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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 92 LCM-109

Date: July 16, 1992

Division: Medical Assistance

TO: Local District Commissioners

SUBJECT: Definition of Long-term Maintenance Drugs
for Purpose of the Medical Assistance
Program

ATTACHMENTS: There are no attachments to this LCM.

The Department of Social Services has amended Section 505.3(e) of 18 NYCRR to redefine a long-term maintenance drug. The effective date of this amendment was June 17, 1992.

Prescription drugs are now defined as long-term maintenance based on the days supply of a drug prescribed rather than on therapeutic classification. This change allows an ordering practitioner the flexibility to prescribe drugs and a pharmacist to dispense drugs in quantities which the ordering practitioner believes appropriate for the needs of each Medicaid recipient. Drugs which do not meet the long-term maintenance definition are to be dispensed in quantities of up to a 30 day supply or 100 units whichever is greater.

The change will allow NRx Services, Inc. (the mail service pharmacy with which the Department currently has a contract) to dispense a greater variety of prescription drugs to Medicaid recipients. Recipients who have indicated an interest in using a mail service pharmacy and who are the fiscal responsibility of counties outside of New York City may be referred to NRx at 1-800-445-9707.

Long-term maintenance drugs are now defined in regulation as:

- drugs ordered or prescribed with one or more refills in quantities of a 30 day supply or greater;
- drugs ordered or prescribed without refills in quantities of a 60 day supply or greater;

- drugs ordered or prescribed for family planning purposes; or,
- prescription or drugs written and dispensed on the official New York State triplicate prescription form for up to a three month supply when written in conformity with the Controlled Substance Act.

The quantity ordered or prescribed must be based on generally accepted medical practice. The ordering practitioner must be contacted if dispensing the supply specified in the prescription would result in the Medical Assistance recipient receiving a quantity of drugs which exceeds the manufacturer's labeling indication.

If you have further questions concerning this information you may contact Mark Butt at (518) 474-9261 (Userid 89D777).

Jo-Ann A. Costantino
Deputy Commissioner
Division of Medical Assistance