

Provider

Alert



Subject: DEA Rules on Issuance of Multiple Prescriptions for Schedule II Controlled Substances

From: Passport Health Plan and Passport Advantage

Sent: February 6, 2008

To: All Passport Health Plan and Passport Advantage Providers

Provider Types Affected:

All Passport Health Plan (PHP) and Passport Advantage (PAD) Providers

Background:

The Drug Enforcement Administration (DEA) recently issued a Final Rule [Docket No. DEA-287F] amending prescription regulations. **As of December 19, 2007, practitioners may provide individual patients with multiple prescriptions, to be filled sequentially, for the same Schedule II controlled substance.** These multiple prescriptions will have the combined effect of allowing a patient to receive up to a 90-day supply of that controlled substance.

The DEA prohibits the refilling of a prescription for a controlled substance listed in Schedule II. Also, please note PHP and PAD will continue to enforce the 30-day supply policy on prescriptions.

Provider Action Needed:

In order for a prescribing practitioner to write multiple prescriptions under this rule, the following conditions must be met:

- Each separate prescription must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice;
- The individual practitioner must provide written instructions on each prescription indicating the earliest date on which a pharmacy may fill each prescription;
- The individual practitioner concludes that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse;
- The issuance of multiple prescriptions as described in the rule is permissible under the applicable state laws; and
- The individual practitioner complies fully with all other applicable requirements under the Act and the DEA regulations, as well as any additional requirements under state law.

Resources:

More information regarding this rule is available on the DEA web site at <http://www.usdoj.gov/dea/index.htm>.

Questions:

If you have questions, please contact Tom Kaye, Sr. Director of Pharmacy, at (502) 585-7986.

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