

New Tamper-Resistant Rx Script Law to Go into Effect July 18, 2018 With Exceptions

H.3826 requires written prescriptions for controlled substances to be written on tamper-resistant prescription pads, with exceptions. **Prescription orders transmitted by facsimile, orally, or electronically are exempt from the tamper-resistant prescription pad requirements. This act is effective July 16, 2018.**

Tamper-resistant prescription pads

SECTION 1. Section 44-53-360 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"()**(1) A written prescription for any Schedule II, III, IV, and V controlled substance** must be written on tamper-resistant prescription pads which contain one or more industry-recognized features designed to prevent all of the following:

(A) unauthorized copying of a completed or blank prescription form;

One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form per NCPDP	
Feature	Description
"Void or "Illegal" pantograph	The word "void" appears when the prescription is photocopied. Since the word "void" will appear on faxed prescriptions, the pharmacy must document it was a faxed prescription
Reverse "RX" or White Area on prescription	"Rx" symbol or white area will disappear when photocopied at a light setting. This is normally paired with the "void" pantograph to prohibit copying on a light setting
Coin-reactive ink	Ink that changes color when rubbed by a coin. This is expensive and not recommended
Security back print	Printed on the back of the prescription form. The most popular wording is "security prescription" or the state's name
Watermarking (forderiner)	Special paper containing "watermarking"
Diagonal lines (patented "void")	Diagonal lines with the word "void" or "copy". This can be distracting or expensive.
Micro printing	Very small font writing, perhaps acting as a signature line. This is difficult to photocopy and difficult to implement if using a computer printer. It is also difficult for a pharmacist to see

(B) erasure or modification of information written on the prescription by the prescriber; and

One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription by the prescriber per NCPDP	
Feature	Description
Uniform non-white background color	Solid color or consistent patterned background printed on the paper. This inhibits the forger from physically erasing written or printed

	information on a prescription form. The background will be altered if someone tries to erase or copy and the underlying paper will show
Quantity check off boxes	In addition to written quantity on the prescription, quantities are indicated in ranges. It is recommended that the ranges be in 25's with the highest being "151 and over". The range box corresponding to the quantity prescribed MUST be checked for the prescription to be valid.
Refill indicator (circle or check number of refills or "NR")	Indicates the number of refills on the prescription. Refill number must be used to be a valid prescription.
Pre-print "Rx is void if more than ___ Rxs on paper" on prescription paper	Line must be completed for this feature to be valid. Reduces the ability to add medications to the prescription. Computer printer paper can accommodate this feature by printing "This space intentionally left blank" in an empty space or quadrant.
Quantity Border and Fill (for computer generated prescriptions on paper only)	Quantities are surrounded by special characters such as an asterisk to prevent alteration, e.g. QTY **50** Value may also be expressed as text, e.g. (FIFTY), (optional)
Refill Border and Fill (for computer generated prescriptions on paper only)	Refill quantities are surrounded by special characters such as an asterisk to prevent alteration, e.g. QTY **5** Value may also be expressed as text, e.g. (FIVE), (optional)
Chemically reactive paper	If exposed to chemical solvents, oxidants, acids, or alkalis to alter, the prescription paper will react and leave a mark visible to the pharmacist
Paper toner fuser	Special printer toner that establishes strong bond to prescription paper and is difficult to tamper.
Safety or security paper with colored pattern	White (or some other color) mark appears when erased. This is expensive paper

(C) use of counterfeit prescription forms.

One or more industry-recognized features designed to prevent the use of counterfeit prescription forms per NCPDP	
Feature	Description
Security features and descriptions listed on prescriptions	Complete list of the security features on the prescription paper for compliance purposes. This is strongly recommended to aid pharmacists in identification of features implemented on prescription
Form Batch Numbers	Each batch of prescriptions has a unique identifier. This feature is only effective in states with an approved vendor listing.
Serial number	Number issued by printer of prescription, may or may not be sequential. To be valid, this should be reported to the state. New York after several years now is tracking numbers electronically
Encoding techniques (bar codes)	Bar codes on prescription. Serial number or Batch number is encoded in a bar code.
Logos	Sometimes used as part of the background color or pantograph.
Metal stripe security	Metal stripe on paper, difficult to counterfeit.
Heat sensing imprint	By touching the imprint or design, the imprint will disappear

Invisible fluorescent fibers/ink	Visible only under black light.
Thermo chromic ink	Ink changes color with temperature change. This is expensive paper and problematic for storage in areas not climate controlled.
Holograms that interfere with photocopying	May interfere with photocopying or scanning.

(2) Prescription orders transmitted by facsimile, orally, or electronically are exempt from the tamper-resistant prescription pad requirements of this section.

(3) The tamper-resistant prescription pad requirements do not apply to refill prescriptions of an original written prescription that was presented to a pharmacy before the effective date of this act.

(4) The exceptions set forth in Section 1927(k)(3) of the Social Security Act, 42 U.S.C. Section 1396r-8(k)(3), concerning nursing facilities, hospitals, and other institutional and clinical settings, are exempt from the tamper-resistant prescription pad requirements of this section.

(5) If a written prescription is not submitted on a tamper-resistant prescription form meeting the requirements of this section, a pharmacy may fill the prescription in full as written on an emergency basis as long as the pharmacy receives a verbal, facsimile, electronic, or compliant written prescription from the prescriber within seventy-two hours after the date on which the prescription was filled."