

## Current State of Physician Dispensing 8.31.2015

- **Billing and Reimbursement Requirements**
- **Limits on Physician Dispensing Practices**

Physician Dispensing Billing and Reimbursement Requirements			
States explicitly requiring original NDC on bills for Repackaged Drugs**	Additional States with reimbursement based on original NDC:	States with no dispensing fee for physician dispensed bills	States with limits on physician dispensing practices (See table below for details)
AK, AL, AZ, CO, DE, FL, GA, ID, IL, IN, KY, MI, MS, NC, NV, NY, OK, SC, TN	CA, CT, HI, KS	AL, AR, DE, ID, KY, MS, NM, TN, WI	DE, FL, IN, KY, LA, MA, MT, NM, NV, OH, OR, UT, NJ, NY, RI, TN, TX, VA, WV

\*\*Per a request from [NCPDP](#) and the [IAIABC](#), the [NUCC](#) has updated the CMS 1500 Box 24 Instructions to outline reporting requirements for submitting the NDC for the repackaged drug and the NDC of the original manufacturer's drug.

States with Limits on Physician Dispensing Practices		
Jurisdiction	Physician Dispensing Limits	Source
DE	Controlled substances limited to a 72-hour supply	<a href="#">(DE Uniform Controlled Substances Act Regulations)</a>
FL	All Florida physicians prohibited from dispensing Schedule II and Schedule III controlled substances.	<a href="#">HB 7095 effective July 1, 2011</a>
IN	Workers' Compensation Limitation: <ul style="list-style-type: none"> <li>• A non-pharmacy medical provider may be reimbursed for repackaged drugs to the first seven days from the date of injury.</li> <li>• The medical service provider may not be reimbursed for more than one office visit for each repackaged drug prescribed.</li> </ul>	<a href="#">SB 294 effective 7/1/2014</a>
KY	Physicians limited to dispensing a 48-hour supply of schedule II or schedule III containing hydrocodone	<a href="#">201 KAR 9:220</a>

## States with Limits on Physician Dispensing Practices

Jurisdiction	Physician Dispensing Limits	Source
LA	Physicians may only dispense up to a 48-hour supply of a single controlled substance or drug of concern	<a href="#">LA Board of Medical Examiners Rule §6506 A</a>
MA	Physicians may only dispense samples	<a href="#">Medical Board Rules, Prescribing Practices Policy and Guidelines</a>
MT	Physician dispensing not allowed except in very limited circumstances	<a href="#">37-2-104. Dispensing of drugs by medical practitioners unlawful -- exceptions</a>
NC	Workers' Compensation: Schedule II and Schedule III drugs limited to an initial five-day supply, commencing upon the employee's initial treatment following injury.	<a href="#">SB 744 effective 8/7/2014</a>
NJ	A physician shall not dispense more than a 7-day supply of drugs or medicines to any patient.	<a href="#">45:9-22.11. Dispensing of drugs to patient limited; exceptions.</a>
NM	Workers' Compensation: For new prescriptions only, health care providers may not dispense more than a 10-day supply	<a href="#">11.4.7.9 FEES FOR HEALTH CARE SERVICES</a>
NV	Limits the provider of healthcare to dispense only an initial supply (15 days worth) of a Schedule II or III controlled substance.	<a href="#">SB 231 effective 1/1/2016</a>
NY	Limited to dispensing no more than 72-hour supply except for specific circumstance	<a href="#">Education Law § 6807 (2)</a>
OH	Workers' Compensation: Payment for covered drugs limited to drugs dispensed by a registered pharmacist	<a href="#">4123-6-21.1 Payment for outpatient medication by self-insuring employer</a>
OR	Workers' Compensation: <ul style="list-style-type: none"> <li>Physician dispensing limited to a 10-day supply maximum.</li> <li>Must submit a Form 4909, Pharmaceutical Clinical Justification for Workers' Compensation when prescribing more than a 5-day supply of Celebrex, Cymbalta, Fentora, Kadian, Lidoderm, Lyrica or OxyContin.</li> </ul>	<a href="#">(OAR 436-009-0090(4)).</a> <a href="#">(OAR 436-009-0090(3)).</a>
RI	Workers' Compensation: Reimbursement limited to pharmacies	<a href="#">RI Medical Fee Schedule/Pharmacy Charges Guidelines</a>
TN	<ul style="list-style-type: none"> <li>Schedule II or III controlled substances may not be dispensed for more than 30 days at a time.</li> <li>Pain management clinics prohibited from dispensing controlled substances</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">SB 676, effective 10.1.2013</a></li> <li><a href="#">HB 868, effective 7.1.2013</a></li> </ul>

## States with Limits on Physician Dispensing Practices

Jurisdiction	Physician Dispensing Limits	Source
TX	Limited to dispensing drugs to meet the patient's immediate needs	<a href="#">Occupations Code</a>
UT	Physicians allowed to dispense a cosmetic drug, a cancer drug treatment regimen, or a <b>prepackaged</b> drug at an employer-sponsored clinic. Prepackaged drug is defined as a drug that is not listed as a Schedule I, II, III, IV, or V drug and is packaged in a fixed quantity per package by the drug manufacturer, a pharmacy wholesaler or distributor, or a pharmacy licensed under Utah law.	<a href="#">SB 55 effective 7.1.14</a>
VA	Facilities from which practitioners of the healing arts dispense controlled substances must obtain a permit from the Board of Pharmacy, unless one practitioner in the facility is licensed by the Board to sell controlled substances.	<a href="#">VA HB 2192 effective 7/1/2015</a>
WV	Workers' Compensation: Legend drugs dispensed by a physician will not be reimbursed except in an emergency	<a href="#">WV Rules §85-20-14</a>