

# NEWSLETTER

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Weirton, WV 26062

December 11, 2002

## Controlled Substances Monitoring New Prescription Pads are Needed

From the West Virginia Board of Pharmacy: §15-8 Controlled Substances Monitoring was promulgated by emergency rule and is now in effect.

§15-8-5 governs prescription forms for Controlled Substances listed in Schedules II, III, and IV with the following requirements being of particular importance:

1. Only one prescription shall be written per prescription blank.
2. A prescription shall bear the preprinted, stamped, typed, or manually printed name, address and telephone number of the prescribing practitioner.
3. **Prescriptions for controlled substances written after January 1, 2003 shall be on a security prescription blank with certain features as detailed in the rule.** (copy available from Board office per request) Such blanks can be obtained from any printing company or graphics company with the capability of providing blanks that contain the required features and necessary statements and check off boxes. Not all printers are capable of printing latent void patterns or watermarks so practitioners should consult with their printing company about the details and specific requirements in the regulations. **The specified paper should be available for your RX printer after December 18, 2002.**
4. If a controlled substance prescription is being faxed to a pharmacy the word "FAXED" shall be written or stamped on the face of the original prescription along with the date and the person's initials. In addition, the original prescription that was faxed must be placed in the patient's record.
5. If a pharmacist receives a prescription that does not conform to the rule, then the pharmacist must refuse to fill it unless the pharmacist determines in their professional judgment the immediate necessity for the patient to receive their medication. In that case, the pharmacist must contact the prescriber as soon as possible to inform them that the prescription was not written according to law. If the pharmacist continues to receive prescriptions from the same practitioner that do not comply with the law, then the pharmacist shall inform the Board of Pharmacy who will file a formal complaint with that practitioner's licensing board.

The Board of Pharmacy has informed the Board of Osteopathy that **no pharmacist should deny a prescription not on the correct pad until March 1, 2003** to allow time for physicians and printers to be able to provide the new pads.



For all controlled substances listed in Schedules II, III, and IV:

All dispensers must report the controlled substances that are dispensed to outpatients in the state of WV from pharmacies, practitioners' offices or from other facilities, including mail order pharmacies. (The only exceptions are drugs dispensed by a practitioner in an amount adequate to treat a patient for a maximum of 72 hours with no greater than two (2) 72 hour cycles in a 15 day period.) Data must be submitted weekly. Atlantic Associates, Inc. will collect all data and manage the technical aspects of the program. They are available to answer any questions regarding any aspect of the reporting process or the program. (1-888-492-7341)

All dispensers reporting more than 20 controlled substance prescriptions a month are expected to report electronically by modem or by mailing diskettes or magnetic tapes. Any dispenser reporting less than 20 controlled substance prescriptions a month may submit data using a Universal Claim Form.

You will receive information in the future about how to request information from the database once the system has been operational for a few months.

**If you think you might be required to report, please contact the Board of Pharmacy immediately. (304-558-0558)**

If you requested a copy of the West Virginia Code and Rules, it is enclosed with this important newsletter. If you did not request a booklet, and would now be interested in obtaining a copy, please contact the Board office and one will be mailed to you directly.

For your information, we have highlighted two regulations that are of significant importance in maintaining your medical license:

**§30-14-12a**

- a) The board shall initiate investigations as to professional incompetence or other reasons for which a licensed osteopathic physician and surgeon may be adjudged unqualified if the board receives notice that five or more judgments or settlements arising from medical professional liability have been rendered or made against such osteopathic physician.

**§24-1-18 Causes for Denial, Probation...of Licenses of Osteopathic Physicians:**

**18.1.30.** Prescribed, ordered, dispensed, administered, supplied, sold or given any drug which is an amphetamine or sympathomimetic amine drug and a compound designated as a Schedule II controlled substance under WV Code §60A-1-101 to §60A-1-707, to or for any person except for

