

Emergency Supply of Drugs

All Maryland Medical Assistance recipients are entitled to receive a 72-hour supply of medicine (30-day supply for atypical antipsychotic drugs) while awaiting prior authorization or approval to dispense a non-formulary, non-preferred, or Tier 2 medication. If the prescriber is unavailable to either change the medication or obtain preauthorization, or if the prior authorization process is not completed (the State is required to respond to all requests for prior authorization with 24 hours), all Maryland Medicaid HealthChoice managed care organizations (MCOs) and the Maryland Medicaid fee-for-service Pharmacy Program will cover a minimum 72-hour supply of drugs. Pharmacists should use their professional judgment in determining whether the prescription is needed on an emergency basis.

The recipient may present mobility or access issues that make returning to the pharmacy very difficult or expensive. The pharmacist should take this factor into consideration when deciding whether or not to dispense an emergency supply.

When a “prior authorization required” denial is received, the pharmacy should contact the prescriber to either change the medication or have the prescriber obtain necessary prior authorization. It would be beneficial if the pharmacist can advise the prescriber of the alternative drugs that are preferred and do not require preauthorization. Normally the prescriber can obtain authorization with a phone call. If not, and delays in the authorization process increase risk for the patient, the prescriber can request the pharmacist to dispense an emergency supply.

It will be necessary for the pharmacist to request authorization to dispense an emergency supply of a prescription by calling a 24/7 telephone number. In the case of sprays, inhalers, eye or ear drops, creams, ointments, antibiotics etc., it may be necessary to dispense the entire prescription as an emergency supply due to the way the drug is packaged or administered (Advisory No. 7, page 3).

For PAC and HealthChoice MCO members’ non-mental health and non-antiretroviral drugs, the pharmacist must contact the appropriate Pharmacy Benefit Manager and follow their procedures before dispensing an emergency supply. The contact information for these is given on the web at [http://www.marylandmedicaidpharmacyinformation.com/PDFs/2008 Oct MCO Non-Formulary Chart.pdf](http://www.marylandmedicaidpharmacyinformation.com/PDFs/2008%20Oct%20MCO%20Non-Formulary%20Chart.pdf)

In the case of Fee For Service recipients or for mental health and antiretroviral drugs covered by the State, the number to call to obtain authorization to dispense an emergency supply is 800-932-3918. During the 72-hour window the pharmacist is to contact the prescriber who must obtain prior authorization before the remainder of the prescription can be dispensed. After prior authorization has been established, the pharmacist can dispense the remainder of the prescription.

The Medicaid Program allows a pharmacist to dispense a 72-hour supply of a Schedule II controlled substance, but to comply with Maryland law to prevent abuse of these drugs, the pharmacist must keep the prescription and therefore, the member must return to the doctor to get a new prescription in order to get the full supply of drugs.

Further details about implementation of this policy, including co-pays and dispensing fees, may be found in Advisory 5B (page 9) at <http://www.dhmf.state.md.us/mma/mpap/provadv.html>

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