NEW YORK STATE OF OPPORTUNITY. | **Department of Health**

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Important Communication:
Exception to Medicaid Provider Enrollment for Unlicensed Interns, Residents & Foreign Physicians in Training Programs

Unlicensed Interns, Residents and Foreign Physicians in Training Programs are eligible to prescribe for Medicaid members in NYRx, the Medicaid Pharmacy program, without enrollment as a Medicaid provider. In accordance with NYS Education Law, unlicensed interns, residents, and foreign physicians participating in training programs, are authorized to prescribe. NYS Medicaid recognizes the authority under which these unlicensed providers may prescribe; however, per federal requirements these physicians are not eligible for enrollment into the NYS Medicaid program without a license.

Pharmacies billing for prescriptions written by Unlicensed Interns, Residents and Foreign Physicians in Training Programs will need to utilize point of service overrides for claim submission. NYRx has billing guidance exceptions in place to be utilized at the pharmacy point of service for the enrollment requirement. These overrides will allow prescriptions written by unlicensed interns, residents and foreign physicians participating in training programs to bypass enrollment editing.

Important Communication:
Unlicensed Interns, Residents & Foreign Physicians in Training Programs are Authorized Prescribers for Medicaid Members

Unlicensed Interns, Residents and Foreign Physicians in Training Programs are eligible to prescribe for Medicaid members in both NYRx and the Medicaid Managed Care Plans, without enrollment as a Medicaid provider. In accordance with NYS Education Law, unlicensed interns, residents, and foreign physicians participating in training programs, are authorized to prescribe. NYS Medicaid recognizes the authority under which these unlicensed providers may prescribe; however, per federal requirements these physicians are not eligible for enrollment into the NYS Medicaid program without a license.

Pharmacy Billing Guidance Exceptions for Non-Enrolled Prescribers in Medicaid
The New York State (NYS) Medicaid program requires enrollment of all licensed prescribers who serve Medicaid and Medicaid Managed Care members, including **prescribing practitioners**, as identified on pharmacy prescriptions, per the Centers for Medicare and Medicaid Services (CMS) and federal regulations.

There are **two exceptions** to the provider enrollment requirement:

> **1. Unlicensed Interns, Residents and Foreign Physicians in Training Programs**
> **2. Out-of-State (OOS) Licensed Prescribers that are treating Medicaid Members for a *single instance of emergency care within 180 days*.**
>
> These prescribers need to be either enrolled in Medicare with an "approved" status or are enrolled in their own state's Medicaid plan.

Pharmacies will receive a reject code/POS rejection message for prescriptions written by a non-enrolled prescriber. **Please utilize the override guidance provided below for the above exceptions specific to NYRx, the Medicaid Pharmacy Program.**

➢ For **NYRx, the Medicaid Pharmacy Program,** please utilize the override instructions provided:
   o Pharmacy claims will initially reject for National Council for Prescription Drug Programs (NCPDP) Reject code "**889**" - **Prescriber Not Enrolled in State Medicaid Program**.
   o to override above rejection for the unlicensed resident, intern or foreign physician in a training program or OOS prescription situations described above:
   ▪ In Field 439-E4 (Reason for Service Code): enter **"PN"** (*Prescriber Consultation*)
   ▪ In Field 441-E6 (Result of Service Code): enter applicable value (**"1A", "1B", "1C", "1D", "1E", "1F", "1G", "1H", "1J", "1K", "2A", "2B", "3A", "3B", "3C", "3D", "3E", "3F", "3G", "3H", "3J", "3K", "3M", "3N", "4A"**)
   ▪ In Field 420-DK (Submission Clarification Code): enter **"02"** (*Other Override*)

Medicaid Provider Enrollment Compendium (MPEC):
https://www.medicaid.gov/medicaid/program-integrity/affordable-care-act-program-integrity-provisions/index.html