

FREQUENTLY ASKED QUESTIONS ABOUT

**MANDATORY PRESCRIBER
EDUCATION**

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**Department
of Health**

NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Narcotic Enforcement

1-866-811-7957

www.health.ny.gov/professionals/narcotic

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Laws and Regulations for Mandatory Prescriber Education:

Q1. What is the law on prescriber training?

A1. Pursuant to Public Health Law (PHL) §3309-a(3), prescribers licensed under Title Eight of the Education Law in New York to treat humans and who have a DEA registration number to prescribe controlled substances, in any state, as well as medical residents who prescribe controlled substances under a facility DEA registration number, must complete at least three (3) hours of accredited course work or training in pain management, palliative care, and addiction.

Q2 What topics must be included in the three hours of course work or training in pain management, palliative care, and addiction?

A2. Prescribers are required to complete accredited course work or training in all of the following topics:

- New York State and federal requirements for prescribing controlled substances
- Pain management
- Appropriate prescribing
- Managing acute pain
- Palliative medicine
- Prevention, screening, and signs of addiction
- Responses to abuse and addiction
- End of life care

Q3. What is required when a prescriber becomes licensed under Title Eight of the Education Law to treat humans and obtains a DEA registration number?

A3. Prescribers must complete the course work within one year of DEA registration and once within each three-year period thereafter.

Q4. Is a prescriber who is retired and does not treat patients or prescribe controlled substances, but has an active New York State license under Title Eight of the Education Law to treat humans and a DEA registration number, required to complete course work or training in pain management, palliative care, and addiction?

A4. Yes.

Q5. Must prescribers licensed in New York under Title Eight of the Education law to treat humans, but who work in a VA Hospital, federal installation, or Indian Reservation and who have DEA registration numbers take the course work or training?

A5. Yes, the requirement is based on New York State licensure type and DEA registration status, not on practice location.

Q6. Is the course work or training in pain management, palliative care and addiction mandatory?

A6. Yes.

Q7. Is a prescriber licensed in New York to treat humans, but who does not have a DEA registration number, required to complete the mandatory pain management, palliative care and addiction education?

A7. No.

Q8. Must all eight topics be covered in a single presentation?

A8. No, the eight mandatory topics can be completed in a single presentation or in multiple presentations, so long as they total at least three hours in cumulative length.

Q9. How often is a prescriber required to complete course work or training in pain management, palliative care, and addiction?

A9. A prescriber must complete course work or training in pain management, palliative care, and addiction every three years after the first attestation.

Q10. How long must the prescriber keep the documentation of completion of the mandatory course work or training in pain management, palliative care, and addiction, and what should this documentation include?

A10. The prescriber is required to keep documentation of completion of the course work or training for a minimum of six (6) years from the date of submission of the attestation, for audit purposes. The documentation must include the course title, provider, location (webinar, online, address), the number of hours of training/education, and date of completion of the program.

Q11. May a prescriber carry excess hours of course work or training to the next three-year cycle?

A11. No. The hours earned within a three-year cycle may only be used to fulfill the requirement for that cycle.

Q12. Does DOH offer a free online accredited course that meets the minimum three hour requirement for all eight topics in pain management, palliative care, and addiction?

A12. Yes, for additional information and to take the course, visit <http://pharmacy.buffalo.edu/academic-programs/continuing-education/events/opioid-prescriber-training.html>

Attestation (NEAT):

Q13. When does the attestation for the completion of course work or training for the mandatory education need to be submitted to DOH?

A13. Prescribers must attest at the completion of all required the course work or training and again every three years thereafter.

Q14. Where can a prescriber access his or her history of previous attestations?

A14. The prescriber can log into his or her HCS account and access his or her attestation history in the Narcotic Education Attestation Tracker (NEAT) application.

Q15. Does having a board certification in any specialty area allow the prescriber to attest to the course work or training required?

A15. No, board certification in and of itself is not a substitute for the required course work or training. However, course work or training completed to obtain board certification may be applicable to one or more of the eight required topic areas, and toward the minimum of three hours in duration.

Q16. How does a prescriber access the NEAT application to attest completion of course work or training?

A16. A prescriber with a Health Commerce System (HCS) account will attest online using the Narcotic Education Attestation Tracker (NEAT) application. Prescribers without an HCS account may obtain one by visiting https://www.health.ny.gov/professionals/narcotic/prescription_monitoring/docs/hcs_application_instructions.pdf. Prescribers that do not have access to a computer can request a paper attestation form by calling the Bureau of Narcotic Enforcement (BNE) toll-free at 1-866-811-7957. They may then complete the form and return it by mail to the address provided.

Q17. How does a medical resident prescribing under a facility's DEA registration number attest to the completion of the mandatory course work or training in pain management, palliative care, and addiction?

A17. Attestation on behalf of medical residents who prescribe under a facility's DEA registration number must be made by the facility; it cannot be made by the medical resident.

Q18. How does a facility attest to the completion of the mandatory course work or training on behalf of its medical residents?

A18. The facility must attest online through the HCS NEAT application. The facility must maintain a list of all residents included in the attestation for a period of six years. It is not necessary to provide this listing to the DOH, but must be made available to DOH upon request.

Q19. When a medical resident rotates through several facilities, which facility is responsible to attest that the resident completed the required course work or training?

A19. Each and every facility that authorizes a medical resident to prescribe controlled substances under its facility DEA registration number must attest and must maintain an updated list.

Q20. How often must the facility attest that the medical resident it has authorized to prescribe controlled substances under the facility's DEA registration number has completed the required course work or training?

A20. The facility must attest once every three years per resident.

Exemption:

Q21. Will DOH grant an exemption to the required course work or training to an individual prescriber?

A21. In certain limited circumstances, the DOH may grant an exemption to the required course work or training to an individual prescriber who clearly demonstrates to the DOH that there is no need to complete such training. Exemptions shall not be based solely upon economic hardship, technological limitation, prescribing volume, practice area, specialty, or board certification.

Q22. Is a prescriber who engages in a recertification program from a specialty board such as the American Osteopathic Association (AOA) or the American Board of Medical Specialties (ABMS) exempt from the requirement to complete course work or training in pain management, palliative care, and addiction?

A22. No, however, hours for accredited course work or training that meet any of the eight required topics, completed as part of a certification program, may be counted toward the requirement.

Q23. How does a prescriber or facility access the NEAT application to request an exemption?

A23. There is a separate instruction document on the BNE web page:
www.health.ny.gov/professionals/narcotic/.