



## Clarification Regarding TennCare Tamper Resistant Info

On Wednesday afternoon, September 3rd, TPA received a copy of the communication sent out by the TennCare Pharmacy Program regarding Tamper Resistant Prescription Pad requirements. The TennCare communication has been posted on the TPA website at [www.tnpharm.org/TCnotice9.3.08.pdf](http://www.tnpharm.org/TCnotice9.3.08.pdf).

TPA has reviewed the communication and is concerned that it is misleading regarding the implied applicability of the new requirements to all prescriptions written or printed by practitioners authorized to write prescriptions in the State of Tennessee effective on October 1, 2008.

Therefore, TPA is providing the following clarification:

In accordance with Public Chapter 1035 of the 2008 Public Chapters enacted in Tennessee amending the Tennessee Food Drug and Cosmetic Act Legend Drug provisions (cited in the TennCare communication), the tamper resistant prescription requirements with respect to TennCare prescriptions take effect on October 1, 2008 in compliance with federal requirements. The tamper resistant prescription requirements with respect to **non-TennCare related prescriptions DO NOT TAKE EFFECT UNTIL JULY 1, 2009.**

**Remember the exclusions regarding prescriptions written for certain inpatients and certain hospital outpatients included in the communication apply to both TennCare and non-TennCare patients. Also, remember the tamper resistant requirements contained in the new law do not apply to verbal, facsimile, electronic, or out-of-state prescriptions.**

The description of the actual tamper resistant requirements included in the TennCare communication is accurate and must be adhered to for TennCare patients effective October 1, 2008. Each written or printed prescription issued by a Tennessee prescriber for a TennCare patient must contain one of the listed features in each of the three categories listed. The dispensing of a written or printed TennCare patient prescription that does not contain the required features will constitute a violation of the Legend Drug provisions of the Tennessee Food Drug and Cosmetic Act.

If you are unable to access the TennCare communication online, you may contact TPA at [tpa@tnpharm.org](mailto:tpa@tnpharm.org) or 615-256-3023 to request a fax copy.

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## TennCare Contracts — Important New Information from SXC

SXC Health Solutions has informed the Tennessee Pharmacists Association that independent pharmacies affiliated with a contracting group will not receive TennCare applications and agreements directly from SXC. Instead, the contracting groups are handling TennCare contracts for these pharmacies. If you are with an independent pharmacy affiliated with a contracting group and have a question about your TennCare contract, please consult the contracting group before contacting SXC. If you are with an independent pharmacy affiliated with a contracting group and you have already returned a signed contract to SXC, SXC will disregard the contract you returned but will retain it in their files for an unspecified period of time.

If you are not with an independent pharmacy affiliated with a contracting group, remember that **all appropriate forms must be signed and returned to SXC by September 8, 2008, if you wish to continue to participate in TennCare without interruption.** If you have not received forms in the mail, they are available on the TennCare website at <http://tennessee.gov/tenncare/pro-pharmacy.html>.

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