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June 15, 2012

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The Honorable Silvan B. Lutkewitte, III, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Re: 16A-5428 – Electronic Prescribing of Controlled Substances

Dear Chairman Lutkewitte,

On behalf of the physician and medical student members of the Pennsylvania Medical Society, thank you for the opportunity to comment on the final-omitted regulation (16A-5428) pertaining to Electronic Prescribing of Controlled Substances.

A review of the regulation indicates that the regulatory language follows the language of federal rule established by the Drug Enforcement Administration (DEA). PAMED finds the regulation to be in the best interest of practitioners, as it allows them the ability to use modern technology for controlled substance prescriptions and maintains the existing rules to permit the traditional method of written prescriptions.

While PAMED supports the overall concept of allowing electronic prescribing of controlled substances, it is essential that there be appropriate safeguards in place against the diversion of controlled substances. We hope that the State Board of Pharmacy will be able to offer guidance to licensees regarding DEA software requirements when using electronic prescription or electronic health record (EHR) applications to ensure patient quality and safety.

Again, we appreciate the opportunity to provide comments on this regulation. If there are any questions or concerns regarding these comments, please contact Amy Green, Associate Director of Governmental Affairs at agreen@pamedsoc.org.

Sincerely,

Marilyn J. Heine, MD.

Marilyn J. Heine, MD
President

cc: James M. Smith, Regulatory Analyst, IRRC
Kerry Maloney, Board Counsel, PA State Board of Pharmacy

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