

DIVISION OF MENTAL HEALTH AND HOSPITALS

ADMINISTRATIVE BULLETIN 3:02

DATE: November 19, 1982

SUBJECT: Requirements for Issuing a Prescription  
Applicability: H,C

The "Requirements for Issuing a Prescription" rule was formally adopted by the New Jersey State Board of Medical Examiners on January 19, 1973. A description of the prescription-issuing requirements necessitated by the Generic Drug Law of 1979 follows.

I. "13:35-6.6 Requirements for issuing a prescription

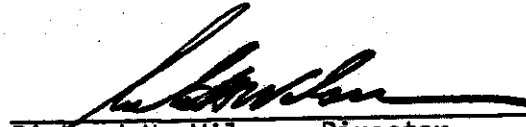
- (a) Physicians who possess a plenary license to practice medicine and surgery and podiatrists who issue prescriptions for medication shall advise all patients by adequate notice, such as but not limited to a sign or pamphlet in the waiting room of the practitioner's office, that a request of the practitioner may be made by the patient to substitute a generic drug for any prescribed medication.
- (b) Physicians and podiatrists shall provide the following on all prescriptions:
  1. Full name, age and address of patient;
  2. Prescriber's full name, address, telephone number and proper degree designation as appears on prescriber's license;
  3. Prescriber's DEA number when required for the dispensing of controlled dangerous substances (Controlled Dangerous Substances Act of 1970). Each prescription for a Controlled Dangerous Substance shall be written on a separate prescription blank;
  4. Date of prescription;
  5. Name, strength and quantities of drug or drugs to be dispensed;
  6. Adequate instruction for the patient (P.R.N. or "as directed" alone is not sufficient);

7. Number of refills permitted or time limit for refills or both;
8. Signature of prescriber;
9. When preprinted prescription blanks are not available the full name of the prescriber must be printed or stamped in block letters under the signature of prescriber;
10. Every prescription blank shall be imprinted with the words "substitution permissible" and "do not substitute" and shall contain space for the physician's or podiatrist's initials next to the chosen option, in addition to the space required for the signature by paragraph 8 above.
11. In no instance shall a physician or podiatrist utilize a prescription form which includes preprinted information such as, but not limited to, language, initials or other indications to discourage or prohibit substitution, which a prescriber may prohibit only by initialing or writing "do not substitute" on the individual prescription.
12. In no instance shall a physician or podiatrist sign a blank prescription form which does not conform with the above standards.

(c) Failure to comply with this ruling will subject the physician to disciplinary sanction in accordance with the Medical Practice Act."

II. In order to ease compliance with the Generic Drug Law of 1979, prescription blanks should have preprinted on them "substitution permissible" and "do not substitute", with space for the prescriber's initials next to each statement. This is especially important when prescriptions are being written to be dispensed by community pharmacies, e.g., when a patient is on a leave of absence.

SEE ALSO: Medicaid Pharmacy Manual

  
Richard H. Wilson, Director  
Division of Mental Health and Hospitals