Frequently Asked Questions

**Prescription Monitoring Program**

**Mandatory PMP Reporting Requirements for Veterinarians**

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25. **What is the Prescription Monitoring Program (PMP)?**

Virginia’s Prescription Monitoring Program (PMP) is a 24/7 database containing information on dispensed covered substances (see FAQ #5 and #9 for information on covered substances). The primary purpose of the PMP is to promote safe prescribing and dispensing practices for covered substances by providing timely and essential information to healthcare providers. Law enforcement and health profession licensing boards use the PMP to support investigations related to doctor shopping, diversion, and inappropriate prescribing and dispensing.

1. **What are the PMP reporting requirements for an individual veterinarian?**

To review the legislation, SB226, with the amendments highlighted [CLICK HERE](https://www.dhp.virginia.gov/vet/docs/SB226HighlightedChanges.docx) or see response to FAQ #9. This legislation requires that all veterinarians report the dispensing of covered substances for a course of treatment to last more than seven days. Please note that the amendments became effective on July 1, 2018.

**All individual veterinarians must decide which option provided below best fits his/her dispensing and/or prescribing practices, as requirements are specific, and complete the required PMP paperwork.**

**Option 1:**

**IF**

Veterinarian **only** **writes prescriptions** for reportable covered substances to be filled at a pharmacy; **OR** veterinarian **does not dispense** any reportable covered substances

**THEN**

Submit a waiver request: [Request for a Waiver or an Exemption from Reporting for Veterinarians](https://www.dhp.virginia.gov/dhp_programs/pmp/docs/RequestForWaiverOrExemption_Vet.doc)

**Option 2:**

**IF**

Veterinarian only dispenses reportable covered substances for **a course of treatment to last seven days or less** (Note: A veterinarian **may not** dispense multiple units of 7-days of reportable covered substances for the same course of treatment to circumvent the law)

**THEN**

Submit a waiver request: [Request for a Waiver or an Exemption from Reporting for Veterinarians](https://www.dhp.virginia.gov/dhp_programs/pmp/docs/RequestForWaiverOrExemption_Vet.doc)

**Option 3:**

**IF**

Veterinarian dispenses reportable covered substances for a **course of treatment to last more than seven days**

**THEN**

Complete and submit an Account Development Form: [Dispenser Registration Form for PMP Reporting Account](https://www.dhp.virginia.gov/dhp_programs/pmp/docs/DispenserRegistrationFormForReporting.docx) (**NOTE:** For Option 3, the reporting of covered substances dispensed must occur within 24 hours or next business day, whichever comes later **AND** a Zero Report must be submitted if no dispensing takes place within a 24-hour period. The link to the reporting guidelines is provided below under Helpful Hints.)

**Helpful Hints for Option 3:**

* **Links to Important Reporting Guidance:**
	+ Link to the reporting guidance information at [Virginia Prescription Monitoring Program Reporting Requirements](https://www.dhp.virginia.gov/dhp_programs/pmp/pmp_contractor.asp)
	+ Prior to creating an account in the PMP Clearinghouse, the first step is to complete the Account Development Form located on the PMP Homepage. You may send the completed form to the PMP via email or fax. Once received further instructions regarding set-up and use of the PMP Clearinghouse will be provided.
	+ Link to the Virginia Data Submission Dispenser Guide at [Virginia Data Submission Dispenser Guide](https://www.dhp.virginia.gov/dhp_programs/pmp/docs/VAPMPDispenserGuide_v%201.5.pdf)
* The Account Development Form contains information to set up the dispenser’s account. Be sure to answer questions on this form with detailed information about business hours to set up your account accurately. Information in your account is used for PMP reports and for compliance tracking.
* Most veterinarians will use a web-based form to report prescription information. *See Dispenser Guide for more information*.
* **Reminder:** Reporting of dispensed covered substances must occur within 24 hours or next business day, whichever comes later.
* **Reminder:** If no dispensing or dispensing of a covered substance for 7-days or less takes place within a 24-hour period, a Zero Report is required.
1. **May a veterinary establishment report on behalf of some or all of the veterinarians in a group practice?**

Yes. Please contact the PMP directly for additional instructions if the registered veterinary establishment will report dispensing on your behalf. The email address is pmp@dhp.virginia.gov.

