
New York's New Law on Opioid Prescription Limit

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On Friday July 22, 2016, New York State adopted new rules on initial opioid prescription limitations in its latest effort to help curb opioid abuse. Under the new rules, initial prescriptions of opioids for "acute" pain

are restricted to a seven-day supply. Acute pain is defined as “pain, whether resulting from disease, accidental or intentional trauma or other cause that the practitioner reasonably expects to last only a short time.” The new seven-day prescription limitation **does not** include a limitation on prescriptions of opioids for “chronic” pain, pain being treated as part of cancer care, hospice, end-of-life or palliative care practices.

The new seven-day limitation applies to the initial prescription only, thus allowing practitioners flexibility for any subsequent prescriptions regarding the same pain or medical issue. After another consultation, a practitioner may refill or renew the prescription for the opioid, or any other drug, consistent with the existing thirty-day or ninety-day statutory limits for Schedule II, III, and IV medications. Pharmacists are **not** required to verify with the prescriber whether an opioid prescription written for greater than seven-day supply is in accordance with the new limitation regime. However pharmacists are encouraged to continue to exercise great care and caution when dispensing opioid medications. The new seven-day limitation for initial opioid prescriptions for acute pain also limits patient co-pays. The initial limited prescription co-pay will be determined by either prorating the co-pay for a thirty-day supply and the amount of medication dispensed or by billing the co-pay for a full thirty-day supply, as long as no additional co-pay is charged for any additional prescriptions for the remainder of the thirty-day supply. Finally, the new law establishes a requirement that, beginning July 1, 2017, and every three years thereafter, all licensed prescribers of opioid medications must complete three hours of course work in pain management, palliative care and addiction.

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