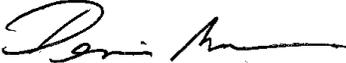


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<b>SUBJECT:</b> Policy Clarification Regarding Written Prescriptions, Orders and Requests – Statement of Policy	<b>BY:</b>  Dennis Marion Deputy Secretary Office of Mental Health and Substance Abuse Services
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**SCOPE:**

This statement of policy applies to facilities licensed under Chapters 5200, 5210, and 5320 (relating to psychiatric outpatient clinics; partial hospitalization; and requirements for long-term structured residence license).

**PURPOSE:**

The purpose of this statement of policy is to clarify the term “written” as it applies to prescriptions and orders, under the following Department of Public Welfare’s (the Department) regulations:

Chapter 5200, Psychiatric Outpatient Clinics

Chapter 5210, Partial Hospitalization

Chapter 5320, Requirements for Long-Term Structured Residence Licensure

**COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:**  
Regulations Coordinator, Office of Mental Health and Substance Abuse Services, Bureau of Policy, Planning and Program Development, (717) 772-7900.

**DISCUSSION:**

Licensure regulations in these chapters state that prescriptions and orders shall be written, and in some instances, also require a signature. When these regulations were adopted, the term “written” was generally accepted to mean that the practitioner transcribed a signature and the prescription or order by hand. However, with advancements in technology and application to the standards of medical practice, the use of electronic media as a mode of communicating prescriptions and orders is becoming more commonplace.

The Department is issuing this statement of policy to clarify that the term “written” includes prescriptions and orders transmitted using electronic media. Providers shall continue to comply with applicable laws and regulations. This statement of policy does not supersede any existing law or regulation.

**REGULATION INTERPRETATION:**

The interpretation is contained in Annex A to this Bulletin.

**EFFECTIVE DATE:**

This Bulletin is effective immediately upon publication in the *Pennsylvania Bulletin*.

**CONTACT PERSON:**

The contact person for this statement of policy is the Regulations Coordinator, Office of Mental Health and Substance Abuse Services, Bureau of Policy, Planning and Program Development, (717) 772-7900.

  
Beverly D. Mackereth  
Secretary of Public Welfare

**ANNEX**  
**STATEMENT OF POLICY**  
**DEPARTMENT OF PUBLIC WELFARE**  
**OFFICE OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES**

[55 Pa. Code Chapter 5200]

Psychiatric Outpatient Clinics

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**§ 5200.42b. Clarification of the term “written” – statement of policy.**

(a) The term “written” under §§ 5200.42(b)(1) and 5200.42a (relating to drugs and medications; and medication prescription-statement of policy) includes prescriptions that are handwritten or recorded and transmitted by electronic means.

(b) Written prescriptions transmitted by electronic means must be electronically encrypted or transmitted by other technological means designed to protect and prevent access, alteration, manipulation or use by any unauthorized person.

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[55 Pa. Code Chapter 5210]

Partial Hospitalization

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**§ 5210.58b. Clarification of the term “written” – statement of policy.**

(a) The term “written” under §§ 5210.58(b)(1) and (2) and 5210.58a (relating to drugs and medications; and medication prescription – statement of policy) includes prescriptions and orders that are handwritten or recorded and transmitted by electronic means.

(b) Written prescriptions transmitted by electronic means must be electronically encrypted or transmitted by other technological means designed to protect and prevent access, alteration, manipulation or use by any unauthorized person.

\* \* \* \* \*

[55 Pa.Code Chapter 5320]

Requirements for Long-Term Structured Residence Licensure

**§ 5320.53a. Clarification of the term “written” – statement of policy.**

(a) The term “written” under § 5320.53 (relating to medication) includes orders that are handwritten or recorded and transmitted by electronic means.

(b) Written orders transmitted by electronic means must be electronically encrypted or transmitted by other technological means designed to protect and prevent access, alteration, manipulation or use by any unauthorized person.

(c) The term “countersigned” in § 5320.53(a)(7)(ii) includes a handwritten or electronic signature that is made in accordance with the requirements of the Electronic Transaction Act (73 P.S. §§2260.101 – 2260.51401).