1. **Are the PMP reporting requirements mandatory for veterinarians?**

Yes. The *Code of Virginia* states the following:

***§ 54.1-2521. Reporting requirements.***

*A. The failure by any person subject to the reporting requirements set forth in this section and the Department's regulations to report the dispensing of covered substances shall constitute grounds for disciplinary action by the relevant health regulatory board.*

1. **What controlled substances have to be reported to the PMP?**

The *Code of Virginia* states the following:

***§ 54.1-2519. Definitions.***

"Covered substance" means all controlled substances included in Schedules II, III, and IV and all

drugs of concern that are required to be reported to the Prescription Monitoring Program, pursuant to this chapter. (Note: The definition for “Covered substance” was amended in [HB1556](https://lis.virginia.gov/cgi-bin/legp604.exe?181+ful+CHAP0185) and is effective on July 1, 2018. The amended definition will stated the following: “Covered substance" means all controlled substances included in Schedules II, III, and IV*; controlled substances included in Schedule V for which a prescription is required; naloxone;* and all drugs of concern that are required to be reported to the Prescription Monitoring Program, pursuant to this chapter.)

## **§ 54.1-3456.1. Drugs of concern.**

A. The Board may promulgate regulations designating specific drugs and substances, including any controlled substance or other drug or substance where there has been or there is the actual or relative potential for abuse, as drugs of concern. Drugs or substances designated as drugs of concern shall be reported to the Department of Health Professions and shall be subject to reporting requirements for the Prescription Monitoring Program established pursuant to Chapter 25.2 (§ [54.1-2519](http://law.lis.virginia.gov/vacode/54.1-2519/) et seq.).

B. Drugs and substances designated as drugs of concern shall include any material, compound, mixture, or preparation that contains any quantity of the substance tramadol or gabapentin, including its salts. Drugs and substances designated as drugs of concern shall not include any nonnarcotic drug that may be lawfully sold over the counter or behind the counter without a prescription.

**Note:** Gabapentin, a Schedule VI controlled substance, is currently the only drug of concern that must be reported to the PMP. In addition, the dispensing of naloxone must also be reported.

1. **Does every veterinarian need a DEA registration to comply with the PMP reporting requirements?**

A majority of the licensed veterinarians in Virginia will need a DEA registration to comply with the PMP reporting requirements. The purpose of the PMP is to capture an individual veterinarian’s prescribing habits for identified covered substances. The DEA registration number is the unique identifier for a veterinarian when reporting to the PMP.

**Note:** In order to dispense Gabapentin for a course of treatment to last more than seven days or write a prescription for filling in the community, a DEA registration is required for accurate PMP reporting purposes.

1. **How does a veterinarian obtain a DEA registration?**

To obtain a DEA registration go to <https://www.deadiversion.usdoj.gov/>; locate on the upper right-hand side of the screen “Registration Support”; click on “New Applications”; select “Practitioner” as your “Business Category.”

Note: The registration process utilizes “DVM” as the broad category to identify all veterinarians.

1. **What is the contact information for PMP and DEA questions?**

Questions related to the PMP should be directed to pmp@dhp.virginia.gov

Questions related to DEA registration support is the following:

Call: 1-800-882-9539 (8:30 a.m. – 5:50 p.m. ET)

Email: DEA.Registration.Help@usdoj.gov

[Locate Field Registration Specialists](https://apps.deadiversion.usdoj.gov/contactDea/spring/main;jsessionid=C015650D686DAA19F71C65F82EE3F410?execution=e1s1)

**9. What amendments to the *Code of Virginia* were made to require veterinarians to report**

 **to the PMP?**

**VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION**

**CHAPTER 772**

*An Act to amend and reenact §§ 54.1-2519, 54.1-2521, and 54.1-2522 of the Code of Virginia, relating to the Prescription Monitoring Program; veterinarians.*

[S 226]

Approved April 4, 2018

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 54.1-2519, 54.1-2521, and 54.1-2522 of the Code of Virginia are amended and reenacted**

**as follows:**

**§ 54.1-2519. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by (i) a practitioner or, under the practitioner's direction, his authorized agent or (ii) the patient or research subject at the direction and in the presence of the practitioner.

