



American Optometric Association

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August 13, 2007

Dennis Smith
Director
Centers for Medicaid and State Operations
Centers for Medicare & Medicaid Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Mr. Smith:

The American Optometric Association is writing to express its concerns regarding implementation of Section 7002 (b) of the Emergency Supplemental Appropriations (P.L. 110-28), which states that ***“Effective October 1, 2007; Medicaid outpatient drugs will be reimbursed only if non-electronic written prescriptions are executed on a tamper-resistant pad.”***

The 34,000 members of the American Optometric Association are the nation’s frontline providers of eye and vision care. Doctors of Optometry serve patients in about 6,500 communities across the country. The AOA is urging CMS to consider the potential impact this provision may have on the care of Medicaid patients. There is simply not enough time to educate all optometrists on the implementation of the new pads. The following issues need to be addressed before such a program can be executed without disruption of care:

The provision offers no consistent definition of “tamper-resistant prescription pads” nor does it provide the guidance on which pads meet the requirements or where to get them. Additionally, several states currently have programs that mandate the use of tamper-proof pads, but CMS fails to acknowledge whether these programs are acceptable under the new guidelines.

Informing and educating optometrists of the new requirements will be a lengthy process. The chance of patients being turned away at the pharmacy due to non-compliant prescriptions is high, putting Medicaid patients at risk. In addition to the education required about the new tamper-resistant pad requirement, the new program also involves procurement of compliant prescription pads and actual implementation. Although AOA stands ready to comply with necessary requirements, optometrists are concerned that they will not be able to meet the October 1, 2007 deadline.

We appreciate your consideration of this request. If we can provide additional input, please contact Jodi Mitchell in the AOA Alexandria Office at 703-837-1348. Thank you.

Sincerely,

Michele Haranin, OD
Chair, AOA Federal Relations Committee