



STATE OF NEW YORK DEPARTMENT OF HEALTH

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TO: ALL NEW YORK STATE PHARMACIES

FROM: JAMES GIGLIO, DIRECTOR, BUREAU OF NARCOTIC ENFORCEMENT

DATE: November, 2006

SUBJECT: CONTROLLED SUBSTANCE AND OFFICIAL PRESCRIPTION PROGRAM UPDATE

Practitioner Confidential Notification Program

In an important new public health initiative, the Bureau will begin providing practitioners with a confidential drug utilization profile report (DUR) when an analysis of prescription data reveals that their patient has obtained controlled substances from five or more practitioners over a 30-day period. Public Health Law Section 3397(4) requires a person who obtains a prescription for a controlled substance from multiple practitioners to disclose this fact to each practitioner. The DUR will also include information on accessing drug rehabilitation treatment, should the practitioner deem it necessary for the patient.

The Official Prescription Program and Electronic Prescribing

The Bureau has received inquiries regarding the impact of the expanded Official Prescription Program on electronic prescribing. It is important for pharmacists to note that the new Public Health Law made no changes to the requirements for electronic prescribing. Under requirements established by the New York State Board of Pharmacy, prescriptions for non-controlled substances may continue to be electronically transmitted to the pharmacy, either:

- from the practitioner's computer to the pharmacy's fax; or
- from the practitioner's computer to the pharmacy's computer.

Both transmissions are considered under the parameters of electronic prescribing, therefore an official prescription is **not** utilized and a serial number is **not** needed. **It is also important to note that electronic prescribing of controlled substances is not yet permissible.**

Scheduling of Anabolic Steroids

Anabolic steroids, including testosterone, are classified as Schedule II controlled substances in New York State. Prescriptions for schedule II controlled substances may not be refilled. Anabolic steroids are federally classified as Schedule III controlled substances. Manufacturers are required by the DEA to identify controlled substances on their container labels by denoting them as **CII**, **CIII**, **CIV**, and **CV**. However, these identifiers indicate only federal scheduling, **not** New York State scheduling.

The controlled substance law and regulations may be viewed in their entirety online at: www.nyhealth.gov/professionals/narcotic. Pharmacists with questions about official prescriptions or controlled substances may contact the Bureau of Narcotic Enforcement at (866) 811-7957 or online at: narcotic@health.state.ny.us.