TO CONTROLLED SUBSTANCE RX		CHANGES TO CONTROLLED SUBSTANCE RX	
Pharmacist may add <i>without</i> prescriber’s authorization	Pharmacist may add <i>with</i> prescriber’s authorization	Pharmacist may change <i>without</i> prescriber’s authorization	Pharmacist may change <i>with</i> prescriber’s authorization
<ul style="list-style-type: none"> • Patient’s address • Patient’s sex • Patient’s age 	<ul style="list-style-type: none"> • Prescriber’s DEA # • Institution’s DEA # • Drug strength • Directions for use • Maximum daily dose • Condition code 	<ul style="list-style-type: none"> • Patient’s address • Patient’s sex • Patient’s age 	<ul style="list-style-type: none"> • Prescriber’s DEA # • Institution’s DEA # • Drug strength • Quantity • Dosage form • Directions for use • Maximum daily dose • Condition code
NEVER ADD		NEVER CHANGE	
Patient’s name Date written	Prescriber’s signature Drug name Quantity	Patient’s name Date written	Prescriber’s signature Drug name