



# IDAHO STATE BOARD OF PHARMACY

*newsletter to promote pharmacy and drug law compliance*

## ***Letter to Idaho Pharmacists From Medicaid Regarding License Expiration***

Recently, a letter was sent to Idaho pharmacists from the Idaho Division of Medicaid. The letter is causing some confusion regarding the pharmacist's license expiration date. The letter informs the pharmacist that their license expired on January 31, 2022, and must be renewed to continue participating in the Idaho Medicaid program.

**These letters are incorrect.** Medicaid is aware of the issue and diligently working to resolve it. Any pharmacist receiving this letter can verify their license expiration date on the Idaho State Board of Pharmacy [website](#). Pharmacists who have renewed their license do not need to do anything. Licenses that will expire soon should be renewed in a timely manner to avoid any lapse in licensure.

## ***What You Need to Know About EPCS***

*Information in this article was obtained from the [Centers for Medicare & Medicaid Services \(CMS\)](#).*

- The requirement for electronic prescriptions for controlled substances (EPCS) applies to all controlled substance (CS) prescriptions for Part D drugs under a Part D plan.
- The requirements for EPCS are not from the Idaho Division of Occupational and Professional Licenses. It is a federal requirement.
- History of EPCS:
  - The inclusion of electronic prescribing in the Medicare Modernization Act (MMA) of 2003 gave momentum to the movement, and the July 2006 Institute of Medicine report on the role of e-prescribing in reducing medication errors received widespread publicity, helping to build awareness of e-prescribing's role in enhancing patient safety.
  - Adopting the standards to facilitate e-prescribing is one of the key action items in the government's plan to expedite the adoption of electronic medical records and build a national electronic health information infrastructure in the United States.

- The MMA created a new voluntary prescription drug benefit under Medicare Part D. Although e-prescribing will be optional for physicians and pharmacies, Medicare Part D will require drug plans to participate in the new prescription benefit to support electronic prescribing.
- Section 2003 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act) generally mandates that the prescribing of a Schedule II, III, IV, or V CS under Medicare Part D be done electronically in accordance with an electronic prescription drug program beginning January 1, 2021.
- Timeline for implementation:
  - On May 23, 2019, CMS published a final rule (CMS-4180-F) requiring that Part D plans adopt one or more real-time benefit tools (RTBTs) capable of giving prescribers clinically appropriate patient-specific real-time formulary and benefit information. This mandate went into effect on January 1, 2021.
  - On August 4, 2020, CMS published a request for information (RFI) for EPCS in Medicare Part D. The RFI sought input from stakeholders around the implementation of Section 2003 of the SUPPORT Act, which generally requires that prescriptions for CS covered under a Medicare Part D prescription drug plan be transmitted by a health care practitioner electronically.
  - On December 28, 2020, CMS published the 2021 physician fee schedule final rule, which requires that prescribers use the National Council for Prescription Drug Programs (NCPDP) SCRIPT standard version 2017071 for EPCS transmissions.
  - On December 31, 2020, CMS published the Electronic Prior Authorization for Medicare Part D final rule. This rule allows Part D plans to use the NCPDP SCRIPT standard version 2017071 for electronic prior authorization transactions beginning January 1, 2021, and requires the use of this standard for these transactions beginning January 1, 2022.
  - On January 19, 2021, CMS published the Part C and D final rule requiring that plans implement a beneficiary RTBT by January 1, 2023.
  - **After consideration of the comments received, CMS is finalizing its proposal to extend the date of compliance actions to no earlier than January 1, 2023.**
  - **For Part D CS prescriptions written for beneficiaries in long-term care facilities, CMS proposed to extend the date on or after which the Board will pursue compliance actions from January 1, 2022, to January 1, 2025.**

- Possible exceptions or waiver to the EPCS requirement:
  - A prescription is issued when the practitioner and dispensing pharmacy are the same entity
  - Cases where prescribers issue only a small number of Part D prescriptions
  - Cases of recognized emergencies and extraordinary circumstances
  - Individuals in hospice and nursing facilities
- Guidance for implementation:
  - Prescribers must follow Drug Enforcement Administration (DEA) guidance for EPCS, which is summarized at [deadiversion.usdoj.gov/ecommm/e\\_rx](https://deadiversion.usdoj.gov/ecommm/e_rx).
- The actual law can be found in Section 2003 of the SUPPORT Act at [public-inspection.federalregister.gov/2021-23972.pdf](https://public-inspection.federalregister.gov/2021-23972.pdf).
- For further information, contact [DivisionofPractitionerServices@cms.hhs.gov](mailto:DivisionofPractitionerServices@cms.hhs.gov).

### **Prescription Forgeries Continue**

The number of fraudulent oxycodone prescriptions has decreased over the last few years; however, the amount of promethazine with codeine prescriptions has increased. Often, these medications are prescribed in conjunction with a non-CS to give the appearance of authenticity, ie, antibiotics or a non-steroidal anti-inflammatory drug.

