

# FREQUENTLY ASKED QUESTIONS FOR ELECTRONIC PRESCRIBING OF CONTROLLED SUBSTANCES

## EPCS

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**NEW YORK STATE DEPARTMENT OF HEALTH**  
*Bureau of Narcotic Enforcement*

1-866-811-7957  
[www.health.ny.gov/professionals/narcotic](http://www.health.ny.gov/professionals/narcotic)

## **Laws and Regulations for Electronic Prescribing of Controlled Substances (EPCS)**

### ***Q1: What is Electronic Prescribing of Controlled Substances or EPCS?***

**A1:** Amendments to Title 10 NYCRR Part 80 Rules and Regulations on Controlled Substances have been adopted and became effective as final regulations on March 27, 2013. The amendments authorize a practitioner to issue an electronic prescription for controlled substances in Schedules II through V and allow a pharmacist to accept, annotate, dispense and electronically archive such prescriptions. A definition of an electronic prescription can be found in Section 3302 Article 33 Public Health Law. Click on the following link for Section 3302; [Section 3302 Article 33 Public Health Law](#).

### ***Q2: Is an electronic facsimile of a prescription considered an electronic prescription?***

**A2:** No. A definition of an electronic prescription can be found in Section 3302 Article 33 Public Health Law and specifically states that a prescription generated on an electronic system that is printed out or transmitted via facsimile is not considered an electronic prescription. Click on the following link for Section 3302: [Section 3302 Article 33 Public Health Law](#).

### ***Q3: Is EPCS mandatory for New York State practitioners?***

**A3:** As of March 27, 2015 it will be mandatory for practitioners, excluding veterinarians, to issue electronic prescriptions for controlled and non-controlled substances.

### ***Q4: Why will electronic prescribing of controlled and non-controlled substances be mandatory effective March 27, 2015?***

**A4:** New York Education Law Article 137 §6810 requires that all prescriptions be transmitted electronically two years from the Department of Health's promulgating regulations allowing for the electronic prescribing of controlled substances. These regulations became effective on March 27, 2013. Utilizing modern prescription technology has the potential to minimize medication errors for patients in New York State. Electronic prescribing also allows for the integration of prescription records directly into the patient's electronic medical record. Electronic prescribing has the potential to reduce prescription theft and forgery.

### ***Q5: I currently electronically prescribe non-controlled substances. Are there any additional steps I need to complete in order to electronically prescribe controlled substances?***

**A5:** Yes.

- First, the software you currently use must meet all the federal security requirements for EPCS, which can be found on the Drug Enforcement Agency's (DEA) web page. [http://www.deadiversion.usdoj.gov/ecommm/e\\_rx/](http://www.deadiversion.usdoj.gov/ecommm/e_rx/)  
**Note that federal security requirements include a third party audit or DEA certification of the software.**
- Second, you must complete the identity proofing process as defined in the federal requirements.
- Third, you must obtain a two-factor authentication as defined in the federal requirements.

- Fourth, you must register your DEA certified EPCS software with the Bureau of Narcotic Enforcement (BNE). Registration instructions are included in the FAQs.

**Q6: Can I electronically prescribe controlled substances before it becomes mandated on March 27, 2015?**

**A6:** EPCS became permissible in NYS on March 27, 2013. Practitioners can electronically prescribe controlled substances if:

- The EPCS software application meets all of the federal security requirements for EPCS, which can be found on the DEA's web page. [http://www.deadiversion.usdoj.gov/ecommm/e\\_rx/](http://www.deadiversion.usdoj.gov/ecommm/e_rx/)  
**Note that federal security requirements include a third party audit or DEA certification of the software.**
- The practitioner has completed identity proofing as defined in the federal requirements and
- The practitioner has obtained a two-factor authentication as defined in the federal requirements and
- The practitioner has registered their DEA certified EPCS software application with the Bureau of Narcotic Enforcement (BNE). Please refer to the Registration instructions included below in the section titled "Practitioner and Pharmacy EPCS Registration Form".

