



# THE SCRIPT

QUARTERLY NEWSLETTER  
MISSISSIPPI BOARD OF PHARMACY

## MS BOP UPDATES

### **Suboxone (buprenorphine): Training to Prescribe Relaxed but X-number Requirement Remains**

In an effort to increase access to medication-assisted treatment, HHS has loosened buprenorphine training requirements for clinicians treating less than 30 patients. These providers are exempt from traditional requirements related to training and the provision of psychosocial services. However, they must still submit a Notice of Intent (NOI) to prescribe and will receive an X-number that must be placed on all prescriptions. Pharmacists will still verify the validity of any buprenorphine prescription by checking the X-number at [BupePharm | SAMHSA](#). For additional information and FAQs regarding the recent changes check out: [FAQs About the New Buprenorphine Practice Guidelines | SAMHSA](#).

### **PMP Reporting Update**



The MS PMP will be updating to the latest ASAP format for reporting on August 1, 2021. This will be ASAP version 4.2b. Please notify your vendor of this update. The new version will allow the reporting of prescriptions for gabapentin prescribed by a veterinarian without a DEA number. There will not be any major changes that will affect your current form of reporting. An updated dispenser guide will be posted on the [MS PMP website](#). Should you have any questions about the veterinarian prescription reporting please email [mspmpassist@mbp.ms.gov](mailto:mspmpassist@mbp.ms.gov)

Prescriptions written for gabapentin by a provider without a DEA number need to be reported to the PMP using the provider's NPI number. Always call or email with any questions [mspmpassist@mbp.ms.gov](mailto:mspmpassist@mbp.ms.gov) 601-899-0138 or visit our website at [www.pmp.mbp.ms.gov](http://www.pmp.mbp.ms.gov).

# ALL THINGS LICENSING

## Wallet Cards and Decals

Our offices have worked hard to go paperless. Due to these efforts, we will be phasing out wallet cards and will no longer be mailing out decals during license renewal season at the end of the year. You can print your wallet cards from your Gateway profile. Please contact us if you need assistance or have questions.



## WE'VE GONE PAPERLESS!

All applications, renewals, address changes, PIC/DR changes, name changes, etc., are now submitted through the [Licensing Gateway](#). Changes that require additional documentation may now be uploaded into your [gateway portal](#). Our staff is ready to assist you should there be any problems, but please be patient. We receive numerous phone calls and emails a day and will return to you as soon as possible. In an effort to ease the backlog of licenses during the renewal period, please consider renewing your license as soon as the portal opens on your gateway.

## Pharmacist Fill Up

- CE Requirements have changed for 2021! See the information in the compliance section for the update.
- If you are a PIC, your facility information will be displayed under your personal gateway profile. To manage, click the facility permit tile to make changes. Multiple facilities may be added to your profile for management.

## Tech Bite

- At this time the Board has relaxed the requirement for national certification for pharmacy technicians for board registration. However, this does not supersede employment requirements.
- When uploading a picture, a "selfie" is fine as long as it is professional. Do **NOT** upload full-body photos, family photos, anything with filters, or indecent photos.

## Facility Highlight

- Duplicate copies of permits may be downloaded via the Gateway at any time by the PIC, DR, or permit holder. Click on the permit tile and select "Print Wall Certificate" under PERMIT OPTIONS on the lower left.
- All DR's must register via the Gateway. The DR may assign an admin to manage certain aspects of the online record, but the admin must have their own login and password.

## DON'T FORGET

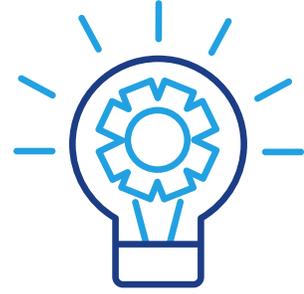
**Gateway USERS only need to create ONE profile; all licenses must be linked to that "one" profile.**

## Student Sidebar Chatter

- The Student Extern/Intern Controlled Substance Registration expires six months from the prospective graduation date. Register with the Gateway to access your registration.



# Compliance Updates



## Regulation Revision Extends the Time to Obtain a New PIC

If the employment of a PIC is terminated, or if for any other reason they wish to be relieved of the responsibilities of the PIC, or if the pharmacist license of the PIC becomes void or inactive due to surrender, revocation, suspension, restriction, or for any other reason, the application must be made for a facility amendment and should be completed by another pharmacist within fifteen (15) days. Please call our office if you have questions.

