Auditing Mandatory Electronic Prescribing in NYS

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Bureau of Justice Assistance
Harold Rogers Prescription Drug Monitoring Program National Meeting
September 5-8, 2017
Mandatory E-Prescribing Timeline

- Prescription Drug Reform Act Requiring E-prescribing
  Signed by Governor Cuomo
  August 27, 2012

- Title 10, Part 80
  E-prescribing Rules Submitted for Public Comment
  December 31, 2012

- Title 10, Part 80
  E-prescribing Rules Approved
  March 27, 2013
Mandatory E-Prescribing Timeline

Title 10, Part 80
E-prescribing Rule
Effective Date
3/27/2015

1 Year Legislative Reprieve from Mandate

New Mandatory E-prescribing
Effective Date
3/27/2016
The E-Prescribing Mandate
‘Public Health Law 281’

No person shall issue any prescription in this state unless such prescription is made by electronic prescription from the person issuing the prescription to a pharmacy.

EXCEPT...
Exceptions to E-Prescribing

1. Prescriptions issued by veterinarians

2. Temporary technological or electrical failure

3. Prescriber determines use of electronic prescribing would adversely impact the patient’s medical condition

4. Prescriptions issued by a practitioner to be dispensed outside of New York State

5. Practitioners who received a waiver (economic hardship, technological limitations, or other exceptional circumstance)
Commissioner of Health’s Letter ‘Additional Exceptional Circumstances’

• Initially issued by Dr. Zucker, NYS Commissioner of Health, on March 16, 2016

• Renewed and valid until March 26, 2018. It will be reviewed by the NYS Commissioner of Health for potential extension

• Applies to prescribing of both controlled and non-controlled substances
Commissioner of Health’s Letter
‘Additional Exceptional Circumstances’

Provides a “Blanket Waiver” from electronic prescribing for the following additional exceptional circumstances:

• Nursing home or RHCF defined in Article 2801 of the Public Health Law (This clause extended until 10/31/18)
• Complicated directions
• Directions longer than 140 characters
• Compounded prescriptions containing two (2) or more products
• Compounded infusion prescriptions containing two (2) or more products
• A prescription containing certain elements required by the Federal Food and Drug Administration (FDA), such as an attachment
• Approved protocols under expedited partner therapy
• Approved protocols under collaborative drug management
• Response to a public health emergency that would allow a non-patient specific prescription
• Approved research protocol
• A non-patient specific prescription for an opioid antagonist
Certifications

- Certification process implemented June 2016

- Practitioner issues less than 25 prescriptions per year for both controlled and non-controlled substances

- Practitioner specific **NOT** site specific

- No review or approval process

- Valid for one year

E-Prescribing
Auditing
Auditing

DILBERT, I WANT YOU TO AUDIT THE SOFTWARE WE HAVE ON OUR SYSTEMS.

WHY?

SO WE KNOW WHAT WE HAVE.

WHO WILL USE THE INFORMATION?

IT'S JUST IMPORTANT TO HAVE.

IT WILL BE OUT OF DATE BEFORE I'M EVEN DONE.

DO YOUR BEST.

THE BEST WAY TO COMPILE INACCURATE INFORMATION THAT NO ONE WANTS IS TO MAKE IT UP.

I HOPE NO ONE EVER COMES HERE TO LEARN OUR BEST PRACTICES.
Auditing

Controlled Substance Prescribing

• Paper vs. electronic: paper is still out there
• First Cut: Identify practitioners not e-prescribing, cross-reference with practitioners with a waiver or certification or if covered under the NYS Commissioner’s blanket waiver.
• Remove veterinarians from the mix
Auditing
Considerations

• Will you set a threshold for # of paper prescriptions allowed per practitioner or facility?

• Do you have other exempt groups that you can easily identify?

• Can you manage some manual auditing?
Auditing

ASAP Standard 4.2 Data Elements - Collected & Mandatory in NY:

- DSP 20 - Electronic Prescription Reference Number (Situational in ASAP)
- DSP 21 - Electronic Prescription Order Number (Situational in ASAP)
Auditing

ASAP Standard 4.2 Data Elements - Collected & Mandatory in NY:
‘Reflecting the Official NYS Prescription Form’

- DSP 12 Transmission Form of Rx Origin Code (Situational ASAP)
- AIR 01  State Issuing Rx Serial Number
- AIR 02  State Issued Rx Serial Number (EEEEEEEEEE)
Auditing

Additional Audit Tool:

• Official New York State Prescriptions

• Monitor prescription form ordering

• Manual review
E-Prescribing Data
Electronic Prescribing in NY and Nationwide

• I-STOP drove the EPCS certification of +100 EHR applications… and still counting

• New York ranks first in the nation for:
  • Active e-Prescribers with 89% (national average is 66%)
  • EPCS enabled prescribers with 73% (North Dakota is 2nd with 33%, average is 17%)
  • e-Prescribing volume representing 11% of the US total
  • EPCS volume representing 28% of the US total

Source: Surescripts network data for the month of June 2017
Electronic Prescribing Enablement

HOW DOES YOUR STATE RANK?
Use the map to explore the nation’s enablement.

New York
State Rank
1

Prescriber Enablement (%)
72.1%

Pharmacy Enablement (%)
98.1%

% of Controlled Substances Prescribed Electronically
91.9%

Source: Surescripts.com  Accessed 8/30/17
*During March 2015 there were 15,774 controlled substances prescriptions transmitted electronically, during the month of March 2016 there were 1,050,163.
Electronic Prescribing--Current NY Statistics

As of 08/30/2017

• Electronic prescriptions for controlled substances dispensed monthly on average is 1.7 million (~210,000 paper scripts)

• Practitioners with approved waivers: 8,286

• Practitioners with approved waivers who are not yet e-prescribing ready: 8,269

• Practitioners with a certification: 2,037
Take Away Messages
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• As the electronic prescribing program is being built/implemented, think about audit requirements in tandem—what data elements will you need

• Review, update and share your electronic data transmission requirements with stakeholders prior to implementation
Take Away Messages

• Determine what fields you want mandatory or situational and if the submission is critical or can be a warning. Be somewhat flexible if possible

• Understand that entire files vs. records may bomb based on the types of edits you have on a record
Bureau of Narcotic Enforcement

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