"Bureau" means the Virginia Department of State Police, Bureau of Criminal Investigation, Drug

Diversion Unit.

"Controlled substance" means a drug, substance or immediate precursor in Schedules I through VI of the Drug Control Act, Chapter 34 (§ 54.1-3400 et seq.) of this title.

"Covered substance" means all controlled substances included in Schedules II, III, and IV and all

drugs of concern that are required to be reported to the Prescription Monitoring Program, pursuant to this chapter. (Note: The definition for “Covered substance” was amended in [HB1556](https://lis.virginia.gov/cgi-bin/legp604.exe?181+ful+CHAP0185) and is effective on July 1, 2018. The amended definition will state the following: “Covered substance" means all controlled substances included in Schedules II, III, and IV*; controlled substances included in Schedule V for which a prescription is required; naloxone;* and all drugs of concern that are required to be reported to the Prescription Monitoring Program, pursuant to this chapter.)

"Department" means the Virginia Department of Health Professions.

"Director" means the Director of the Virginia Department of Health Professions.

"Dispense" means to deliver a controlled substance to an ultimate user or*,* research subject*, or owner of an animal patient* by or pursuant to the lawful order of a practitioner, including the prescribing and administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.

"Dispenser" means a person or entity that (i) is authorized by law to dispense a covered substance or to maintain a stock of covered substances for the purpose of dispensing, and (ii) dispenses the covered substance to a citizen of the Commonwealth regardless of the location of the dispenser, or who dispenses such covered substance from a location in Virginia regardless of the location of the recipient.

"Drug of concern" means any drug or substance, including any controlled substance or other drug or substance, where there has been or there is the potential for abuse and that has been identified by the Board of Pharmacy pursuant to § 54.1-3456.1.

"Prescriber" means a practitioner licensed in the Commonwealth who is authorized pursuant to

§§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance or a practitioner licensed in another state to so issue a prescription for a covered substance.

"Recipient" means a person who receives a covered substance from a dispenser *and includes the*

*owner of an animal patient*.

"Relevant health regulatory board" means any such board that licenses persons or entities with the authority to prescribe or dispense covered substances, including, but not limited to, the Board of Dentistry, the Board of Medicine, *the Board of Veterinary Medicine,* and the Board of Pharmacy.

**§ 54.1-2521. Reporting requirements.**

A. The failure by any person subject to the reporting requirements set forth in this section and the

Department's regulations to report the dispensing of covered substances shall constitute grounds for disciplinary action by the relevant health regulatory board.

B. Upon dispensing a covered substance, a dispenser of such covered substance shall report the following information:

1. The recipient's name and address.

2. The recipient's date of birth.

3. The covered substance that was dispensed to the recipient.

4. The quantity of the covered substance that was dispensed.

5. The date of the dispensing.

6. The prescriber's identifier number.

7. The dispenser's identifier number.

8. The method of payment for the prescription.

9. Any other non-clinical information that is designated by the Director as necessary for the

implementation of this chapter in accordance with the Department's regulations.

10. Any other information specified in regulations promulgated by the Director as required in order

2 of 2 for the Prescription Monitoring Program to be eligible to receive federal funds.

C. *Except as provided in subdivision 7 of § 54.1-2522, in cases where the ultimate user of a covered substance is an animal, the dispenser shall report the relevant information required by subsection B for the owner of the animal.*

*D.* The reports required herein shall be made to the Department or its agent within 24 hours or the dispenser's next business day, whichever comes later, and shall be made and transmitted in such manner and format and according to the standards and schedule established in the Department's regulations.

