

State communication

A message from New York State Department of Health

Policy Clarification for Practitioner Dispensing

New York State Education (NYSED) Law, Article 137 §6807, authorizes practitioners, who are authorized to prescribe, to dispense medications directly to their patients. Additional registration or ownership of a pharmacy is not required. This dispensing must be done in accordance with federal, State, and New York State (NYS) Medicaid program policies for dispensing, billing, and record keeping.

The NYS Medicaid program reimburses for drugs furnished by practitioners to their patients on the basis of the acquisition cost to the practitioner of the drug dose provided to the patient. For all drugs dispensed to the patient, regardless of whether an invoice must be submitted to NYS Medicaid for payment, the practitioner must, and is expected to, maintain auditable records of, and limit his/her claim amount to, the actual itemized invoice cost of the drug dispensed. Practitioners may not submit an office visit claim for the sole purpose of dispensing a drug that the member can obtain at a NYS Medicaid enrolled pharmacy.

Please see the July 2022 Medicaid Update for more information:

https://www.health.ny.gov/health_care/medicaid/program/update/2022/no08_2022-07.htm#dispensing