

Tamper Resistant Prescription Pads- Implementation of Requirements

Starting on April 1, 2008, the first phase of the new requirement on the use of tamper-resistant prescription pads in the Medicaid program will go into effect.

A phased-in implementation approach and three baseline characteristics of tamper-resistant prescription pads were originally outlined by the Centers for Medicare & Medicaid Services (CMS) in an [August 2007 letter to State Medicaid Directors](#). To be considered “tamper-resistant,” such prescription pads must contain at least one of the three characteristics by April 1, 2008 and all three characteristics by October 1, 2008. These baseline characteristics are: (1) One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form; (2) One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription pad by the prescriber; (3) One or more industry-recognized features designed to prevent the use of counterfeit prescription forms. States are free to exceed the above baseline standard as to what constitutes a tamper-resistant prescription pad. Each State Medicaid agency has issued its own guidance on this requirement and this information can be obtained by contacting the State Medicaid agencies. States that currently have tamper-resistant prescription laws and/or regulations in effect all have acceptable examples of the characteristics listed.

CMS has been actively engaged with the States, prescribers, pharmacists, and other partners to ensure that they understand the new requirement. For example, CMS has met with and fielded numerous inquiries from prescribers, pharmacists, and other stakeholders; held all-state calls; and issued additional written information, including a [Frequently Asked Questions document](#). CMS will also be monitoring implementation progress as this new requirement goes into effect next week.

We remain committed to working with our partners in resolving any issues that may arise. To that end we have developed a Fact Sheet for Pharmacists, which may be viewed at: <http://www.cms.hhs.gov/DeficitReductionAct/Downloads/tamperapril1.pdf>