**Q7: Will the use of Official New York State Prescription forms be prohibited as of March 27, 2015?**

**A7:** Official New York State Prescription forms may be used in the event of a power outage or technical failure, or by practitioners who meet one of the exceptions listed in [Article 2A - Section 281 or Title 10 Part 80 Section 80.64](#). Please review this section of the law and regulations, which may be accessed from the following links: [Article 2A - Section 281 and Title 10 Part 80 Section 80.64](#)

**Q8: I work for the Department of Veterans Affairs on federal property. Do I need to register my certified EPCS software application with BNE?**

**A8:** No, practitioners who practice on federal property do not fall under the jurisdiction of New York State. However, a practitioner working on federal property who also practices off of federal property within New York State, the EPCS software application that is used off of federal property must be registered with BNE.

**Q9: Will practitioners be required to issue electronic prescriptions for compounds containing a controlled substance ingredient as of 3/27/2015?**

**A9:** BNE is aware that there may be system limitations due to the NCPDP script standard. Please monitor BNE's webpage for more information.

**Q10: Will practitioners be required to electronically prescribe non-prescription items, including durable medical equipment, which require a prescription for payment by the third party payor?**

**A10:** No, an electronic prescription will not be required. Section 281 (1) of the Public Health Law specifically references the use of electronic prescriptions for prescription drugs. A fiscal order may be required by third party payors for the purpose of payment. However, fiscal orders are not prescriptions and are not subject to the rules concerning electronic prescribing.

**Q11: *I am not licensed or practicing in New York, but have a patient who uses a pharmacy in New York. Do I have to register my certified EPCS software application with BNE to send electronic prescriptions for controlled substances to pharmacies in the state of New York?***

**A11:** Practitioners who are not practicing in New York State are not required to register their certified EPCS software application with BNE. They must follow their state's law and regulations.

**Q12: *Can I send an electronic prescription for a controlled substance to an out-of-state pharmacy?***

**A12:** You may or may not be able to depending upon the laws of that state. The pharmacy must dispense the prescription following the laws of the state in which the prescription is being dispensed.

**Q13: *I don't have a DEA number, therefore, I don't prescribe controlled substances. Do I have to register the software application used to electronically prescribe non-controlled substances with BNE?***

**A13:** There is no current requirement to register E-prescribing software applications that only transmit non-controlled substance prescriptions. However, all prescriptions must be issued electronically unless an exception applies.

**Q14: *Should I return all of my unused Official New York State Prescription forms to BNE?***

**A14:** Not necessarily. Under limited circumstances, the use of an Official NYS Prescription form will still be allowed, including events of a power outage or technological failure. However, it is unlikely that practitioners and institutions will need to continue to keep a similar inventory as in the past. Please consider the amount of prescription paper you will need to keep on hand, safeguard any stored Official New York State Prescription forms and return unneeded or unwanted forms to the Bureau of Narcotic Enforcement at 150 Broadway, Albany, NY 12204. The Bureau of Narcotic Enforcement will continue to supply Official New York State Prescription forms to practitioners and institutions.

**Q15: *I am a veterinarian and would like to electronically prescribe controlled substances. What should I do?***

**A15:** Practitioners issuing electronic prescriptions for controlled substances must use a software application that meets all DEA (federal) security requirements, which includes a third party audit or DEA certification indicating that all federal requirements are met. The New York State Department of Health requires practitioners licensed in New York State issuing electronic prescriptions for controlled substances to register their certified EPCS software application with BNE.

**Q16: *Does an electronic prescription for a controlled substance require a follow-up hard copy prescription?***

**A16:** No.

**Q17: *Is it mandatory for pharmacies to receive electronic prescriptions for controlled substances?***

**A17:** No. However, it will be mandatory for practitioners, with some exceptions, to issue electronic prescriptions for both controlled and non-controlled substances effective March 27, 2015.

