

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

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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, 2016 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, 2016?

A4: New York Education Law Article 137 §6810 requires that all prescriptions be transmitted electronically three 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/
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, 2016?

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/
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 "Registration for Official Prescriptions and E-prescribing Systems" or "Physician Assistant and Pharmacy EPCS Registration Form", whichever is applicable.

Q7: Will the use of Official New York State Prescription forms be prohibited as of March 27, 2016?

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 March 27, 2016?

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: Can a Physician Assistant electronically prescribe controlled and non-controlled substances?

A11: Yes. All electronic prescriptions issued and signed by a Physician Assistant must contain the name of their supervising physician.

Q12: Is the supervising physician's name required on an electronic prescription issued by a physician assistant?

A12: Yes, the supervising physician's name is required on all prescriptions (controlled and non-controlled substances) issued by a physician assistant, including electronic prescriptions, handwritten official prescriptions, and official prescriptions generated on an EMR system.

Q13: Can a physician assistant register for EPCS if their supervising physician does not?

A13: Yes. The supervising physician is not required to register for EPCS if they have no intention of electronically prescribing controlled substances.

Note: Both the supervising physician and physician assistant must maintain active registrations for the Official Prescription Program.

Q14: Can an unlicensed resident, intern or foreign physician electronically prescribe controlled and non-controlled substances?

A14: Yes. Please refer to [10 NYCRR 80.75](#) for further information.

Q15: Is a resident, intern or foreign physician's supervising physician/attending's name or signature required to be on an electronic prescription?

A15: BNE does not require the supervising physician/attending's name or signature to be on an electronic prescription, however third party payors or government programs may have additional requirements.

Q16: Is an attending physician that oversees residents, foreign physicians, and interns required to register for EPCS?

A16: The attending physician is not required to register for EPCS if they have no intention of electronically prescribing controlled substances.

Q17: *Are unlicensed medical residents required to register their EPCS software with BNE?*

A17: No. The facility must maintain a current list of unlicensed residents with prescriptive privileges within the facility who have been authorized to access the facility's EPCS software. This information must be available to BNE upon request.

Q18: *Does a practitioner still have to consult the Prescription Monitoring Program (PMP) Registry when e-prescribing?*

A18: Yes. The practitioner must consult the PMP Registry prior to prescribing a controlled substance in Schedules II-IV regardless of how the prescription is issued.

Q19: *Will it be permissible for a NY practitioner to fax a prescription for a 30 day supply of a controlled substance for a patient in a Hospice Program or a RHCF to a NY pharmacy once e-prescribing becomes mandatory?*

A19: No, unless the prescription is issued pursuant to one of the exceptions in the regulation, 10NYCRR Sec. 80.64. Faxed prescriptions are not considered electronic prescriptions.

Q20: *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?*

A20: 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.

Q21: *Can I send an electronic prescription for a controlled substance to an out-of-state pharmacy?*

A21: 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.

Q22: *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?*

A22: 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.

Q23: *Should I return all of my unused Official New York State Prescription forms to BNE?*

A23: 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.

Q24: I am a veterinarian and would like to electronically prescribe controlled substances. What should I do?

A24: 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.

Q25: Does an electronic prescription for a controlled substance require a follow-up hard copy prescription?

A25: No.

Q26: Is it mandatory for pharmacies to receive electronic prescriptions for controlled substances?

A26: 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, 2016.

Q27: What should I do if I am notified that the security of my certified EPCS software application is noncompliant with federal requirements?

A27: 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.

Q28: What should I do if my credentials used to sign electronic prescriptions have been lost, stolen or compromised?

A28: 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 with the subject of credentials lost, stolen or compromised or call BNE's toll free number (866-811-7957, Option 1).

Q29: What should I do if I suspect or am notified of a security breach with my certified EPCS software application?

A29: 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.

Q30: What is the difference between the third party audit or certification required by the DEA and the registration that BNE requires?

A30: 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.

Q31: *Why do I need to register my certified EPCS software application with the Bureau of Narcotic Enforcement (BNE)? My software vendor already notified BNE.*

A31: Each individual practitioner and pharmacy, not the software vendor, is required by regulation to register their certified EPCS software application with BNE.

Q32: *Can pharmacies receive electronic prescriptions for controlled substances from practitioners before it becomes mandated on March 27, 2016?*

A32: 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.