A large percentage of the prescriptions bear the name and DEA number of out-of-state prescribers. It is highly recommended that promethazine with codeine prescriptions be verified by calling the prescriber, using a source other than the prescription. The Controlled Substances Act Registration [Validation Tool](#) is also useful in these situations.

If you receive a forged CS prescription, contact the DEA Tactical Diversion Squad at 208/386-2100.

### **Attention: CS Registrants – PDMP Delegate List Review**

Is your delegate list up to date? The new year is an opportunity to ensure that the delegates assigned by you are still active and accurate. The delegate review is to ensure that delegate users of the Idaho Prescription Drug Monitoring Program (PDMP) are still authorized to perform searches on their supervisor’s behalf. As a supervisor, you are responsible for activities performed within the system by your delegate(s). **Please take a moment to perform the delegate review by doing the following:**

1. Log in to your [Idaho PDMP](#) account.
2. From your dashboard click “View All Delegates.”
3. Review delegates listed.

4. If delegates are correct, take no further action. If a delegate should be changed, continue to step five.
5. Select any delegate to remove.
6. Click on "Remove."
7. Click on "Reject."
8. Repeat steps five, six, and seven until all unwanted delegates have been removed from the Delegate Management view.

Thank you for your attention in this important matter.

### ***Helpful Information for Nonresident PIC Registration***

The Board's goal is to process all applications as quickly and efficiently as possible. To that end, the Board has included information and instructions on its [website](#).

Below are some tips and information to assist in applying for Idaho nonresident pharmacist-in-charge (PIC) registration:

- To submit the application for nonresident PIC, the individual must be the associated PIC with an out-of-state pharmacy that already holds an Idaho license or has a pending application.
- The applicant for nonresident PIC must submit the online application under their own individual e-Gov account, not the associated facility's account.
- The Idaho pharmacist license does not satisfy the requirement for nonresident PIC registration for out-of-state facilities.
- The Idaho pharmacist license is not required to be issued a nonresident PIC registration.
- If the nonresident PIC applicant already holds an Idaho pharmacist license, they still must submit all requirements due for the nonresident PIC application, including submission of a completed fingerprint card.
- An online application for nonresident PIC must be submitted prior to the applicant mailing a completed fingerprint card to the Board office. Fingerprints received without an associated application will be returned.
- Application fees are not refundable, and due to internal controls, funds are not transferable, so be sure the correct application is being submitted.
- When an out-of-state facility has a change of nonresident PIC, they must submit the "Non-Resident PIC Change Notification for Idaho Licensed Non-Resident Pharmacies" form, which can be found on the Board's [website](#).

- Changes to employment or changes to the information provided on or with the initial or renewal application must be reported to the Board within 10 days of the change.
- All applications regarding change of nonresident PIC must be submitted within 30 days of the date of the change.
- When the new Idaho nonresident PIC registration is issued to an incoming PIC, the registration for the outgoing PIC will be canceled.
- Renewals are the responsibility of the registrant, whether or not a renewal notice is received.
- All individual registrations expire annually on the last day of the registrant's birth month.
- All applicants and registrants are responsible for knowing and staying current with Board statutes and rules. Please refer to the Board's [website](#).

The following are the required documents for the online application. Remember that all documents must be legible and in a full-size pdf format.

- Current government-issued photo ID
- Resident state license verification – Provided verification must indicate active status and good standing of license. If good standing is not indicated on the license verification, proof of good standing from the resident state licensing agency must be submitted.

In addition to submitting the above documents for the online application, applicants over 18 years of age will need to mail a completed fingerprint card, done within the past six months, to the address found on the Board's website. For more information on fingerprinting, please visit the Board's [Fingerprint Cards](#) page.

The Board hopes this information proves helpful for all nonresident PIC applicants.

### ***Help Is Available for Impaired Pharmacists Through Idaho PRN***



**Know a Pharmacist in trouble with drugs/alcohol or mental health problems?**  
 Please contact the Pharmacist Recovery Network for help.  
[www.SouthworthAssociates.net](http://www.SouthworthAssociates.net) 800.386.1695  
**24 HOUR** CONFIDENTIAL Toll free Crisis Line  
**866.460.9014**

The Board subsidizes the state's Pharmacist Recovery Network (PRN). The primary function of this program is to assist the impaired pharmacist in every aspect of recovery from chemical

dependence, including intervention, consultation, monitoring, advocacy, education, and support. If you need confidential help – or know an associate who does – please contact the program's vendor, Southworth Associates, by phone at 866/460-9014.

## Special Notice

The *Idaho State Board of Pharmacy Newsletter* is considered an official method of notification to pharmacies, pharmacists, pharmacy interns, pharmacy technicians, and CS registrants licensed and/or registered by the Board. Please read it carefully.

### **National Pharmacy Compliance News Now Available!**

Visit NABP's website for the latest regulatory updates and news from FDA, USP, NABP, and more.

**[Read National News](#)**

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