**Q18: *What should I do if I am notified that the security of my certified EPCS software application is noncompliant with federal requirements?***

**A18:** 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.

**Q19: *What should I do if my credentials used to sign electronic prescriptions have been lost, stolen or compromised?***

**A19:** In addition to any federal requirements, practitioners must immediately notify BNE that his or her credentials have been lost, stolen or compromised. Please send an email to [narcotic@health.state.ny.us](mailto:narcotic@health.state.ny.us) with the subject of credentials lost, stolen or compromised or call BNE's toll free number (866-811-7957, Option 1).

**Q20: *What should I do if I suspect or am notified of a security breach with my certified EPCS software application?***

**A20:** If there has been a security breach, you may not process electronic prescriptions for controlled substances. You must notify the DEA and BNE. After security has been restored, you must re-register the certified software application with BNE.

**Q21: *What is the difference between the third party audit or certification required by the DEA and the registration that BNE requires?***

**A21:** Practitioners and pharmacies processing electronic prescriptions for controlled substances must use a software application that meets all DEA (federal) security requirements, which includes a third party audit or DEA certification indicating that all federal requirements are met. The New York State Department of Health does not certify software applications. However, practitioners and pharmacies licensed in New York State processing electronic prescriptions for controlled substances are required to register their certified EPCS software application with BNE.

**Q22: *Why do I need to register my certified EPCS software application with the Bureau of Narcotic Enforcement (BNE)? My software vendor already notified BNE.***

**A22:** Each individual practitioner and pharmacy, not the software vendor, is required by regulation to register their certified EPCS software application with BNE.

**Q23: *Can pharmacies receive electronic prescriptions for controlled substances from practitioners before it becomes mandated on March 27, 2015?***

**A23:** Yes, EPCS became permissible in New York State on March 27, 2013. The pharmacy can receive electronic prescriptions for controlled substances provided that it has met the following requirements;

- The pharmacy software application meets all of the federal security requirements included in the DEA's Interim Final Rule.

- The pharmacy can submit controlled substance prescription data to BNE using ASAP version 4.2.
- The certified pharmacy software application is registered with BNE.

***Q24: My pharmacy is NOT physically located in New York, however, it is registered with the New York State Board of Pharmacy. Are we required to register our certified pharmacy software application with BNE to process electronic prescriptions for controlled substances received from practitioners in the state of New York?***

**A24:** Yes, non-resident pharmacies registered with the New York State Board of Pharmacy must register their certified pharmacy software application with BNE to receive electronic prescriptions for controlled substances.

***Q25: My pharmacy is NOT located in New York. We are NOT registered with the New York State Board of Pharmacy. Do we have to register our certified pharmacy software application with BNE to process electronic prescriptions for controlled substances received from practitioners in the state of New York?***

**A25:** No, pharmacies located outside of New York State that are NOT registered with the New York State Board of Pharmacy are not required to register their certified software applications with BNE.

***Q26: Is the prescription valid for dispensing if the practitioner has not registered their certified EPCS application with BNE?***

**A26:** Yes. The prescription is valid for dispensing if the practitioner has not registered their certified EPCS software application with BNE and the prescription meets all other federal and State requirements. Pharmacists are not expected to verify that a practitioner has registered their application with BNE.

***Q27: Can I accept an out-of-state electronic prescription for a controlled substance?***

**A27:** A pharmacist may dispense a controlled substance medication pursuant to an out-of-state electronic prescription as defined in Section 80.78 Title 10 Part 80 Rules and Regulations on controlled substances. Electronic prescriptions may be created, signed and transmitted from another state, provided the practitioner complies with *all* requirements, state and federal, for issuing controlled substance prescriptions electronically. It is prudent on the part of the pharmacist to verify the authenticity of *any* controlled substance prescription presented to them.

***Q28: May a pharmacist accept an Official New York State Prescription written prior to March 27, 2015?***

**A28:** Yes. The prescription is written on an Official New York State Prescription form prior to the effective date of the statute.