Q33: *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?*

A33: 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.

Q34: *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?*

A34: 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.

Q35: *Is the prescription valid for dispensing if the practitioner has not registered their certified EPCS application with BNE?*

A35: 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.

Q36: Can I accept an out-of-state electronic prescription for a controlled substance?

A36: 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.

Q37: May a pharmacist accept an Official New York State Prescription written prior to March 27, 2016?

A37: Yes. The prescription is written on an Official New York State Prescription form prior to the effective date of the statute.

Q38: May a pharmacist dispense an authorized refill from an Official New York State Prescription issued prior to March 27, 2016?

A38: Yes. The prescription, issued on an Official New York State Prescription form, with refills was written prior to the effective date of the statute.

Q39: Is a pharmacist who is presented with a prescription issued on Official New York State Prescription form after March 27, 2016 required to verify that the practitioner properly falls under one of the exceptions from the requirement to electronically prescribe?

A39: No. However, a corresponding liability for the proper prescribing and dispensing of controlled substances rests with the pharmacist who fills the prescription.

Q40: If a pharmacy does not dispense controlled substances, does their computer system have to be certified to meet the DEA security standards?

A40: No. Computer systems only need to be certified that they meet the DEA security standards if they will be used to dispense controlled substances.

Physician Assistant and Pharmacy EPCS Registration Form

Physician Assistant:

Q41: How do I fill out the registration form?

A41: 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. 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.

Q42: How often do I have to register my certified EPCS software application with BNE?

A42: 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.

Q43: Can I register my certified EPCS software application before I've completed the identity proofing and obtained two-factor authentication?

A43: No. Identity proofing must be completed and the practitioner must obtain two-factor authentication prior to registering the certified EPCS software application with BNE.

Q44: 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?

A44: Yes, each different certified EPCS software application must be registered with BNE. If the same certified EPCS software application is used in multiple locations, then only one software application must be registered with BNE.

Q45: Do you require a copy of the certification or third party audit to be submitted with the EPCS registration form?

A45: 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.

Q46: I am a Licensed Physician Assistant. Do I need to include my supervising physician's name on the EPCS registration form?

A46: 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.

Q47: How do I return the completed hard-copy EPCS registration form back to BNE?

A47: The completed form may be emailed to the BNE at narcotic@health.ny.gov with EPCS Practitioner Registration in the subject line. Alternatively, the form may be faxed to BNE at 518-402-1058 or mailed to the following address:

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

Q48: Do I need to re-register if my certified EPCS software application version is upgraded?

A48: If you are notified of software version upgrades, you must re-register the new software version with BNE.

Q49: Do I need to re-register if I begin using a different certified EPCS software application?

A49: Yes, if you change to a new certified EPCS software application, you must register the new certified software application with BNE.

Q50: How do I know that the pharmacy has met the registration requirement with BNE?

A50: 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.

Q51: I received a certification from my intermediary (Surescripts or other provider). If I have this certification, can I register my application with BNE?

A51: 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.

Q52: Now that I have registered my EPCS software with BNE and have received registration confirmation from BNE, can I electronically prescribe?

A52: Yes, provided that your EPCS system and prescription meets all federal and state requirements.

Pharmacy:

Q53: How do I fill out the registration form?

A53: 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.

Q54: How often do I have to register my certified pharmacy software application with BNE?

A54: 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.

Q55: I work for a chain pharmacy. Do I have to register the certified pharmacy software application with BNE?

A55: 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.**

Q56: What should the chain corporate headquarters include with the registration form?

A56: 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.

Q57: Do you require a copy of the certification or third party audit to be submitted with the EPCS registration form?

A57: 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.

Q58: Do I have to mail the hard-copy form back to BNE?

A58: The completed form may be emailed to the BNE at 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

Q59: When will you notify me that it is okay to receive electronic prescriptions?

A59: The pharmacy/corporate headquarters will receive an email from BNE once registration requirements are met.

Q60: Do I need to re-register if my pharmacy software application version is upgraded?

A60: If you are notified of software version upgrades pertaining to controlled substance functionality, you must re-register with BNE.

Q61: Do I need to re-register if my pharmacy software application changes?

A61: If you switch to a new software application, you must re-register with BNE.

Q62: In order to fill an electronic prescription for a controlled substance, do I need to verify that the practitioner has registered with BNE?

A62: 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.

Q63: 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?

