E-Prescribing of Controlled Substances (EPCS)

New York State Board for Podiatry
As of March 27, 2015 it will be mandatory for practitioners, excluding veterinarians, to issue electronic prescriptions for **controlled and non-controlled substances**.
Rationale

Modern prescription technology:
- minimizes medication errors for patients,
- allows for the integration of prescription records directly into the patient’s electronic health record (EHR),
- reduces prescription theft and forgery.
This was Passed into NYS Law in 2012

Goes Into Effect March 27, 2015

New York State Board for Podiatry
Two Components of Internet System for Tracking OverPrescribing (I-STOP) Legislation

1. Prescription Monitoring Program (eff. 8/27/13)

2. Electronic Prescribing (eff. 3/27/15)

* BOTH ARE MANDATORY *

New York State Board for Podiatry
Electronic Prescribing Software

1. Surescripts (Systemwide - Not prescriber’s responsibility.)
2. Your EHR or Standalone Application (Each prescriber must have a compatible program.)
Surescripts

- Surescripts is the company that supplies the software that allows the EHRs to talk to the pharmacy computers.

- Think of it as the company that handles the software for ATM machines. This software allows the different banks and ATMs all to talk and work together at the same time.
Your EHR

- **Step 1**, the software you use must meet all the federal security requirements for EPCS.

  *Federal security requirements include a third-party audit by an approved auditor or DEA certification of the software.*

- Your current EHR may not meet these standards for controlled substances.
You may need to have a standalone e-prescribing program if your EHR does not meet the requirements for controlled substances.
Status of EHRs and Standalone Applications

To check the compatibility of EHR and standalone applications, go to:

Step 2 - Identity Proofing

- Prescribing practitioners must undergo identity proofing.
- Necessary to verify that a person is who he/she claims to be.
- This step is the podiatrist’s responsibility.
How Step 2 Works

Identity proofing must be conducted by credential service providers or certification authorities approved by the Federal government.

Remote identity proofing is permissible.

Institutional practitioners may be able to use a different method specific to their needs.

Ask your EHR or standalone software provider to recommend credentialing or certification organization entity.
Step 3 - Two-Factor Authentication

- After identity proofing, practitioner will be issued a two-factor authentication credential.

- Two-factor - two of the following:
  - Something you know - password, PIN.
  - Something you have - hard token separate from computer being accessed.
  - Something you are - any biometric that meets DEA’s requirements.
Step 3 - Continued

Protects practitioner from misuse of credential by insiders; also protects the podiatrist from external threats because practitioner can retain control of a biometric or hard token.
Step 4 - Registration with NYS Bureau of Narcotic Enforcement (BNE)

Exceptions to the Mandate

- Electronic prescribing is not available due to temporary technological or electronic failure.
- Prescriber has a waiver granted by the New York State Commissioner of Health.
- Prescriber reasonably determines that it would be impractical for the patient to obtain substances prescribed by electronic prescription in a timely manner.
- Prescription will be dispensed at a pharmacy located outside New York State.
Waiver Process

NEEDS TO BE APPLIED FOR

- Department of Health may grant waivers for renewable periods of up to one year.
- Bases for waiver requests:
  - economic hardship;
  - technological limitations that are not reasonably within the control of the practitioner; or
  - other exceptional circumstance demonstrated by the practitioner.
Frequently Asked Questions

New York State Board for Podiatry
Question #1

Can I send a fax Rx?

► An Rx that is faxed is NOT an electronic prescription.
Question #2

Do I need to E-Rx for compound creams?

BNE is aware that there may be system limitations due to the National Council for Prescription Drug Program (NCPDP) script standard. Please monitor BNE’s webpage for more information.
Question #3

What happens if my software no longer meets Federal security requirements?

- If your EPCS software application no longer meets Federal security requirements, your software shall **NOT** be used to process electronic prescriptions for controlled substances until your software is in compliance with DEA requirements and you re-register the software application with BNE.

- Both the EHR certification and your certifications need to be renewed every 2 years.
More Questions?

- EPCS Frequently Asked Questions from the Bureau of Narcotic Enforcement: