

Medicaid Tamper-Resistant Prescription Requirements

FAQs for Patients

1. Is there a new Federal requirement that may change the way my doctor writes my Medicaid prescriptions?

YES. On April 1, 2008 all hand-written or computer-generated/printed Medicaid prescriptions were required to have at least one approved tamper-resistant feature. Effective October 1, 2008, all hand-written or computer-generated/printed Medicaid prescriptions must meet additional requirements in order for your prescription to be filled.
2. Does this new Federal requirement apply to all of my prescriptions?

This applies to all Medicaid prescriptions that are handwritten, typed, or computer-generated/printed on paper and given to you or your personal representative. Some Medicaid Managed Care plans may be excluded. Check with your State Medicaid program if you have questions.
3. Does the tamper-resistant requirement apply to over-the-counter products?

Yes. A prescription must be tamper-resistant for all over-the-counter products that require a prescription for reimbursement under Medicaid.
4. Does this tamper-resistant requirement apply to durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS), such as diabetic testing strips?

No. The tamper-resistant requirement only applies to medications.
5. What can I do to help?

When you go to your doctor (or other health care provider that writes your prescriptions) on or after October 1, 2008, remind your doctor that hand-written or computer-generated/printed prescriptions from an electronic medical record must meet additional tamper-resistant requirements to be valid.
6. What about my refills?

Refills will be valid on prescriptions written before October 1, 2008 even if you have them filled after October 1, 2008.
7. What if I have other insurance in addition to Medicaid?

Prescriptions for Medicaid patients must be tamper-resistant regardless of whether Medicaid is the primary or secondary payer.
8. What if my doctor and I forget and my prescription is not tamper resistant?

Talk with your pharmacist about how to fix the problem. Some ways to fix the problem are to request that your doctor:

 - Re-write the prescription as tamper-resistant
 - Call the pharmacy and provide a verbal prescription to the pharmacist over the phone.
 - Fax the prescription or send it another electronic way.
9. What if I still have questions?

You can talk with your doctor, pharmacist, or you can call your State Medicaid program and ask them for any further clarification you need.

This information was compiled by American College of Physicians, American Pharmacists Association, Centers for Medicare & Medicaid Services (CMS), Computer Sciences Corporation, JenKare, LLC, HP Labs; Medical Group Management Association, MedStar Health, National Association of Chain Drug Stores, National Community Pharmacists Association, National Council for Prescription Drug Programs, North Carolina Division of Medical Assistance, Promex Group – Medi Scripts Services, Standard Register, and Wyoming Department of Health. This document is provided as a courtesy for informational purposes. It is based on our review of the law and CMS guidance. If you have any questions about your responsibilities, we urge you to contact your state Medicaid agency for clarification and guidance.