- A PIC shall be REQUIRED to physically be onsite at the pharmacy a minimum of twenty (20 hours per week or fifty percent (50%) of the pharmacy's hours of operation, whichever is less.)

## Loss of Controlled Substances

When a pharmacy has a loss of controlled substances or **suspected** loss, the pharmacist-in-charge must comply with the following:

1. Any loss or suspected loss must be reported directly to the office of the board by telephone (601-899-8880) immediately upon discovery;
2. Within forty-eight hours of discovering the loss, a complete inventory of controlled substances shall be made. This inventory must be dated and signed by the pharmacist-in-charge;
3. Within fifteen days of discovery of the loss, a written report shall be forwarded to the board's office.

## Pharmacists' Continuing Education for 2021

The Board has suspended the LIVE requirement for 2021 due to COVID; additionally, the Board has reduced the required number of CE hours related to opioid abuse and prevention or some other drug of abuse or other addiction-related issues from 5 hours annually to 2 hours annually. Annual education hours remain **15 hours**.

## Forgeries on the Rise

The Board is receiving numerous calls regarding forged prescriptions. These forgeries are being phoned in or sent by fax. Please be diligent about verifying prescribers and patients that are not usual customers or from your local area. The majority of these involve Phenergan with Codeine syrup.

# Be Aware!

Please be aware that entities are soliciting pharmacies with business opportunities that may violate the Mississippi Pharmacy Practice Regulations or Board policies regarding shared services. Please call our office to discuss these solicitations.

## Reminders

1. Invoices for controlled substances shall be dated and initialed by the person receiving the order. Orders from a wholesaler must be checked in by a pharmacist or pharmacy technician.
2. The Compliance Division continues to receive questions regarding gabapentin. The Board declared gabapentin a specified noncontrolled substance on May 7, 2021. This requires the reporting of gabapentin by dispensers to the Mississippi Prescription Monitoring Program. Gabapentin is not a controlled substance and is not subject to inventory requirements of a controlled substance and may be transferred by pharmacists between pharmacies.
3. The ratio of pharmacy technicians to pharmacists is 3:1.

## Article XI

A pharmacist or a pharmacy shall not accept the return for subsequent resale or exchange any drug after such drug has been taken from the premises where sold, distributed, or dispensed and from the control of the pharmacist.

**(Do not take back medication from a patient and put in stock for dispensing.)**

## FDA Draft Guidance

Below is a link to the FDA Draft Guidance, "Standardization of Data and Documentation Practices for Product Tracing." Pharmacists should ensure their product supplier is providing certain transaction information as required by the Drug Supply Chain Security Act (DSCSA).

<https://www.fda.gov/media/111451/download>



Visit the [Frequently Asked Questions](#) section to take advantage of a great resource for locating answers to questions and issues you may encounter. For further assistance, please feel free to email [licensing@mbp.ms.gov](mailto:licensing@mbp.ms.gov).

# Spotlight *on* Pharmacy Benefit Managers

## Undercost Reimbursement Appeals

What does Mississippi Law require of PBMs?

- Reimbursement pricing includes a Maximum Allowable Cost (MAC) list or other methodology used by a PBM.
- Allow access to its MAC list to each pharmacy.
- Update its MAC list on a timely basis but in no event longer than 3 calendar days.
- Provide a process for each pharmacy to receive prompt notice of an update to MAC.
- Provide a reasonable administrative appeal process.
- Allow a pharmacy to challenge the MAC and/or reimbursements below acquisition cost.
- Provide a dedicated phone number, email address, and website for appeals.
- Allow the pharmacy to appeal directly to the PBM or through a PSAO.
- A pharmacy has a period of fewer than 30 business days to file an appeal.
- PBM must respond to the challenge within 30 business days after the challenge.
- If the appeal is upheld:
  - PBM must make the change and permit the pharmacy to reverse and rebill the claim.
  - Provide the NDC that the change is based on.
  - Make the change effective for each similarly situated pharmacy.
- If the appeal is denied:
  - Provide the pharmacy the NDC and the name of a national or regional wholesaler operating in Mississippi that has the drug currently in stock at a price below the MAC listed.
  - PBM must adjust the MAC above the challenging pharmacy's acquisition cost and permit the pharmacy to rebill each claim affected.
- The PBM shall not reimburse a pharmacy an amount less than the amount the PBM reimburses a PBM Affiliate.

We have previously distributed a document listing the PBM CONTACT INFORMATION FOR REIMBURSEMENT APPEALS as provided to us by the PBMs. A link to that document can be found under the [PBM tab](#) on the board of pharmacy website.

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Stay Connected