***Q29: May a pharmacist dispense an authorized refill from an Official New York State Prescription issued prior to March 27, 2015?***

**A29:** Yes. The prescription, issued on an Official New York State Prescription form, with refills was written prior to the effective date of the statute.

**Q30: Is a pharmacist who is presented with a prescription issued on Official New York State Prescription form after March 27, 2015 required to verify that the practitioner properly falls under one of the exceptions from the requirement to electronically prescribe?**

**A30:** No. However, a corresponding liability for the proper prescribing and dispensing of controlled substances rests with the pharmacist who fills the prescription.

## **Practitioner and Pharmacy EPCS Registration Form**

### ***Practitioner:***

**Q31: How do I fill out the registration form?**

**A31:** Complete all fields on the form. Incomplete forms will not be accepted by BNE. Below is a summary of each field and the information to be entered.

- a. Practitioner Name: Enter your first and last name in this field. If you are a Physician Assistant, please attach a list of your Supervising Physician(s) with their corresponding NYS license number and DEA registration number.
- b. NYS License Number: Enter your six digit New York State license number (no prefix or suffix)
- c. DEA Number for NYS: Enter each New York State DEA number that will be utilized to electronically prescribe controlled substances.
- d. Practitioner Email Address: Enter the practitioner's email address.
- e. Practitioner Telephone Number: Phone number of the practitioner.
- f. Name of Certified E-prescribing Software Application: Name of the application you are using to electronically prescribe controlled substances. If you are not sure what the name of your software application is, contact your software application vendor.
- g. Software Version Certified: Version number of the EPCS application. If you are not sure what version you are currently using, contact your software application vendor.
- h. Name of Software Application Provider (Company Name): Name of the company (or corporation if you are not using a vendor) providing the certified EPCS software application.
- i. Practitioner Signature: Signature of the practitioner.
- j. Date: Date that the form was signed by the practitioner.
- k. Print Name: The practitioner's name should be printed in this field.

**Q32: How often do I have to register my certified EPCS software application with BNE?**

**A32:** The certified EPCS software application must be registered with BNE at least every two years or whenever the DEA requires a new third party audit of the software, whichever occurs first.

**Q33: Can I register my certified EPCS software application before I've completed the identity proofing and obtained two-factor authentication?**

**A33:** No. Identity proofing must be completed and the practitioner must obtain two-factor authentication prior to registering the certified EPCS software application with BNE.

**Q34: I work at more than one location and each location uses a different software application. Am I required to register each certified EPCS software application that I use?**

**A34:** Yes.

**Q35: Do you require a copy of the certification or third party audit to be submitted with the EPCS registration form?**

**A35:** No, a copy of the certification or third party audit is not required with the registration. A copy must be available for inspection by the Department of Health if requested.

**Q36: I am a Licensed Physician Assistant. Do I need to include my supervising physician's name on the EPCS registration form?**

**A36:** Yes. Please attach a list (excel file) of your Supervising Physician(s) with their corresponding NYS license number and DEA registration number with the signed EPCS registration form. A Licensed Physician Assistant issuing electronic prescriptions for controlled substances must comply with all requirements of Article 33 of the Public Health Law and Part 80 of Title 10 Part 80 Rules and Regulations on Controlled Substances.

**Q37: How do I return the completed hard-copy EPCS registration form back to BNE?**

**A37:** The completed form may be emailed to the BNE at [narcotic@health.state.ny.us](mailto:narcotic@health.state.ny.us) with EPCS Practitioner Registration in the subject line. Alternatively, the form may be faxed to BNE at 518-402-0709 or mailed to the following address:

Bureau of Narcotic Enforcement  
Riverview Center  
150 Broadway  
Albany, NY 12204

**Q38: Do I need to re-register if my certified EPCS software application version is upgraded?**

**A38:** If you are notified of software version upgrades, you must re-register the new software version with BNE.

**Q39: Do I need to re-register if I begin using a different certified EPCS software application?**

**A39:** Yes, if you change to a new certified EPCS software application, you must register the new certified software application with BNE.

