

CHAPTER 51

PHARMACEUTICAL SERVICES MANUAL

Authority

N.J.S.A. 30:4D-6, 7 and 12.

Source and Effective Date

R.1998 d.488, effective August 28, 1998.
See: 30 N.J.R. 2169(b), 30 N.J.R. 3538(a).

Executive Order No. 66(1978) Expiration Date

Chapter 51, Pharmaceutical Services Manual, expires on August 28, 2003.

Chapter Historical Note

Chapter 51, Pharmacy Manual, was adopted as R.1971 d.29, effective March 5, 1971. See: 3 N.J.R. 25(a), 3 N.J.R. 62(b).

Pursuant to Executive Order No. 66(1978), Chapter 51 was readopted as R.1985 d.594, effective October 28, 1985. See: 17 N.J.R. 2223(a), 17 N.J.R. 2772(a).

Pursuant to Executive Order No. 66(1978), Chapter 51 was readopted as R.1990 d.530, effective October 9, 1990. See: 22 N.J.R. 2217(a), 22 N.J.R. 3372(a).

Chapter 51, Pharmaceutical Services Manual, was repealed and a new Chapter 51, Pharmaceutical Services Manual, was adopted by R.1993 d.434, effective September 7, 1993. See: 24 N.J.R. 3053(a), 25 N.J.R. 4082(a).

Pursuant to Executive Order No. 66(1978), Chapter 51, Pharmaceutical Services Manual, was readopted as R.1998 d.488, effective August 28, 1998. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. PHARMACEUTICAL SERVICES

10:51-1.1 Introduction

(a) This chapter provides information about the provision of pharmaceutical services under the New Jersey Medicaid

program and NJ KidCare program. It is divided into three subchapters.

1. N.J.A.C. 10:51-1 provides a pharmacy operating under a retail permit with the policies and procedures relevant to the provision of services to New Jersey Medicaid and NJ KidCare fee-for-service beneficiaries, excluding those residing in a nursing facility.

2. N.J.A.C. 10:51-2 pertains to a pharmacy providing pharmaceutical services to Medicaid beneficiaries in a nursing facility.

3. N.J.A.C. 10:51-3 explains the responsibility of a pharmacist acting as a consultant in a nursing facility or other public medical institution.

(b) Incorporated by reference into this chapter as Appendix D is the Fiscal Agent Billing Supplement that provides information about claim processing and related activities.

Amended by R.1998 d.488, effective September 21, 1998.
See: 30 N.J.R. 2169(b), 30 N.J.R. 3538(a).

In (a), substituted references to the NJ KidCare program for references to the Pharmaceutical Assistance to the Age and Disabled program in the introductory paragraph, inserted a reference to NJ KidCare fee-for-service beneficiaries in 1, and deleted a former 4.

10:51-1.2 Participation of eligible providers

(a) A pharmacy, with a retail or institutional permit, may participate in the Medicaid or NJ KidCare program as a provider of pharmaceutical services; as a medical supplier providing medical supplies and durable medical equipment; and/or as a provider of parenteral nutrition and/or intravenous therapy. The requirements for approval as a provider of these services are listed in (b) through (d) below.

(b) To be approved as a provider of pharmaceutical services, the pharmacy shall:

1. Operate under a valid retail and/or institutional permit issued by the Board of Pharmacy of the State of New Jersey or by the Board of Pharmacy of the state in which the pharmacy is located. A pharmacy operating under an out-of-state institutional permit may not participate as an approved provider in the New Jersey Medicaid or NJ KidCare program; and

2. File an application and sign an agreement with the Division of Medical Assistance and Health Services.

i. Upon sale or other change of ownership of an approved pharmacy, the agreement is automatically terminated. To execute a new agreement to participate in the New Jersey Medicaid and NJ KidCare programs, the new owner(s) shall apply to the Division of Medical Assistance and Health Services, Department of Human Services, by contacting the Provider Enrollment Unit (see N.J.A.C. 10:49—Administration Chapter, Enrollment Process) or the fiscal agent Provider Enrollment Unit (see Appendix D, Fiscal Agent Billing Supplement).

3. To enroll as a Medicaid and NJ KidCare provider of pharmaceutical services, a pharmacy shall contact the fiscal agent Provider Enrollment Unit (see Appendix D, Fiscal Agent Billing Supplement).

(c) A pharmacy may also participate as a medical supplier. The Medical Supplier chapter, N.J.A.C. 10:59, available from the fiscal agent, provides information concerning the provision of and reimbursement for covered medical supplies and durable medical equipment provided by a medical supplier.

1. A pharmacy may apply to participate as a medical supplier by contacting the Provider Enrollment Unit (see N.J.A.C. 10:49—Administration Chapter, Enrollment Process) or the fiscal agent Provider Enrollment Unit (see Appendix D, Fiscal Agent Billing Supplement).

(d) Requirements for approval as a provider of parenteral nutrition and/or intravenous therapy are as follows:

1. In addition to the requirements for approval as a pharmacy provider listed under (b) above, a pharmacy who supplies parenteral nutrition and/or intravenous therapy shall:

i. Comply with all the requirements of N.J.A.C. 13:39; or

ii. Comply with similar applicable requirements of the state in which the applicant is located and submit a copy of the requirements of that state when applying for participation. A copy of N.J.A.C. 13:39 is available from West Group at 1-800-808-WEST.

2. Parenteral nutrition and/or intravenous therapy may be provided by either a pharmacy/medical supplier or a medical supplier approved to provide these services by the New Jersey Medicaid and NJ KidCare programs; however, billing for the ancillary supplies associated with parenteral nutrition and/or intravenous therapy are subject to the requirements of the Medical Supplier Chapter (N.J.A.C. 10:59).

i. "Ancillary supplies" means medical supplies and/or durable medical equipment which are medically necessary to facilitate administration of parenteral or intravenous therapy.

Amended by R.1998 d.488, effective September 21, 1998.
See: 30 N.J.R. 2169(b), 30 N.J.R. 3538(a).

Inserted references to NJ KidCare throughout; in (b)2i and (c)1, deleted "Medicaid" preceding "Provider"; in (c), deleted "Medicaid" preceding "fiscal agent" in the introductory paragraph; and in (d)1, rewrote i and ii.

10:51-1.3 Conditions for participation as a provider of pharmaceutical services

(a) All participating pharmacies shall provide complete prescription services, including injectables and injectable anti-neoplastic agents, compounding, and prescription refill services, when allowable. Prescriptions must be dispensed in compliance with all current existing Federal and State laws.