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### **Guidance for Pharmacists Regarding Initial Prescriptions for Opioids**

On March 1, 2017, the Attorney General and the New Jersey State Boards of Medical Examiners, Dentistry, Nursing, and Optometrists, adopted emergency rules, which include prohibiting a prescriber from issuing an initial prescription for the treatment of acute pain for an opioid drug in a quantity exceeding a five-day supply, and requiring the prescription to be for the lowest effective dose of an immediate-releasing opioid drug specific limitations for opioid drugs. Prescribers are also required to indicate on the prescription when it is an initial prescription for an opioid drug for the treatment of acute pain.

These amendments are effective immediately (as of March 1, 2017) and will remain in effect for 60 days. These emergency rules also are being concurrently proposed for re adoption in order to permit members of the regulated community and the general public to submit comments concerning the rules and the intention of the Attorney General and the Board to make these amendments permanent. For a text of the rules and additional information, please go the relevant board webpage.

On February 15, 2017, P.L. 2017, c. 28, was signed into law, imposing certain restrictions on how opioids and other Schedule II controlled dangerous substances may be prescribed, and establishing special requirements for the management of acute and chronic pain including, in cases of acute pain, prohibiting a practitioner from issuing an initial prescription for an opioid drug in a quantity exceeding a five-day supply, and requiring the prescription to be for the lowest effective dose of an immediate-releasing opioid drug. However, because P.L. 2017, c. 28, does not become effective until May 16, 2017, the Attorney General has determined that rulemaking is necessary because the State of New Jersey is confronting a staggering public health crisis brought about by prescription opioid and heroin abuse.

Although the new law and rules will primarily impose additional responsibilities on prescribers, the information below may be useful for pharmacists:

- The law and rules do not impose any additional requirements for pharmacists to confirm that a prescription must be limited to a five-day supply of medication. However, note that pharmacists are required to perform their corresponding responsibility to ensure that all prescriptions for controlled dangerous substances are being written for a valid medical purpose.
- Beginning with the 2019 biennial renewal of pharmacist licenses, pharmacists must complete one (1) credit of continuing education (CE) programs or topics concerning prescription opioid drugs, including alternatives to opioids for managing and treating pain

and the risk and signs of opioid abuse, addiction and diversion. This is not an additional CE credit requirement, and will be part of the existing 30 CE requirement for each renewal period.

- Insurance plans issued in New Jersey will charge co-payments, coinsurance or deductibles for an initial prescription of an opioid drug prescribed pursuant to the law that is either:
  - proportional between the cost sharing for a 30-day supply and the amount of drugs the patient was prescribed; or
  - equivalent to the cost sharing for a full 30-day supply of the opioid drug, provided that no additional cost sharing may be charged for any additional prescriptions for the remainder of the 30 day supply.

You may need to contact your insurance plans with any questions regarding how this component will be implemented.

A copy of the law is available at <http://www.njleg.state.nj.us/2016/Bills/AL17/28.PDF>.