**Q40: How do I know that the pharmacy has met the registration requirement with BNE?**

**A40:** BNE does not publish a list of practitioners or pharmacies that have registered their certified EPCS software applications with BNE. It is the responsibility of the pharmacist to register their certified EPCS software application with BNE. BNE will follow-up with pharmacies who have not registered.



**Q41: I received a certification from my intermediary (Surescripts or other provider). If I have this certification, can I register my application with BNE?**

**A41:** Practitioners issuing electronic prescriptions for controlled substances must use a software application that meets all DEA (federal) security requirements, which includes a third party audit or DEA certification, not an intermediary certification, indicating that all federal requirements are met. The New York State Department of Health requires practitioners licensed in New York State issuing electronic prescriptions for controlled substances to register their certified EPCS software application with BNE.

**Q42: Now that I have registered my EPCS software with BNE and have received registration confirmation from BNE, can I electronically prescribe?**

**A42:** Yes, provided that your EPCS system and prescription meets all federal and state requirements.

## **Pharmacy:**

**Q43: How do I fill out the registration form?**

**A43:** Complete all fields on the form. Incomplete forms will not be accepted by BNE. Below is a summary of each field and the information to be entered.

- a. Pharmacy Name: Enter the pharmacy name corresponding to the pharmacy NCPDP/NABP name in the Pharmacy Name field.
- b. NCPDP/NABP: Enter the pharmacy NCPDP/NABP number in the NCPDP/NABP field. For chain pharmacies, please attach a list of NCPDP/NABP numbers with the corresponding NYS license number for those stores utilizing the certified pharmacy software application.
- c. NYS License Number: Enter the pharmacy license number.
- d. ASAP Version for Data Submissions: Enter the version number for the American Society for Automation in Pharmacy (ASAP) standard used for data submissions. In order to receive electronic prescriptions for controlled substances, data submissions must be in ASAP Version 4.2 or greater. If you are unsure what version the pharmacy is using for data submissions, please contact your software vendor.
- e. Contact Name: Individual responsible for answering questions about this registration.
- f. Contact Email Address: Email address of the individual responsible for answering questions about the pharmacy's registration.
- g. Contact Phone: Phone number of the individual responsible for answering questions about the pharmacy's registration.
- h. Name of Certified Pharmacy Software Application: Name of the pharmacy application used to dispense prescriptions. If you are not sure what the name of your pharmacy software application is, contact your pharmacy software application vendor.
- i. Software Version Certified: Version number of the pharmacy application used to dispense prescriptions. If you are not sure what version you are currently using, contact your pharmacy software application vendor.
- j. Name of Software Application Provider (Company Name): Name of the company (or corporation if you are not using a vendor) providing the pharmacy software application.

- k. Signature: Signature of the person authorized to sign the registration form on behalf of the pharmacy.
- l. Date: Date that the form was signed by the authorized person.
- m. Print Name: Name of the authorized person.
- n. Title: Title of the authorized person signing the form.

**Q44: How often do I have to register my certified pharmacy software application with BNE?**

**A44:** The certified pharmacy software application must be registered with BNE at least every two years or whenever functionality related to controlled substance prescription requirements is altered, whichever occurs first.

**Q45: I work for a chain pharmacy. Do I have to register the certified pharmacy software application with BNE?**

**A45:** Chain pharmacy corporate headquarters may submit one form to register all of their pharmacies with BNE. If a corporation is registering all stores, each NCPDP/NABP number, NYS license number and corresponding NYS license number must be provided in a separate attachment (excel file) with the signed registration form. **If you are not sure whether or not your pharmacy was registered, please contact your corporate headquarters.**

**Q46: What should the chain corporate headquarters include with the registration form?**

**A46:** Each NCPDP/NABP number, NYS license number and corresponding store number must be provided in a separate attachment (excel file) with the signed registration form.

