



American Society of
Health-System Pharmacists
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August 14, 2008

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-1403-P
P.O. Box 8013
Baltimore, MD 21244-8013

Re: CMS-1403-P, Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2009; and Revisions to the Amendment of the E-Prescribing Exemption for Computer Generated Facsimile Transmissions; Proposed Rule

Dear Sir/Madam:

The American Society of Health-System Pharmacists (ASHP) is pleased to submit written comments pertaining to the proposed rule regarding revisions to payment policies under the physician fee schedule and other revisions to Part B for CY 2009 and revisions to the amendment of the e-prescribing exemption for computer generated facsimile transmissions (proposed rule). For more than 60 years, ASHP has helped pharmacists who practice in hospitals and health systems improve medication use and enhance patient safety. The Society's 35,000 members include pharmacists and pharmacy technicians who practice in inpatient, outpatient, home-care, and long-term-care settings, as well as pharmacy students.

Computer-Generated Fax Transmissions

ASHP commends the Centers for Medicare & Medicaid Services (CMS) for its proposal to further amend the computer-generated facsimile exemption to also allow for an exemption from the NCPDP SCRIPT standards for electronic prescription refill request transactions that are conducted by computer-generated facsimiles when the prescriber is incapable of receiving electronic transmissions using the NCPDP SCRIPT Standard.

In response to the CY 2008 Physician Fee Schedule proposed rule, ASHP submitted written comments to CMS regarding the proposed elimination of the exemption for

computer-generated facsimiles. In our comments, the Society supported the elimination of the exemption, but also expressed our concern about the effective date of the change. ASHP recommended that CMS determine, prior to eliminating the exemption, that pharmacies and physician offices are able to comply with the requirement, and would not revert to paper prescribing rather than update current software. ASHP recommended that CMS continue the exemption for computer-generated faxes until pharmacies and physician offices are able to comply with the requirement, and not revert to paper prescribing rather than update current software, and address the issue again the following year.

CMS, however, determined that the 1-year time period for implementation was adequate, and with the exception of temporary or transient network transmission failures, the computer-generated fax exemption was set to be eliminated by January 2009.

The Society is pleased to see that CMS is now going to allow for an additional computer-generated facsimile exemption from NCPDP SCRIPT standards for electronic prescription refill request transactions that are conducted by computer-generated facsimiles when the prescriber is incapable of receiving electronic transmissions using the NCPDP SCRIPT standard. The additional exemption will allow pharmacies and physician offices more time to comply with the requirement, and help to avoid a reversion to paper prescribing. It will further ensure that patients will continue to receive their necessary medications when necessary, in a timely manner.

ASHP appreciates this opportunity to present its written comments on the proposed rule. Feel free to contact me if you have any questions regarding our comments. I can be reached by telephone at 301-664-8702, or by e-mail at jcoffey@ashp.org.

Sincerely,

A handwritten signature in cursive script that reads "Justine Coffey".

Justine Coffey, JD, LLM
Director, Federal Regulatory Affairs