A63: 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

ROPES for Practitioners and Hospitals

Practitioner:

Q64: What does ROPES stand for?

A64: ROPES stands for: Registration for Official Prescriptions and E-Prescribing Systems.

Q65: What is the purpose of the ROPES application?

A65: The ROPES application will allow practitioners to update/certify/renew their Official Prescription Program (OPP) registration and to register or modify their certified electronic prescribing software application for controlled substances (EPCS software) at the same time.

Q66: Who can access ROPES?

A66: **ONLY** practitioners can access this application. No one else can do this on their behalf.

Q67: How does a practitioner access ROPES?

A67: To access ROPES, use the following steps:

- Login to the Health Commerce System (HCS) at <https://commerce.health.state.ny.us>
- Under "My Content" click on "All Applications"
- Click on "R"
- Scroll down to ROPES and double click to open the application. You may also click on the "+" sign to add the application "ROPES" under "My Applications" on the left side of the screen.

Q68: Can all practitioners utilize ROPES?

A68: Access to ROPES is **ONLY** for those practitioners who:

- Have already registered with the Official Prescription Program (OPP) **and**
- Have an active DEA registration **and**
- Have an active NYS license **and**
- Are not a Registered Physician Assistant (PA)

Q69: *Can a PA access ROPES?*

A69: No. PA's must continue to submit the OPP Registration form (DOH-4329) along with the PA Authorization Form (DOH-5054) to renew their OPP registration.

Q70: *Can a practitioner without a Drug Enforcement Administration (DEA) registration number access ROPES?*

A70: No. Practitioners without a DEA registration must continue to submit a notarized OPP Registration form (DOH-4329) to renew their OPP registration.

Q71: *Can a practitioner who is not registered with OPP access ROPES?*

A71: No. Practitioners not already registered with OPP will be directed to complete the OPP Registration form (DOH-4329) first and submit it to the Bureau of Narcotic Enforcement (BNE). Once this is entered by BNE staff, the practitioner will be able to access ROPES.

Q72: *Can a practitioner register their EPCS software without renewing their OPP registration?*

A72: No. Practitioners who need to register or modify their certified EPCS software application(s) will be required to update/certify their OPP registration information on file with the NYS BNE first.

Please note: The renewal of the OPP registration is an easy one step process and it extends the renewal date for another 2 years.

Q73: *What is ROPES used for?*

A73: ROPES will allow practitioners to:

- renew OPP registration, or
- renew OPP registration and register /modify EPCS software

NOTE: Practitioners cannot register or modify their current EPCS registration information without first renewing their OPP registration each time. The renewal of the OPP registration is an easy one step process.

Q74: *If a practitioner recently renewed their OPP registration using the DOH-4329 form, is an electronic renewal still required prior to registering EPCS software?*

A74: Yes. The practitioner will be required to renew his/her OPP registration again on-line before registering their EPCS software within ROPES.

Q75: *If a practitioner recently renewed their OPP registration using the DOH-4329 form and is not registering their EPCS software, is an electronic renewal required as well?*

A75: No.

Q76: *What information can a practitioner change or update on an OPP renewal in ROPES?*

A76: Practitioners are only allowed to enter/change their NPI number when accessing the OPP registration data. All other fields are “Read only”.

Q77: *How does a practitioner update inaccurate information that is displayed in ROPES pertaining to their address, NYS license or DEA registration?*

A77: Practitioners are directed to contact the DEA at 877-883-5789 to correct any inaccuracies with their address and DEA registration. For errors with their NYS license, practitioners should contact the State Education Department at 518-474-3817, ext. 150. If you have additional questions or comments regarding your OPP registration information, please email narcotic@health.ny.gov or call 1-866-811-7957 (Option 1) and ask for the OPP Registration Unit.

Q78: *Is the OPP registration still valid for 2 years?*

A78: Yes. The OPP registration is valid from the renewal date regardless of whether using the OPP Registration form (DOH-4329) or ROPES.

Q79: *What information is required from a practitioner to register the certified EPCS software application(s) in ROPES?*

A79: Practitioners must provide the following information:

- practitioner email address
- practitioner telephone number
- name of the company providing the certified EPCS software application
- name of the certified EPCS software application
- version number of the certified EPCS software application

Q80: *Can a practitioner remove EPCS software previously registered in ROPES that he/she is no longer using?*

A80: Yes. The ROPES application provides the ability to remove a certified EPCS software application by checking the “Remove” box provided on the EPCS Registration screen.