**Q47: Do you require a copy of the certification or third party audit to be submitted with the EPCS registration form?**

**A47:** A copy of the certification or third party audit is not required with the registration. A copy of your certification or third party audit must be available for inspection by the Department of Health, if requested.

**Q48: Do I have to mail the hard-copy form back to BNE?**

**A48:** The completed form may be emailed to the BNE at [narcotic@health.state.ny.us](mailto:narcotic@health.state.ny.us) with EPCS Pharmacy Registration in the subject line. Alternatively, the form may be faxed to BNE at 518-402-0709 or mailed to the following address:

Bureau of Narcotic Enforcement  
Riverview Center  
150 Broadway  
Albany, NY 12204

**Q49: When will you notify me that it is okay to receive electronic prescriptions?**

**A49:** The pharmacy/corporate headquarters will receive an email from BNE once registration requirements are met.

***Q50: Do I need to re-register if my pharmacy software application version is upgraded?***

**A50:** If you are notified of software version upgrades pertaining to controlled substance functionality, you must re-register with BNE.

***Q51: Do I need to re-register if my pharmacy software application changes?***

**A51:** If you switch to a new software application, you must re-register with BNE.

***Q52: In order to fill an electronic prescription for a controlled substance, do I need to verify that the practitioner has registered with BNE?***

**A52:** No. BNE does not publish a list of practitioners or pharmacies who have registered their certified EPCS software applications with BNE. It is the responsibility of the practitioner to register their certified EPCS software application with BNE. BNE will follow-up with practitioners who have not registered.

***Q53: Now that I have registered my pharmacy software with BNE and have received registration confirmation from BNE, can I receive electronic prescriptions for controlled substances?***

**A53:** Yes, provided that your EPCS system and the prescription meet all federal and state requirements. Controlled substance prescription data submissions to BNE must be in ASAP Version 4.2 and include the following information:

- The State Issued Rx Serial Number field (AIR02) must be populated with the letter E eight times (EEEEEEEE).
- The Electronic Prescription Reference Number field (DSP20) must be populated.
- The Electronic Prescription Order Number field (DSP21) must be populated.

Additional information can be found in the Submitter's Guide to Electronic Data Transmission for the New York State PMP, which can be accessed through the following link:

[http://www.health.ny.gov/professionals/narcotic/electronic\\_data\\_transmission/docs/submitter\\_guide.pdf](http://www.health.ny.gov/professionals/narcotic/electronic_data_transmission/docs/submitter_guide.pdf)

## **Software and Data Requirements**

***Q54: Does BNE provide EPCS software?***

**A54:** No. BNE does not provide software for practitioners or pharmacies to use.

***Q55: Where do I find the software that will allow a practitioner to electronically prescribe controlled substances?***

**A55:** BNE does not endorse a specific EPCS software for practitioners to use. You may research different options on the internet, speak to your professional colleagues or professional associations that you are associated with to determine what options are available. You may also wish to contact your current Electronic Health Record (EHR) software application provider, if you are currently using EHR.

**Q56: How do I know if my software has been certified to process electronic prescriptions for controlled substances?**

**A56:** Please contact your software vendor, they should be able to provide you with this information.

**Q57: Are additional fields required by BNE on the submission of controlled substance data from electronic prescriptions?**

**A57:** Controlled substance prescription data submissions to BNE must be in ASAP Version 4.2 and include the following information:

- The State Issued Rx Serial Number field (AIR02) must be populated with the letter E eight times (EEEEEEEE).
- The Electronic Prescription Reference Number field (DSP20) must be populated.
- The Electronic Prescription Order Number field (DSP21) must be populated.

