

Practitioner Electronic Prescribing of Controlled Substances (EPCS) FAQs

1. Why do I need to register with the Bureau of Narcotic Enforcement (BNE)? My software vendor already notified BNE.

Each individual practitioner, not the software vendor, is required by regulation to register their certified EPCS software application with BNE.

2. How do I fill out the registration form?

Complete all fields on the form. Below is a summary of each field and the information to be entered.

- a. Practitioner Name: Enter your first and last name in this field. If you are a Physician's Assistant, please attach a list of your Supervising Physician(s) with their corresponding NYS license number and DEA registration number.
 - b. NYS License Number: Enter your New York State license number
 - c. DEA Number for NYS: Enter each New York State DEA number that will be utilized to electronically prescribe controlled substances.
 - d. Practitioner Email Address: Enter the practitioner's Email address.
 - e. Practitioner Telephone Number: Phone number of the practitioner.
 - f. Name of Certified E-prescribing Software Application: Name of the application you are using to electronically prescribe controlled substances. If you are not sure what the name of your software application is, contact your software application vendor.
 - g. Software Version Certified: Version number of the EPCS application. If you are not sure what version you are currently using, contact your software application vendor.
 - h. Name of Software Application Provider (Company Name): Name of the company (or corporation if you are not using a vendor) providing the certified EPCS software application.
 - i. Third Party Audit/ Certifying Organization: Name of the certifying organization or third party auditing organization who audited/certified your software system indicating that the software meets federal security requirements.
 - j. Date of Third Party Audit/ Certification: Date provided on the third party audit or certification of the EPCS software application.
 - k. Practitioner Signature: Signature of the practitioner.
 - l. Date: Date that the form was signed by the practitioner.
 - m. Print Name: The practitioner's name should be printed in this field.
3. How often do I have to register my certified EPCS software application with BNE?

The certified EPCS software application must be registered with BNE at least every two years from the date of DEA certification or third party audit or

whenever functionality related to controlled substance prescription requirements is altered, whichever occurs first.

4. Can I register my certified EPCS software application before I've completed the identity proofing and obtained two-factor authentication?

No. Identity proofing must be completed and the practitioner must obtain two-factor authentication prior to registering the certified EPCS software application with BNE.

5. I work at more than one location and each location uses a different software application. Am I required to register each certified EPCS software application that I use?

Yes

6. Do you require a copy of the certification or third party audit to be submitted with the EPCS registration form?

A copy of the certification or third party audit is not required with the registration. A copy must be available for inspection by the Department of Health if requested.

7. I am a Physician's Assistant. Do I need to include my supervising physician's name on the registration form?

Yes. Please attach a list (excel file) of your Supervising Physician(s) with their corresponding NYS license number and DEA registration number with the signed EPCS registration form. A Physician's Assistant issuing electronic prescriptions for controlled substances must comply with all requirements of Article 33 of the Public Health Law and Part 80 of Title 10 Part 80 Rules and Regulations on Controlled Substances.

8. I work for a VA or federal installation. Do I need to register my certified EPCS software application with BNE?

Practitioners who practice in a VA or a federal installation do not fall under the jurisdiction of New York State.

9. Do I have to mail the hard-copy form back to BNE?

The completed form may be emailed to the BNE at narcotic@health.state.ny.us with EPCS Practitioner Registration in the subject line. Alternatively, the form may be faxed to BNE at 518-402-0709.

10. What should I do if my certified EPCS software application version is upgraded?

If you are notified of software version upgrades, you must re-register with BNE. It is incumbent on your software application provider to notify you of any changes.

11. What should I do if my certified EPCS software application changes?

If you change to a new certified EPCS software application, you must re-register with BNE.

12. What should I do if my software vendor changes?

If you are changing to a new software vendor, you must re-register with BNE.

13. What should I do if I am notified that the security of my certified EPCS software application is noncompliant with federal requirements?

*If your EPCS software application no longer meets federal security requirements, your software shall **NOT** be used to send electronic prescriptions for controlled substances until your software is in compliance with DEA requirements and you re-register the software application with BNE.*

14. What should I do if my credentials used to sign electronic prescriptions have been lost, stolen or compromised?

In addition to any federal requirements, practitioners must immediately notify BNE that his or her credentials have been compromised.

15. What should I do if I suspect or am notified of a security breach?

If there has been a security breach, electronic prescriptions for controlled substances may not be sent. You must notify the DEA and BNE. After security has been restored, you must re-register with BNE.

16. How do I know that the pharmacy has met the registration requirement with BNE?

BNE does not publish a list of practitioners or pharmacies who have registered their certified EPCS software applications with BNE. It is the responsibility of the pharmacist to register their certified EPCS software application with BNE. BNE will follow-up with pharmacies who have not registered.

17. I am not licensed or practicing in New York, but have a patient who uses a pharmacy in New York. Do I have to register with BNE to send electronic prescriptions for controlled substances to pharmacies in the state of New York?

Practitioners who are not practicing in New York State must follow their state's law and regulations.

18. Can I electronically prescribe a controlled substance to an out-of-state pharmacy?

You may or may not be able to depending upon the laws of that state. The pharmacy must dispense the prescription following the laws of the state in which the prescription is being dispensed.

19. I don't have a DEA number and don't prescribe controlled substances. Do I have to register my software application to electronically prescribe non-controlled substances?

Registration is only required for electronic prescribing of controlled substances.

20. What is the difference between the third party audit or certification required by the DEA and the registration that BNE requires?

Practitioners issuing electronic prescriptions for controlled substances must use a software application that meets all DEA (federal) security requirements, which includes a third party audit or DEA certification indicating that all federal requirements are met. The New York State Department of Health requires practitioners licensed in New York State issuing electronic prescriptions for controlled substances to register their certified EPCS software application with BNE.

21. I have questions regarding the DEA's federal requirements for EPCS. Where can I obtain this information?

You may visit the DEA's web page for additional information regarding federal security requirements; http://www.deadiversion.usdoj.gov/ecom/e_rx/.

22. I have additional questions regarding BNE's EPCS registration process. Where can I obtain additional information?

*BNE has a web page with additional information regarding electronic prescribing of controlled substances;
http://www.health.ny.gov/professionals/narcotic/electronic_prescribing/*

You may also email BNE at narcotic@health.state.ny.us