Electronic Prescribing in Maine

A Guide to Understanding E-Prescribing and its Benefits

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What is Electronic Prescribing

An electronic prescription is a prescription issued with an electronic signature and transmitted by electronic means in accordance with federal requirements. A prescription generated on an electronic system that is printed out on prescription paper and manually signed or transmitted via facsimile is **not** an electronic prescription.

Electronic prescribing provides practitioners and pharmacies with the ability to use modern technology to issue and dispense controlled substance prescriptions while maintaining a secure, closed system of controls on controlled substance dispensing. Electronic prescribing reduces paperwork and streamlines workflow for practitioners and pharmacies who prescribe and dispense controlled substances and has the potential to reduce prescription forgery. It also has the potential to reduce the number of prescription errors caused by illegible handwriting and misunderstood oral prescriptions.

The computer software application utilized by prescribers and pharmacies in Maine for electronic prescribing, dispensing and archiving of opioid prescriptions must meet the federal security requirements set forth by the Drug Enforcement Agency (DEA). DEA requirements can be found [here.](#)

Electronic Prescribing Requirement

Effective July 1, 2017 all opioid prescriptions issued in Maine will be electronic prescriptions with certain limited exceptions. Please see [Public Law Chapter 488](#) for the electronic prescribing requirement.

Definitions

Electronic Prescription

A prescription issued with an electronic signature and transmitted by electronic means in accordance with regulations of the department and federal requirements. A prescription generated on an electronic system that is printed out and manually signed or transmitted via facsimile is **not** considered an electronic prescription.

Electronic

Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities. "Electronic" shall not include facsimile according to the DEA for this purpose.

Electronic Record

A paperless record that is created, generated, transmitted, communicated, received or stored by means of electronic equipment and includes the preservation, retrieval, use and disposition in

accordance with regulations of the department and in compliance with federal law and regulations.

Electronic Signature

An electronic sound, symbol, or process, attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record, in accordance with regulations of the department.

Certified Software

A software application that has been audited by a third party auditor or a DEA certifying body to certify that each electronic prescription and pharmacy application used to sign, transmit, or process controlled substances prescriptions is in compliance with DEA regulations pertaining to electronic prescriptions for controlled substances.

Identity Proofing

The process by which a credential service provider or certification authority validates sufficient information to uniquely identify a person.

Two-Factor Authentication Credentials

The security credentials that allow the practitioner to sign an electronic prescription. The DEA is allowing the use of two of the following – something you know (a knowledge factor); something you have (a hard token stored separately from the computer being accessed); and something you are (biometric information).

Intermediary

Any technology system that receives and transmits an electronic prescription between the practitioner and pharmacy

Computer Systems for Electronic Prescribing of Opioid Medications

Maine PMP does not endorse a specific electronic prescribing software application for practitioners to use. Practitioners should research different options and choose a system most appropriate for their practice. Systems may include: standalone applications that can be accessed on a hand-held device; an extensive EHR system that has a built-in e-prescribing module; or speak to professional colleagues or professional associations to determine what options are available. Practitioners may also wish to contact their current Electronic Health Record (EHR) software application provider if they are currently using EHR. The software application company should be able to provide compatibility estimates. In all cases, it is important to verify that the e-prescribing software application meets all federal security requirements for electronically prescribing controlled substances. E-Prescribing vendors often tout their compliance with DEA requirements.

Frequently Asked Questions

Is Electronic Prescribing mandatory for Maine practitioners?

Yes. As of July 1, 2017 it will be mandatory for licensed practitioners whose scope of practice includes prescribing opioid medications to issue electronic prescriptions for opioid medications.

Why is electronic prescribing mandatory effective July 1, 2017?

Utilizing modern prescription technology has the potential to minimize medication errors for patients in Maine. Electronic prescribing also allows for the integration of prescription records directly into the patient's EHR. Electronic prescribing has the potential to reduce prescription theft and forgery.

What steps do I need to complete in order to electronically prescribe opioid prescriptions?

Electronic prescribing software must be obtained. Practitioners may research different options on the internet, speak with professional colleagues or associations to determine what options are available or your contact current Electronic Health Record provider.

Software must meet all of the federal security requirements which can be found on the DEA's web page: https://www.deadiversion.usdoj.gov/ecomm/e_rx/

Please note that federal security requirements include a third party audit or DEA certification of the software. Software vendors will often include prominent attestations of compliance with federal regulations.

If an opioid medication is prescribed for 7 days or less of, does the prescription need to be transmitted electronically?

Yes. Any amount of opioid medication being prescribed requires the prescription to be transmitted electronically.

Can a prescriber fax a prescription to a pharmacy after July 1, 2017?

No. A prescription generated on an electronic system that is printed out on prescription paper and manually signed or transmitted via facsimile is **not** an electronic prescription.

Why is electronic prescribing important?

Electronic prescribing enables you to maintain compliance with regulatory requirements and supports evidence based practices to improve the standard of care. It has the potential to reduce errors, misuse, abuse and diversion of prescription medications.

Additional Resources for E-Prescribing

- National Council for Prescription Drug Programs (NCPDP)
  https://www.ncpdp.org/Resources/ePrescribing
- Drug Enforcement Agency - https://www.deadiversion.usdoj.gov/ecomm/e_rx/
- Centers for Medicare & Medicaid Services - https://www.cms.gov/Medicare/E-Health/Eprescribing/index.html