Additional information can be found in the Submitter's Guide to Electronic Data Transmission for the New York State PMP, which can be accessed through the following link:

[http://www.health.ny.gov/professionals/narcotic/electronic\\_data\\_transmission/docs/submitter\\_guide.pdf](http://www.health.ny.gov/professionals/narcotic/electronic_data_transmission/docs/submitter_guide.pdf)

## **Waivers and Exceptions**

**Q58: Are any specific specialties or fields excluded from the requirement to electronically prescribe prescriptions?**

**A58:** Only veterinarians are excluded by nature of their license. All other practitioners are required to issue electronic prescriptions unless granted a waiver or meeting one of the limited situational exceptions. In addition, practitioners who are not veterinarians may be excluded if they meet the criteria defined within Article 2A Section 281 of the Public Health Law and Section 80.64 Title 10 Part 80 Rules and Regulations on Controlled Substances. Please review this section of the law and regulations, which may be accessed from the following links: [Article 2A - Section 281](#) and [Title 10 Part 80 Section 80.64](#)

**Q59: What exceptions are there from the requirement to electronically prescribe?**

**A59:** The following is a list of exceptions from the requirement to electronically prescribe and may be accessed from the following link: [Article 2A - Section 281](#).

- Prescriptions issued by veterinarians
- Prescriptions issued in circumstances where electronic prescribing is not available due to temporary technological or electrical failure
- Prescriptions issued by a practitioner under circumstances where the practitioner reasonably determines that it would be impractical for the patient to obtain substances prescribed by electronic prescription in a timely manner, **and** such delay would adversely impact the patient's medical condition. In addition to these circumstances, the quantity of controlled substances cannot exceed a five day supply if the controlled substance were used in accordance with the directions for use.

- Prescriptions issued by a practitioner to be dispensed by a pharmacy located outside the state.
- Practitioners who have received a waiver or a renewal thereof for a specified period determined by the commissioner, from the requirement to use electronic prescribing.

**Q60: *Can practitioners apply for a waiver from the requirement to electronically prescribe?***

**A60:** The Prescription Drug Reform act- Chapter 447 of the laws of 2012 and Title 10 Part 80 of the Official Compilation of Codes, Rules and Regulations of the State of New York (§80.64(c)(3)) allows the Commissioner of Health to grant a practitioner a waiver, not to exceed a time period of one year, from the requirement to electronically prescribe. Waivers may be granted based upon a showing of economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner.

**Q61: *I already have a waiver from the requirement to consult the Prescription Monitoring Program Registry. Am I exempt from electronic prescribing since I have this waiver?***

**A61:** No. A separate waiver is required. The Prescription Drug Reform act- Chapter 447 of the laws of 2012 and Title 10 Part 80 of the Official Compilation of Codes, Rules and Regulations of the State of New York (§80.64(c)(3)) allows the Commissioner of Health to grant a practitioner a waiver, not to exceed a time period of one year, from the requirement to electronically prescribe. Waivers may be granted based upon a showing of economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner.

## **Resource Information and Contacts**

**Q62: *Where can I obtain information regarding the DEA's federal requirements for EPCS?***

**A62:** You may visit the DEA's web page for additional information regarding federal security requirements: [http://www.deadiversion.usdoj.gov/ecommm/e\\_rx/](http://www.deadiversion.usdoj.gov/ecommm/e_rx/).

**Q63: *Where can I obtain information regarding New York State's requirements for EPCS?***

**A63:** BNE has a web page with additional information regarding electronic prescribing of controlled substances: [http://www.health.ny.gov/professionals/narcotic/electronic\\_prescribing/](http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/)

You may also email BNE at [narcotic@health.state.ny.us](mailto:narcotic@health.state.ny.us)

**Q64: *Where can I obtain information regarding Electronic Data Transmission requirements for EPCS?***

**A64:** BNE has a web page with additional information regarding electronic data transmission which can be accessed through the following link:

[http://www.health.ny.gov/professionals/narcotic/electronic\\_data\\_transmission/](http://www.health.ny.gov/professionals/narcotic/electronic_data_transmission/)