

Drug Enforcement Administration  
Diversion Control Division  
Guidance Document

**Title:** Use of Existing DEA-Form 222s (U.S. Official Order Forms – Schedules I & II) after Removal of X-Waiver

**Summary:** This guidance document provides information regarding a practitioner’s use of existing Drug Enforcement Administration (DEA)-Form 222s after Congress’s elimination of the X-waiver (DATA-Waiver) in the Consolidated Appropriations Act (CAA) of 2023. This guidance will be sent via email to all DEA-registered pharmacies and practitioners and will be posted on the [DEA guidance portal](#).

**Activity:** Use of Existing DEA-Form 222s after Removal of X-Waiver

**To Whom It Applies:** All DEA-Registered Practitioners

**Question:** In light of the elimination of the DATA-Waiver identifier (i.e., X-waiver number) from my DEA registration certificate, am I still able to use my existing DEA-Form 222s to order controlled substances or should I return them to DEA?

**Answer:** Yes, you can still use the existing forms. They DO NOT need to be returned to DEA. On December 29, 2022, with the signing of the CAA of 2023, Congress eliminated the DATA-Waiver requirement. Section 1262 of the CAA of 2023 removed the federal requirement for practitioners to apply for a special waiver prior to prescribing buprenorphine for the treatment of Opioid Use Disorder (OUD). It also removed the requirement for the assignment of an identification number (i.e., X-waiver number) associated with being a DATA-waived provider, for inclusion with the registration issued to the practitioner. 21 U.S.C. 823(g)(2)(D)(ii). DEA-registered practitioners, allowed to handle schedule I and II controlled substances, are issued DEA-Form 222s. These forms are printed by DEA with the practitioner’s DEA registration number and registered location; however, no forms were printed with a practitioner’s X-waiver number. As the X-waiver numbers were not used previously to order controlled substances on DEA-Form 222s, no change is necessary. Orders for controlled substances are still placed using your DEA number only. DEA-registered practitioners who are allowed to handle schedule I and II controlled substances, may obtain and use DEA-Form 222s. [21 CFR 1305.04\(a\)](#).

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or Department of Justice policies.

EO-DEA265, DEA-DC-069, April 2, 2023