



Date: February 14, 2024

Title: Update on the Electronic Transfer of Electronic Prescriptions for Controlled Substances (EPCSs) Between Pharmacies

Customers Impacted:

- Health systems
- Health technology vendors
- Pharmacies
- Pharmacy technology vendors

Product(s) Impacted:

E-Prescribing

Description: As of August 28, 2023, the electronic transfer of electronic prescriptions for controlled substances (EPCSs) between pharmacies has been allowed by the Drug Enforcement Administration (DEA) according to a new [final rule](#) published in July 2023. The rule states that, if allowable under existing state or other applicable law, an EPCS in schedules II-V may be transferred between pharmacies for initial filling on a one-time basis upon request from the patient. The transfer must be communicated directly between two licensed pharmacists and the prescription must remain unaltered in its electronic form.

Specific Impact: While this rule represents a critical step toward enabling the electronic transfer of EPCSs, the health information technology (HIT) industry is not yet able to support these transfers until further action is taken by the Centers for Medicare and Medicaid Services (CMS). CMS has the responsibility of designating which standard the HIT industry must use to support electronic prescribing and related transactions for the Medicare program, and this includes electronic prescription transfers. The current version of the CMS-adopted standard, which is known as SCRIPT v2017071 and was created by the National Council of Prescription Drug Programs (NCPDP), supports the electronic transfer of *non-controlled* substances, but updates to the standard are necessary to support transfers of EPCSs. The necessary updates have now been incorporated into SCRIPT v2022011 and later by NCPDP, but CMS has yet to finalize a

new rule that allows the HIT industry to adopt this updated version of the standard (see NCPDP technical guidance in the addendum). Thus, the HIT industry is eagerly awaiting permission from CMS to proceed with implementation of the next approved version of SCRIPT in order to support transfers of EPCSs, but it is uncertain when CMS will make such an announcement. Therefore, interested stakeholders need to understand that, while DEA rules technically do allow for the electronic transfer of EPCSs, action from CMS is still needed before Surescripts and other HIT entities can make this type of electronic prescription transfer a reality.

Technical Addendum: The following questions and responses can be found in NCPDP's [SCRIPT Implementation Recommendations](#) (see pages 58-59):

5.1.1 With the July 2023 DEA final rule regarding the Transfer of Electronic Prescriptions for Schedules II-V Controlled Substances between Pharmacies for Initial Filling (21 CFR Part 1306), can a prescription be electronically transferred using the NCPDP SCRIPT Standard Version 2017071?

NCPDP Response: SCRIPT Standard Version 2017071 does not support the electronic transfer of controlled substance prescription information. However, prescriptions for non-controlled substances can be electronically transferred between pharmacies using the SCRIPT Standard Version 2017071.

The amended regulations to allow the transfer of electronic prescriptions for schedules II-V controlled substances between registered pharmacies for initial filling, upon request from the patient, on a one-time basis requires SCRIPT Standard Version 2022011 or later. The information that must be recorded to document (e.g., digital signature component in MedicationPrescribed) the transfer of EPCS between pharmacies is not present in prior versions of the SCRIPT Standard.

5.1.2 Are there additional RxTransfer features found in SCRIPT Standard Versions 2022011 or later that are advantageous for the electronic transfer of controlled substance prescription information?

NCPDP Response: Yes, in addition to incorporating missing data elements such as the digital signature component in MedicationPrescribed for electronic prescriptions for controlled substances (EPCSs), RxTransfer in SCRIPT Standard Versions 2022011 or later will allow pharmacies to initiate transfers of prescriptions to other pharmacies (i.e., “push” transactions) as well as the currently supported use case of requesting them from other pharmacies (i.e., “pull” transactions). An example of when a “push” RxTransfer transaction might be useful would be when a pharmacy has received an EPCS but does not have the medication in stock. In this case, the pharmacy could use a “push” RxTransfer transaction to send the prescription to a pharmacy that does have the medication in stock, so the patient receives his or her medication as soon as practicable.

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