

## **Electronic Prescribing Exceptions – Dispensing Clarification for Pharmacists**

A pharmacist is **NOT** required to verify that a practitioner has a waiver from the requirement to electronically prescribe, or properly falls under one of the other exceptions from the requirement to electronically prescribe. Pharmacists may continue to dispense medications from otherwise valid written, oral or fax prescriptions that are consistent with current laws and regulations.

As a reminder, all faxed prescriptions must be on the Official New York State Prescription Form. Failover faxed prescriptions are not allowed in NY.

Select the following link for a reference chart for what a pharmacist can add or change on an Official New York State prescription or an electronic prescription for a controlled substance:  
<http://www.health.ny.gov/publications/1086.pdf>

Practitioners are mandated to electronically prescribe both controlled and non-controlled substances effective March 27, 2016. However, there are number of exceptions in which a practitioner may issue an Official New York State prescription (ONYSRx) form, oral prescription or a fax of an ONYSRx. The exceptions are listed below:

- **Exceptions listed in Public Health Law §281(3)(a-e):**
  - Veterinarians
  - Temporary technological failure
  - Temporary electrical failure
  - An approved waiver
  - 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
  - **To be dispensed by a pharmacy located outside the state**
  
- Specific exceptional circumstances defined in the Commissioner of Health's blanket waiver letter signed on March 16, 2016  
[http://www.health.ny.gov/professionals/narcotic/electronic\\_prescribing/docs/2016-03-16\\_blanket\\_waiver\\_letter.pdf](http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/docs/2016-03-16_blanket_waiver_letter.pdf)

In the Frequently Asked Questions (FAQs) on electronic prescribing, please see questions 9, 58, 59, and 129 for more information on dispensing from ONYSRx forms, oral prescriptions and a facsimile of an ONYSRx. The FAQs can be found at  
[http://www.health.ny.gov/professionals/narcotic/electronic\\_prescribing/docs/epcs\\_faqs.pdf](http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/docs/epcs_faqs.pdf)