

ACP Comments on the New Tamper-Proof Prescription Pad Requirements

The American College of Physicians (ACP), through its Medical Services Committee, submitted comments to the AMA to include in a letter to CMS on the new Medicaid "Tamper-Proof Prescription Pad Requirement." ACP expressed practical concerns regarding the CMS implementation of the law and urged that the agency provide adequate guidance and assistance. (full ACP comments are [attached](#)).

The recent Iraq supplemental spending bill that was signed by President Bush on May 25, 2007 includes a requirement that impacts the way medication is prescribed in Medicaid. Effective October 1, 2007, providers who write prescriptions for Medicaid beneficiaries will be required to either use electronic prescribing or "tamper-resistant prescription pads".

The law, which is part of the "U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007" (H.R. 2206), will deny federal reimbursement to states for Medicaid patients' prescriptions that are not written on tamper-resistant prescription pads. The law is intended to clamp down on Medicaid prescription fraud to save Medicaid money.

According to HHS, 13 states have already implemented similar requirements. Federal budget estimates indicate savings of \$510 million in Medicaid prescription fraud over a 10 year period. CMS is expected to publish the proposed rule shortly.

To access recent and past state health policy reports go to the State Health Policy section on the Chapter Leadership Network (CLN) website or click on:
http://www.acponline.org/clin/health_policy.htm

Please contact Shuan Tomlinson at 800-338-2746 ext. 4547 or by email at stomlinson@acponline.org with questions on these or other topics.

July 12, 2007