

## Important Points about E-Prescribe

- E-prescribe is enforced by the New York Department of Health and not individual pharmacies. Therefore, pharmacies will fill paper prescriptions when sent, but the onus is on us to follow the requirements.
- There are exceptions to e-prescribe:
  - Temporary technological or electrical failure.
  - Impractical for a patient to obtain an electronic prescription in a timely manner and delay could adversely impact the patient's medical condition.
  - Prescriptions dispensed to a pharmacy out of state or on federal property.
- Each time a prescriber invokes an exception, they must file information about the issuance of the paper prescription electronically to the Department of Health.
  - The information must be sent within 72 hours for electrical or power failure and 48 hours for the any other exception.
  - Necessary information that must be included: Identify as "notification required by PHL Section 281", physician's name, license number, telephone number, work e-mail address, work address, patient's initials and the reason for invoking the exception.
  - Notification should be sent to: [erx@health.ny.gov](mailto:erx@health.ny.gov)
- The State Assembly and Senate passed the Mental Hygiene budget bill with the 25 prescription limit per year exemption to mandatory electronic prescribing.

One can apply for this exemption when sending 25 or less prescriptions per year.

***Prescriptions in both oral and written form for both controlled substances and non-controlled substances shall be included in determining whether the practitioner will reach the limit of 25 prescriptions.***

- The law takes effect June 1, 2016 and expires June 1, 2020.
- Requires filing a certification with the New York State Department of Health each year you claim the exception (maximum of 3 times).