Q81: *Is there a limit on the number of certified EPCS software applications that can be registered by a practitioner in ROPES?*

A81: No. The practitioner can register as many EPCS software applications as applicable.

Hospital:

Q82: *What does ROPES stand for?*

A82: ROPES stands for: Registration for Official Prescriptions and E-Prescribing Systems.

Q83: *What is the purpose of the ROPES application?*

A83: The ROPES application will allow a facility to renew its Official Prescription Program (OPP) registration and to **ANNUALLY** register or modify its certified electronic prescribing software application for controlled substances (EPCS software).

Q84: *Are there different applications for individual practitioners and healthcare facilities?*

A84: Individual practitioners and healthcare facilities would both access the same online application, ROPES, to renew the registration for OPP and to register the certified EPCS software. The first screen should display information for the healthcare facility or the individual practitioner depending on the individual logging in to HCS.

Please note that the practitioner can either register the software used at the hospital or the hospital can register the software used by that practitioner at the hospital. Only one registration is necessary.

Q85: *Who can access ROPES for facilities?*

A85: **ONLY** Health Commerce System (HCS) Coordinators for the facility can access this application.

Q86: *How does a HCS Coordinator for the facility access ROPES?*

A86: To access ROPES, use the following steps:

- Login to the Health Commerce System (HCS) at <https://commerce.health.state.ny.us>
- Under “My Content” click on “All Applications”
- Click on “R”
- Scroll down to ROPES and double click to open the application. You may also click on the “+” sign to add the application “ROPES” under “My Applications” on the left side of the screen.

Q87: *How does an Article 28 facility find out who is the HCS Coordinator for the hospital?*

A87: Please contact the Commerce Account Management Unit (CAMU) at 866-529-1890. A representative should be able to assist you.

Q88: *Can all facilities utilize ROPES?*

A88: Access to ROPES is **ONLY** for Article 28 facilities who:

- Have already registered with the Official Prescription Program (OPP) **and**
- Have an active Class 3 NYS controlled substance license (not a class 3A NYS controlled substance license)

Q89: Does a facility need to register for OPP and EPCS for each BNE controlled substance license number?

A89: Yes. Separate registrations must be completed. And, a Comma-Separated-Values (CSV) file must be uploaded annually for each BNE controlled substance license number to complete the facility EPCS registration process.

Q90: How long is the facility EPCS registration valid?

A90: The facility EPCS registration is valid for *ONE YEAR*. A CSV file containing the facility's current certified EPCS software application(s) and the practitioners authorized to access the facility's certified EPCS software application(s) must be uploaded at least once per year. In addition, each time the EPCS functionality of the software application(s) is modified, the facility must re-register the certified EPCS software.

Q91: What information is required from a facility to register the certified EPCS software application(s) in ROPES?

A91: Article 28 facilities must provide the following information:

- facility contact name
- facility contact email address
- facility contact telephone number
- practitioner's NYS DEA registration number (not a facility DEA registration number)
- name of the company providing the certified EPCS software application
- name of the certified EPCS software application
- version number of the certified EPCS software application

Please Note: The facility can include Physician Assistants authorized to access the facility's certified EPCS software on the CSV file.

Q92: Should a practitioner be listed multiple times on the CSV file if he/she uses multiple certified facility EPCS software applications?

A92: Yes. The practitioner should be listed for each EPCS software application.

Q93: Should the facility include unlicensed residents/interns/foreign physicians on the CSV file?

A93: No. Information regarding unlicensed residents/interns/foreign physicians authorized to access the facility's certified EPCS software must be maintained by the facility and be available upon request.

Q94: Can a facility remove EPCS software previously registered in ROPES that is no longer being used at the facility?