**§ 54.1-2522. Reporting exemptions.**

The dispensing of covered substances under the following circumstances shall be exempt from the reporting requirements set forth in § 54.1-2521:

1. Dispensing of manufacturers' samples of such covered substances or of covered substances

dispensed pursuant to an indigent patient program offered by a pharmaceutical manufacturer.

2. Dispensing of covered substances by a practitioner of the healing arts to his patient in a bona fide medical emergency or when pharmaceutical services are not available.

3. Administering of covered substances.

4. Dispensing of covered substances within an appropriately licensed narcotic maintenance treatment program.

5. Dispensing of covered substances to inpatients in hospitals or nursing facilities licensed by the

Board of Health or facilities that are otherwise authorized by law to operate as hospitals or nursing homes in the Commonwealth.

6. Dispensing of covered substances to inpatients in hospices licensed by the Board of Health.

7. Dispensing of covered substances by veterinarians to animals within the usual course of their professional practice *for a course of treatment to last seven days or less*.

8. Dispensing of covered substances as otherwise provided in the Department's regulations.

1. **Do the PMP requirements apply to a veterinarian holding a Virginia license practicing as an employee of the Department of Defense (United States Army, Navy, Coast Guard, Air Force), another federal agency or state government?**

Yes. PMP requirements apply to all veterinarians that hold a current active license from the Virginia Board of Veterinary Medicine. However, a licensee who does not dispense to citizens of the Commonwealth of Virginia outside of his/her official duties is eligible for a waiver. To submit a waiver request, go to [Request for a Waiver or an Exemption from Reporting for Veterinarians](https://www.dhp.virginia.gov/dhp_programs/pmp/docs/RequestForWaiverOrExemption_Vet.doc).

1. **May a veterinarian dispense seven days of a covered substance for a course of treatment and subsequently write a prescription for the same substance to be filled at a commercial pharmacy?**

The statute explicitly creates an exemption for veterinarians dispensing a covered substance for seven days or less for a course of treatment and does not address an additional prescription that would be dispensed by a commercial pharmacy. The veterinarian is not required to report the dispensing of the seven days of a covered substance even when subsequently writing a prescription to be filled in a commercial pharmacy.

1. **Are there any special dispensing or prescribing considerations for gabapentin? (revised 11.01.18)**

Gabapentin is a Schedule VI controlled substance. It is currently not a federally scheduled drug, but is identified in the Virginia Drug Control Act as a drug of concern. Please review FAQ#2 for PMP reporting requirements regarding drugs of concern.

Note: The PMP reporting requirements and regulations for prescribing opioids (see [Regulations Governing the Practice of Veterinary Medicine, 18VAC150-20-174](https://www.dhp.virginia.gov/vet/leg/VetMed09202018.docx)) are two separate actions. Please ensure compliance with both actions.

1. **If reporting dispensed prescriptions to the PMP, how are vacations or extended leave handled?**

If you have completed an Account Development Form and are required to report, you may submit future zero reports to accommodate vacations or extended leave. However, this would not apply if you have relief veterinarians practicing and dispensing to patients in your absence.

1. **If a veterinarian is waivered and not dispensing more than seven days of a covered substance, what is the required length of time between dispensing another seven days?**

The *Code of Virginia* does not address how long the wait period is before you may dispense another seven days of a covered controlled substance. However, the *Code of Virginia* does state that the dispensing is exempt for a course of treatment to last seven days or less as provided below:

**§ 54.1-2522. Reporting exemptions.**

The dispensing of covered substances under the following circumstances shall be exempt from the reporting requirements set forth in § 54.1-2521:

7. Dispensing of covered substances by veterinarians to animals within the usual course of their professional practice *for a course of treatment to last seven days or less*.

In addition, FAQ#2 (<https://www.dhp.virginia.gov/vet/docs/FAQonPMP.docx>) states the following:

*(Note: A veterinarian* ***may not*** *dispense multiple units of 7-days of reportable covered substances for the same course of treatment to circumvent the law)*

1. **Must a veterinarian reporting dispensed covered substances, report all dispensing regardless of the length of time?**

If a veterinarian is required to report dispensed covered substances, he or she is not required to report the dispensing of covered substances for a course of treatment to last seven days or less; however, he or she may choose to report all dispensed covered substances.

