



August 29, 2010

Submitted electronically via:
<http://www.regulations.gov>

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-0023-IFC
P.O. Box 8013
Baltimore, MD 21244-8013

RE: Medicare Program; Identification of Backward Compatible Version of Adopted Standard for E-Prescribing and the Medicare Prescription Drug Program (NCPDP SCRIPT 10.6) (RIN 0938-AP49)

Dear Sir or Madam:

Surescripts is the result of the merger in June 2008 of SureScripts, LLC and Rx-Hub, LLC. SureScripts, LLC was founded in August of 2001 by the National Community Pharmacists Association (NCPA) and the National Association of Chain Drug Stores (NACDS), which together represent the interests of the 55,000 independent and chain community pharmacies throughout the United States. RxHub, LLC was founded in the same year by the nation's three largest pharmacy benefit managers (PBMs): CVS Caremark Corporation, Express Scripts, Inc. and Medco Health Solutions, Inc. RxHub's expertise in patient identification and delivering prescription drug benefit information to the physician at the point of care complemented SureScripts' focus on routing of electronic prescriptions and refill authorization requests and responses between physician offices and both community and mail-order pharmacies. The merger combined these strengths with a shared focus on greater access to patient medication history to form a single suite of comprehensive e-prescribing services. Surescripts is committed to building relationships within the healthcare community and working collaboratively with key industry stakeholders to improve the safety, efficiency, and quality of healthcare by improving the overall prescribing process.

Surescripts' role as the largest e-prescribing network in the U.S. places us in a unique position to provide CMS with real-world guidance with regard to the adoption of NCPDP SCRIPT Version 10.6 as a backward compatible update of the adopted NCPDP SCRIPT Version 8.1 for Medicare e-prescribing transactions as described in the Medicare Modernization Act of 2003 (MMA). In fact, Surescripts representatives testified before the National Committee on Vital and Health Statistics (NCVHS) on February 26, 2009 recommending that the Secretary adopt NCPDP SCRIPT 10.6 for MMA purposes as soon as practicable.



Having now reviewed this interim final rule with comment (IFC), we are pleased to share that we are in complete agreement with the changes adopted therein, which we understand to be:

CMS: We are revising §423.160(b)(2)(ii) to specify that providers and dispensers may use NCPDP SCRIPT 10.6 or 8.1 in electronic transactions that convey prescription or prescription related information for the following transactions:

- *Get message transaction.*
- *Status response transaction.*
- *Error response transaction.*
- *New prescription transaction.*
- *Prescription change request transaction.*
- *Prescription change response transaction.*
- *Refill prescription request transaction.*
- *Refill prescription response transaction.*
- *Verification transaction.*
- *Password change transaction.*
- *Cancel prescription request transaction.*
- *Cancel prescription response transaction.*
- *Fill status notification transaction.*

We are also revising §423.160(b)(4) to specify that entities may use either NCPDP SCRIPT 10.6 or 8.1 for the communication of Medicare Part D medication history among sponsors, prescribers, and dispensers.

In addition, we are adding a new §423.160(c)(1)(v) to specify the incorporation by reference of NCPDP SCRIPT 10.6.

In addition, we note that CMS made three requests for comment within the IFC. Surescripts' responses to these requests for comment are:

CMS: We seek comment on recognizing NCPDP SCRIPT 10.6 as a backward compatible version of the adopted NCPDP SCRIPT 8.1 standard.

Surescripts Comment: We agree with the adoption of NCPDP SCRIPT 10.6 as a backward compatible version of NCPDP SCRIPT 8.1 for Medicare e-prescribing.

CMS: We also seek comment on the voluntary use of the backward compatible NCPDP SCRIPT 10.6.

Surescripts Comment: We agree that the use of backward compatible NCPDP SCRIPT 10.6 should be voluntary at this time.



CMS: Furthermore, we seek comment on whether and when to retire NCPDP SCRIPT 8.1.

Surescripts Comment: We recommend that CMS retire NCPDP SCRIPT 8.1 on December 31, 2012, which is consistent with the thinking of the industry based on our conversations and interactions with both pharmacy and prescriber vendors connected to the Surescripts network.

In summary, we agree completely with the changes to the Medicare e-prescribing standards adopted by this IFC. Allowing the industry to move forward with the voluntary adoption of NCPDP SCRIPT 10.6 will significantly expand the utility of Medicare e-prescribing, which in turn should improve the safety and efficiency of e-prescribing for Medicare Part D recipients.

Furthermore, we note that NCPDP already has adopted subsequent versions of the NCPDP SCRIPT standard (Version 10.11 at this writing), and we believe that many in the industry are anxious to use the newer versions for purposes of Medicare e-prescribing. We encourage NCVHS and CMS to begin a process to adopt the subsequent versions of the NCPDP SCRIPT standard as adopted by NCPDP as soon as possible. Innovation is leading to change in the industry, including the applicable standards, and we encourage CMS to adopt new standards so that the government and industry may take advantage of this innovation in the marketplace.

We thank you for this opportunity to comment.

Sincerely,

/s/ Paul Uhrig

Paul L. Uhrig
EVP, Chief Administrative & Legal Officer; Chief Privacy Officer

/s/ Ken Whittemore Jr.

Ken Whittemore, Jr.
Senior VP, Regulatory Affairs