- A94:** Yes. The ROPES application allows the facility to upload a new CSV file anytime. The new file will overwrite ALL of the information contained on the previous file, therefore, include all current registrants and software applications on your new file.
- Q95:** *Is there a limit on the number of certified EPCS software applications that can be registered by a facility in ROPES?*
- A95:** No. The facility can register as many EPCS software applications as applicable.
- Q96:** *If there are errors on the CSV file, will the facility EPCS registration be complete?*
- A96:** No. The CSV file must be uploaded without errors in order to complete the facility EPCS registration.
- Q97:** *The file upload was successful, but all the practitioners and EPCS software applications listed on the file was not uploaded. Please explain.*
- A97:** The practitioner and corresponding EPCS software Information will not be registered for practitioners with a DEA registration number on the CSV file that is:
- Invalid;
 - Non-NYS DEA registration number; or
 - A facility DEA registration number.
- Q98:** *Can a facility that is not registered with OPP access ROPES?*
- A98:** No. Article 28 facilities not already registered with OPP should contact the Bureau of Narcotic Enforcement (BNE) at 866-811-7957, Option 1 and request a Facility Registration Form. Once this is entered by BNE staff, the facility representative will be able to access ROPES.
- Q99:** *Can a facility register their EPCS software without renewing their OPP registration?*
- A99:** No. Article 28 facilities who need to register or modify their facility's certified EPCS software application(s) will be required to update/certify the OPP facility registration information on file with the NYS BNE first.

Please note: The renewal of the OPP registration is an easy one step process.

Q100: *What is ROPES used for?*

- A100:** ROPES will allow hospitals to:
- renew OPP facility registration, **or**
 - renew OPP facility registration **and** register /modify the facility's EPCS software and practitioners authorized to access the facility's EPCS software

NOTE: Article 28 facilities cannot register or modify their current EPCS registration information without first renewing their OPP registration each time. The renewal of the OPP registration is an easy one step process.

Q101: *What information can a facility change or update on an OPP renewal in ROPES?*

A101: Article 28 facilities are not allowed to enter/change the OPP registration data. All fields are “Read Only”.

Q102: *How does a facility update inaccurate address information that is displayed in ROPES?*

A102: Questions regarding the OPP facility registration information should be sent to narcotic@health.ny.gov or call 1-866-811-7957 (Option 1) and ask for the OPP Registration Unit.

Software and Data Requirements

Q103: *Does BNE provide EPCS software?*

A103: No. BNE does not provide software for practitioners or pharmacies to use.

Q104: *Where do I find the software that will allow a practitioner to electronically prescribe controlled substances?*

A104: 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.

Q105: *How do I know if my software has been certified to process electronic prescriptions for controlled substances?*

A105: Please contact your software vendor, they should be able to provide you with this information.

Q106: *Are additional fields required by BNE on the submission of controlled substance data from electronic prescriptions?*

A106: 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 (AIRO2) 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

Waivers and Exceptions

Q107: *Are any specific specialties or fields excluded from the requirement to electronically prescribe prescriptions?*

A107: 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](#)

Q108: *What exceptions are there from the requirement to electronically prescribe?*

A108: 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.

Q109: *Are oral (phone in, verbal) prescriptions still permissible after the e-prescribing mandate becomes effective?*

A109: Yes, only if one of the following circumstances apply

- Temporary power outage
- Temporary technical failure
- Practitioner has a waiver
- Practitioner is a Veterinarian
- Practitioner is out of state
- 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, provided that if such

prescription is for a controlled substance, the quantity of controlled substances **does not exceed a 5 day supply**.

Q110: *Are Official New York State Prescription forms still permissible after the e-prescribing mandate becomes effective?*

A110: Yes, only if one of the following circumstances apply

- Temporary power outage
- Temporary technical failure
- Practitioner has a waiver
- Practitioner is a Veterinarian
- Pharmacy is located out of state
- 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, provided that if such prescription is for a controlled substance, the quantity of controlled substances **does not exceed a 5 day supply**.

Q111: *What is the procedure to notify the Bureau when using an exception to electronic prescribing?*

A111: The mandate to electronically prescribe has been extended until March 27, 2016. Continue to monitor our website.

Q112: *Can practitioners apply for a waiver from the requirement to electronically prescribe?*

A112: 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.

Q113: *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?*

A113: 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

Q114: *Where can I obtain information regarding the DEA's federal requirements for EPCS?*

A114: You may visit the DEA's web page for additional information regarding federal security requirements: http://www.deadiversion.usdoj.gov/ecommm/e_rx/.

Q115: *Where can I obtain information regarding New York State's requirements for EPCS?*

A115: BNE has a web page with additional information regarding electronic prescribing of controlled substances: http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/

You may also email BNE at narcotic@health.ny.gov

Q116: *Where can I obtain information regarding Electronic Data Transmission requirements for EPCS?*

A116: 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/