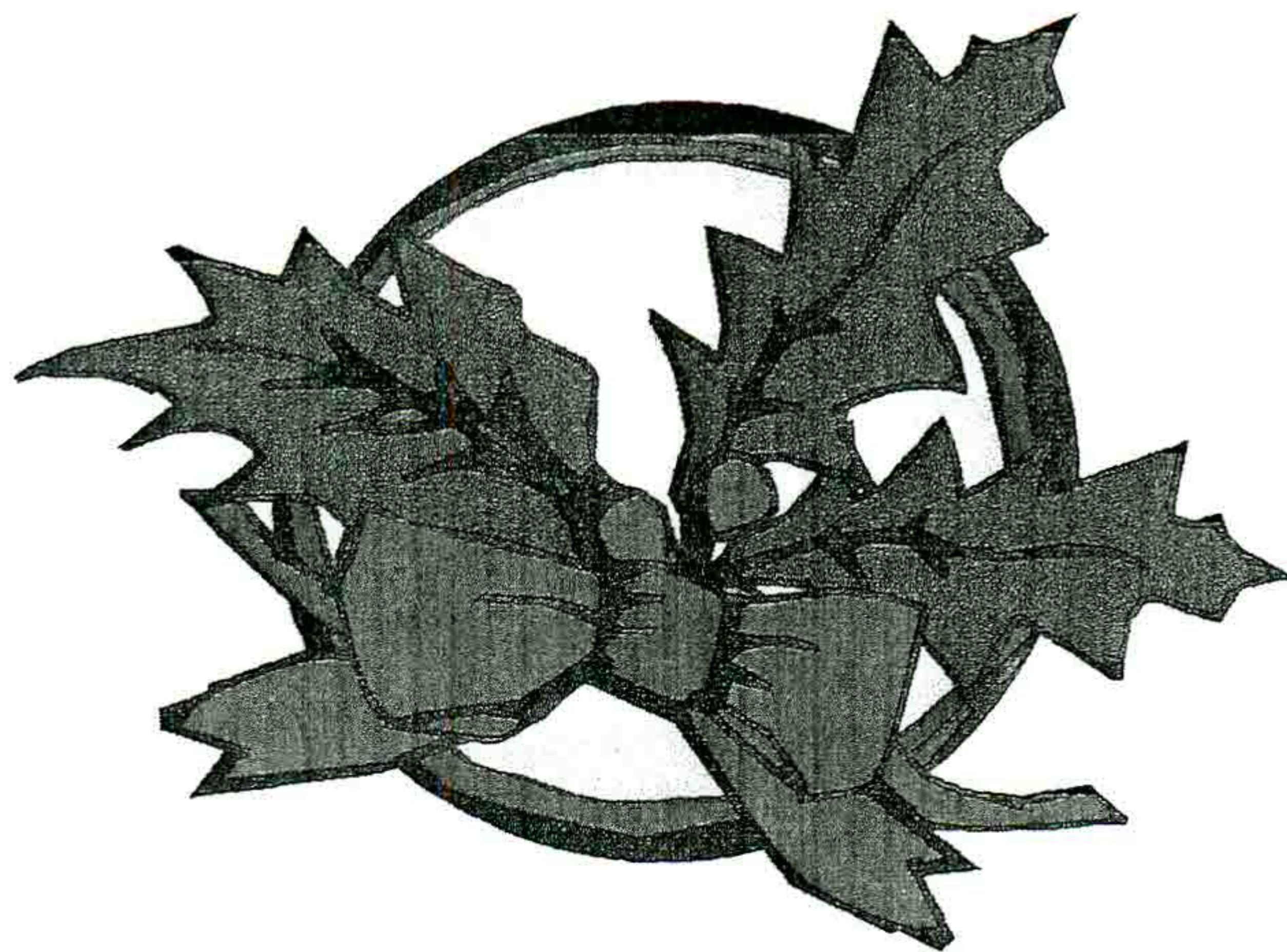
d. The treatment of obesity, when consistent with excessive appetite, for periods not to exceed two weeks per six week period.

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It is the duty of each physician to be knowledgeable of the Rules and Regulations that govern their profession. If you do not have a copy of the Rules, they may be located at:

**[www.legis.state.wv.us](http://www.legis.state.wv.us) (Code) Chapter 30, Article 14**

**[www.state.wv.us/csr](http://www.state.wv.us/csr) (Rules) Title 24, Series 1**



*HAPPY HOLIDAYS!!!*

*From The Staff Of The  
West Virginia Board  
Of Osteopathy*