TO: All Prescribing Practitioners (Physicians, Dentists, Podiatrists, Advanced Practice Nurses, and Physician Assistants)

FROM: Marc Napp, MD
Deputy Chief Medical Officer
Senior Vice President, Medical Affairs
Mount Sinai Health System

DATE: January 5, 2015

RE: Electronic Prescribing of Controlled Substances (EPCS)

Effective March 27, 2015, prescribing of all pharmaceuticals, controlled as well as non-controlled, must be performed electronically for all health care practitioners in all settings. Additionally, prescribing of controlled substances must be performed using dual-factor authentication, meaning the prescriber must have both a passcode and a token (hard or soft).

The State has issued several notifications regarding this new requirement, so we hope that this is not a surprise to anyone. Nevertheless, we are sending this notice to remind our medical staff of the upcoming deadline and the mechanisms for compliance.

Outlined below is key information for both voluntary physicians and for prescribing practitioners employed by the Mount Sinai Health System.

Information for Voluntary Physicians

If you are a voluntary physician, you are responsible for taking the necessary steps to ensure that your independent practice is compliant with these requirements. In some cases, EMRs may have the capability to be compliant. In others, they may not and a separate solution will need to be implemented.

Please Note:

- Electronic prescribing is a paperless process. A prescription generated by an electronic system that is then printed out on an Official New York State Prescription Form or faxed is NOT an electronic prescription.

- Each individual practitioner must register his/her certified computerized electronic prescribing system with the New York State Department of Health, Bureau of Narcotic Enforcement (BNE). To register, you must complete and submit the Practitioner EPCS Registration Form.

- The Registration Form needs to be completed initially, and then re-submitted:
  - Every two (2) years, or
  - With every upgrade of the Electronic Medical Record (EMR) or electronic prescribing application, or
  - If you change to a different EMR or electronic prescribing application.
Practitioners must also meet all federal security requirements, including identity proofing and receipt of two-factor authentication as required for EPCS.

**Guidance for Physicians Who Are Not Currently ePrescribing**

If you currently do not have the ability to send prescriptions electronically (ePrescribe or eRx) and you do not work for an organization that is making arrangements for that capability, you will need to obtain the appropriate software from a reputable vendor. Verify that the software has been certified to process electronic prescriptions for controlled substances. Certification is the responsibility of the vendor and is done through designated certification authorities. The vendor should be able to provide proof of certification. There are numerous third-party vendors in the marketplace offering ePrescribing software. We suggest that you research the various options carefully to ensure that they function with your workflow and that the support you may need is available.

Some of the vendors whom you may wish to consider include:

- [Dr. First](http://www.drfirst.com/)
- [RxNT](http://www.rxntehealth.com)
- [Practice Fusion](http://www.practicefusion.com/e-prescribing)

**Please note:** All engagements with outside vendors are the sole responsibility of the individual provider. Mount Sinai Health System does not endorse or promote specific vendors or EPCS software systems. Mount Sinai Health System is not responsible for any results or outcomes that may occur due to the engagement of the product and/or services of an outside vendor by an individual physician or independent medical practice.

**Waivers for Exceptional Circumstances**

Per the New York State Department of Health, Bureau of Narcotic Enforcement:

> The Commissioner of Health [may] 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.

For additional information regarding the waiver process, please contact the Bureau of Narcotic Enforcement at:

- Phone: 1-866-811-7957
- Email: narcotic@health.ny.gov

It is critically important that you and your practice remain informed about EPCS. Additional information is provided below for your reference.

**Information for Practitioners Employed by the Mount Sinai Health System:**

The Mount Sinai Health System is taking steps to ensure that we are ready to meet this requirement. However, with at least twelve different electronic medical records systems across the Health System—and likely even more when considering the offices of voluntary physicians—this is a complex task requiring both detailed planning and focused commitment.
The following is a high-level overview of Mount Sinai’s current project status:

Planning

- Information Technology has been conducting an inventory of the numerous clinical information systems in use across the Health System and determining the potential impacts and remediation requirements for each system.
- We have engaged our advocacy groups and the relevant federal and state agencies to clarify details about the rule.
- Based on the anticipated outcomes of these inquiries, we intend:
  - To become fully compliant for those systems which are technologically capable; and
  - To request waivers, or make appeals to the appropriate regulatory agencies, to mitigate the possibility that we will not be in compliance for those systems that do not yet meet the technological requirements.

Training

- For practitioners who are already ePrescribing, training on dual-factor authentication using a hardware token will be made available through the PEAK learning management system (i.e. eLearning).
- For practitioners who are not yet ePrescribing, additional information will be forthcoming regarding recommended next steps. In the meantime, we encourage practitioners to familiarize themselves with the eLearning when it becomes available on PEAK.

Ongoing activities in Q4 2014 and Q1 2015 include:

- Development of training materials
- System testing
- Credentialing of individuals who require dual-factor authentication capability
- Hard token deployment
- Training

With your participation, I am optimistic that the Mount Sinai Health System will meet its compliance.

Thank you in advance for your cooperation.

For further information, please refer to the following resources:

- **U.S. Department of Justice, Drug Enforcement Administration (DEA), Office of Diversion Control**

- **New York State Department of Health, Bureau of Narcotic Enforcement (BNE)**
- Practitioner EPCS Registration Form
  (https://www.health.ny.gov/forms/doh-5121.pdf)