



## **MEMORANDUM**

### **MEDICAL SOCIETY OF THE STATE OF NEW YORK**

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May 18, 2021

TO: MSSNY Council

FROM: Joshua Cohen, MD  
Janine Fogarty, MD  
Pat Clancy, Sr. VP/Managing Director, Public Health and Education

SUBJECT: 2020 House of Delegates Resolution 107 Pharmacy Refill Requests and Resolution 114 Automated Refills by Pharmacy Without Patient Authorization

Two resolutions from the 2020 House of Delegates were referred to the MSSNY Council by the House of Delegates and following the HOD, MSSNY Council referred them for further consideration to the Preventive Medicine and Family Health Committee for action. The original resolves for both resolutions read as follows:

#### **2020 Resolution 107 Pharmacy Refill Requests**

Original Resolved:

**RESOLVED, that The Medical Society of The State of New York (MSSNY) seek legislation to**

- Reduce unnecessary and redundant pharmacy refill requests.
- Provide payment to the physician for pharmacy generated refill requests that occur outside of the time of a patient encounter; and be it further

**RESOLVED, that MSSNY introduce a resolution to the AMA HOD to seek legislation to**

- Reduce unnecessary and redundant pharmacy refill requests
- Provide payment to the physician for pharmacy generated refill requests that occur outside of the time of a patient encounter; and be it further

#### **2020 Resolution 114 Automated Refills by Pharmacy without Patient Authorization**

Original Resolved:

**RESOLVED, that MSSNY seek from New York State through legislation and/or regulation a restriction on automated medications refills thus requiring the involved patient to request the medication prior to transmittal of the request to the prescribing providers electronic system; and be it further**

**RESOLVED, that pharmacists be required to review the appropriateness and validity of medication refill requests prior to transmit all to the prescribing providers electronic system.**

Resolution 107 Pharmacy Refill Requests and Resolution 114 Automated Refills by Pharmacy Without Patient Authorization were discussed at the January 28, 2021 committee meeting with instructions to staff to create a substitute resolution. Many committee members indicated that this continued to be a problem and indicated that perhaps a substitute could be created that incorporated both provisions. At the May 13, 2021 committee meeting discussed the proposed substitute resolution and agreed that it best reflected the intent of the

resolutions by the authors. The committee agreed to submit the resolution to the MSSNY Council for its consideration. Therefore, the following is before the Council for its consideration:

The Committee on Preventive Medicine and Family Health recommends that following Substitute Resolution 107 be adopted in lieu of Resolution 107 and Resolution 114:

**RESOLVED, that Medical Society of the State of New York (MSSNY) support legislation and/or regulation that would limit automated medications refills by requiring that the patient request the medication prior to transmittal of the request to the prescribing providers electronic system; and be it further**

**RESOLVED, that MSSNY support legislation to reduce unnecessary and redundant pharmacy refill requests and provide payment to the physician for pharmacy generated refill requests that occur outside of the time of a patient encounter; and be it further**

**RESOLVED, that MSSNY advocate that pharmacists be required to review the appropriateness and validity of medication refill requests prior to transmitting the refill request to the prescribing providers electronic system.**

**(FOR COUNCIL APPROVAL)**