

DEA and HHS Extend Telehealth Prescribing Flexibilities Again

Healthcare Law Update

DEA and HHS Extend Telehealth Prescribing Flexibilities Again

Carol Grelecki
Member, Healthcare
Jonathan J. Walzman
Member, Healthcare
Harshita Rathore
Associate, Healthcare

BRACH | EICHLER^{LLC}
Counsellors at Law

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.

[Click Here to read the entire November 2023 Healthcare Law Update now!](#)

For more information, contact:

Carol Grelecki | 973.403.3140 | cgrelecki@bracheichler.com
Jonathan J. Walzman | 973.403.3120 | jwalzman@bracheichler.com
Harshita Rathore | 973.364.8393 | hrathore@bracheichler.com

Attorney Advertising: This publication is designed to provide Brach Eichler LLC clients and contacts with information they can use

to more effectively manage their businesses. The contents of this publication are for informational purposes only. Neither this publication nor the lawyers who authored it are rendering legal or other professional advice or opinions on specific facts or matters. Brach Eichler LLC assumes no liability in connection with the use of this publication.