DEA and HHS Extend Telehealth Prescribing Flexibilities Again



11/30/2023

On October 10, 2023, the Drug Enforcement Administration (DEA) and the Department of Health and Human Services (DHHS) issued a second temporary extension of existing temporary flexibilities allowing providers to prescribe controlled substances via telehealth. This extension is a continuation of a policy that was initially implemented in 2020 in response to the COVID-19 pandemic, which temporarily exempted providers from federal rules requiring an in-person valuation before prescribing controlled substances. Under the new extension, these flexibilities will remain in place until December 31, 2024.

The DEA and DHHS issued the first temporary extension on May 10, 2023, allowing providers to prescribe controlled substances through telehealth to new patients until November 11, 2023, and to established patients until November 11, 2024, despite the conclusion of the COVID-19 public health emergency. The recently adopted second extension applies to both new and established patients, and was adopted in order to facilitate a smooth transition for patients and practitioners who rely on telemedicine for controlled substance prescriptions.

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