

I respectfully request a hardship exemption under the category "Inability to Electronically Prescribe Due to Local Law, State or Federal Law or Regulation." As a psychiatrist, I prescribe benzodiazepines, which are controlled substances. New York State Department of Health regulations currently prohibit the transmission of prescriptions for benzodiazepines by electronic means. Specifically, 10 NYCRR § 80.67(a) states that prescriptions for schedule II substances and prescriptions for benzodiazepines shall be issued on the official New York State prescription form and shall not be refilled. I am claiming a significant hardship because during the period January 1, 2011 to June 30, 2011, I did not have sufficient opportunities to become a successful electronic prescriber during the 2012 eRx payment adjustment reporting period due to conflicting New York State regulation.

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I respectfully request a hardship exemption under the category "Limited Prescribing Activity." During the period January 1, 2011 to June 30, 2011, I wrote only \_\_\_\_ prescriptions, including paper and electronic prescriptions. As a result, I did not have sufficient opportunities to become a successful electronic prescriber during the 2012 eRx payment adjustment reporting period.