1. **Is a veterinarian required to declare waiver or reporting status annually?**

Waiver status is intended to be permanent. However, if you experience a change in waiver/reporting status please notify PMP staff in order for those changes to be accommodated. The PMP program does not send notices of approval of waiver requests; however you may request a confirmation at the time you send your waiver. Relief veterinarians may only file one waiver form; therefore, it is the relief veterinarian’s responsibility to determine if the hospital they are considering working for can accommodate his/her waiver status.

1. **What is a National Drug Code (NDC) number?**

A National Drug Code number is a universal product identifier and is present on all nonprescription and prescription medication packages. The NDC number can be found on the medication/tablet package, if not please contact your distributor. NDC's will always be 11 numbers and will be formatted in a 5-4-2 grouping (12345-1234-12). However, some labelers will sometimes drop a leading zero in one of the groupings creating a 10-digit number. These occurrences must be “normalized”. To normalize an NDC number add a leading zero to whichever section is missing a digit; 1234-123-1 becomes 01234-0123-01. The NDC number must be entered without dashes or spaces for it to be accepted.

1. **Are veterinarians that report to the PMP required to have a prescription number for dispensed covered substances?**

A prescription number is required for covered substances reported to the PMP as indicated in the Data Submission Dispenser Guide. The prescription number is also a required element in the American Society for Automation in Pharmacy (ASAP) reporting standard. Veterinarians must establish a numbering system to report dispensing to the PMP.

1. **For an animal owned by a company such as a pet store or a public or private shelter, what information should be submitted for the owner’s name and date of birth? (revised 11.01.18)**

Administration of covered substances of a medication dispensed by a veterinary establishment or a commercial pharmacy.

The dispensing entity must report the dispensing of the covered substance to the PMP. When reporting these prescriptions, please use the following data elements:

1. first name: the animal name
2. last name: the pet store/shelter name
3. date of birth: 1/1/1900

The remaining required reporting elements should not be affected.

1. **Are pharmacies located outside of Virginia required to report to the PMP?**

Out-of-state pharmacies, including compounding pharmacies, that ship into Virginia are required to be registered by the Virginia Board of Pharmacy as a non-resident pharmacy. Holding such a registration requires the pharmacy to comply with the laws related to Virginia’s PMP reporting requirements for dispensed covered substances.

1. **When prescribing a covered substance to be filled in a commercial pharmacy, is the veterinarian required to provide the owner’s date of birth on the written prescription?**

The veterinarian or the pharmacy filling the prescription may obtain or record an owner’s date of birth on the prescription.

1. **What is the process for updating a waiver or account development form?**

If your waiver and/or reporting status has changed, please contact the Virginia PMP staff at pmp@dhp.virginia.gov . If you have previously been waivered but need to begin reporting, you can begin the process by completing an Account Development Form. If you have previously been reporting but have decided to discontinue dispensing covered substances that are not exempt from reporting, please contact the Virginia PMP and complete a Wavier Form.

1. **Is there a tutorial on helping the veterinarian understand new reporting requirements?**

Please review the tutorial on [*Understanding the Veterinarian’s Role in Safe Prescribing*](https://www.youtube.com/watch?v=RvUEG4Pv6sE&list=PLAucn-PlwumNQKb4S6WYzvSHcox0yO6qO) to learn more.

1. **Why is it important for all of a pet’s dispensed prescriptions to be linked to the same owner? (added 11.01.18)**

When querying the PMP regarding a human patient, an authorized user must be able to review all dispensed covered substances for that human and all of his/her pets. Therefore, it is important to report the same owner’s information for the same pet. For example, if different family members pick up a prescription on different occasions and the dispensed covered substance is reported using different names and dates of birth, the pet’s prescriptions will show up on multiple human patient profiles.