



The United States Department of Justice

**Drug Enforcement Administration**



# *Dispensing Controlled Substances for Narcotic Drug Treatment*

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## LEGAL DISCLAIMER

The following presentation was accompanied by an oral presentation on **March 26, 2017**, and does not purport to establish legal standards that are not contained in statutes, regulations, or other competent law. Statements contained in this presentation that are not embodied in the law are not binding on DEA. Summaries of statutory and regulatory provisions that are summarized in this presentation do not purport to state the full extent of the statutory and regulatory requirements of the cited statutes and regulations. **I have no financial relationships to disclose.**



# Opioid Drug Treatment

## The Comprehensive Addiction and Recovery Act of 2016

“CARA”

July 22, 2016

Public Law 114-198



# Opioid Drug Treatment

## Qualifying Practitioners

(Qualifying Physicians)

(DATA Waived Doctors)

## Qualifying Other Practitioners



# Qualifying Other Practitioners

The term “qualifying other practitioner” means a nurse practitioner or physician assistant who satisfies each of the following:



# Qualifying Other Practitioners

**(I) The nurse practitioner or physician assistant is licensed under State law to prescribe schedule III, IV, or V medications for the treatment of pain.**



# Qualifying Other Practitioners

**(II) The nurse practitioner or physician assistant has –**



# Qualifying Other Practitioners

**(aa) completed not fewer than 24  
hours of initial training...**



# **Qualifying Other Practitioners**

**(bb) has such other training or experience as the Secretary determines will demonstrate the ability of the nurse practitioner or physician assistant to treat and manage opiate-dependent patients.**



# Qualifying Other Practitioners

**(III) The nurse practitioner or physician assistant is supervised by, or works in collaboration with, a qualifying physician, if the nurse practitioner or physician assistant is required by State law to (do so).**



# **Opioid Drug Treatment**

## **Qualifying Practitioners**

**(30, 100, 275 Patients)**

## **Qualifying Other Practitioners**

**(30, 100 Patients)**



# Partial Fills

**Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198) Effective: July 22, 2016**

- In addition to current regulations on partial fills in 21 C.F.R. § 1306.13
  - If cannot supply full amount/72hrs
- Does not replace or contradict
- Additional Options for Patient/Practitioner, if state law permits.
- Patient does not have to take the Full Amount of Prescribed Quantity/Has 30 days to Take All if So Desired



# **Partial Fills: 21 C.F.R. 1306.13**

**The Partial Filling of a Prescription for Schedule II is Permissible if the Pharmacist is Unable to Supply the Full Quantity Called for in a Written or Emergency Oral Prescription**



**Partial Fills: 21 C.F.R. 1306.13**

**The Remaining Portion of the  
Prescription May Be Filled  
Within 72 hours of the First  
Partial Filling**



# **CARA: Partial Fills (New)**

## **Section 702**

**Amended 21 U.S.C. 829**

**(1) A Prescription For A  
Controlled Substance In  
Schedule II May Be Partially  
Filled If—**



# **CARA: Partial Fills (New)**

**(A) it is not prohibited by State Law;**

**(B) the prescription is written and filled in accordance with Federal and State Law & Regulations.**



# **CARA: Partial Fills (New)**

**(C) the partial fill is requested by the patient, or the practitioner that wrote the prescription; and**

**(D) the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.**



# **CARA: Partial Fills (New)**

**(2) remaining portions of a partially filled prescription for a controlled substance in Schedule II—**

**(i) may be filled; and**

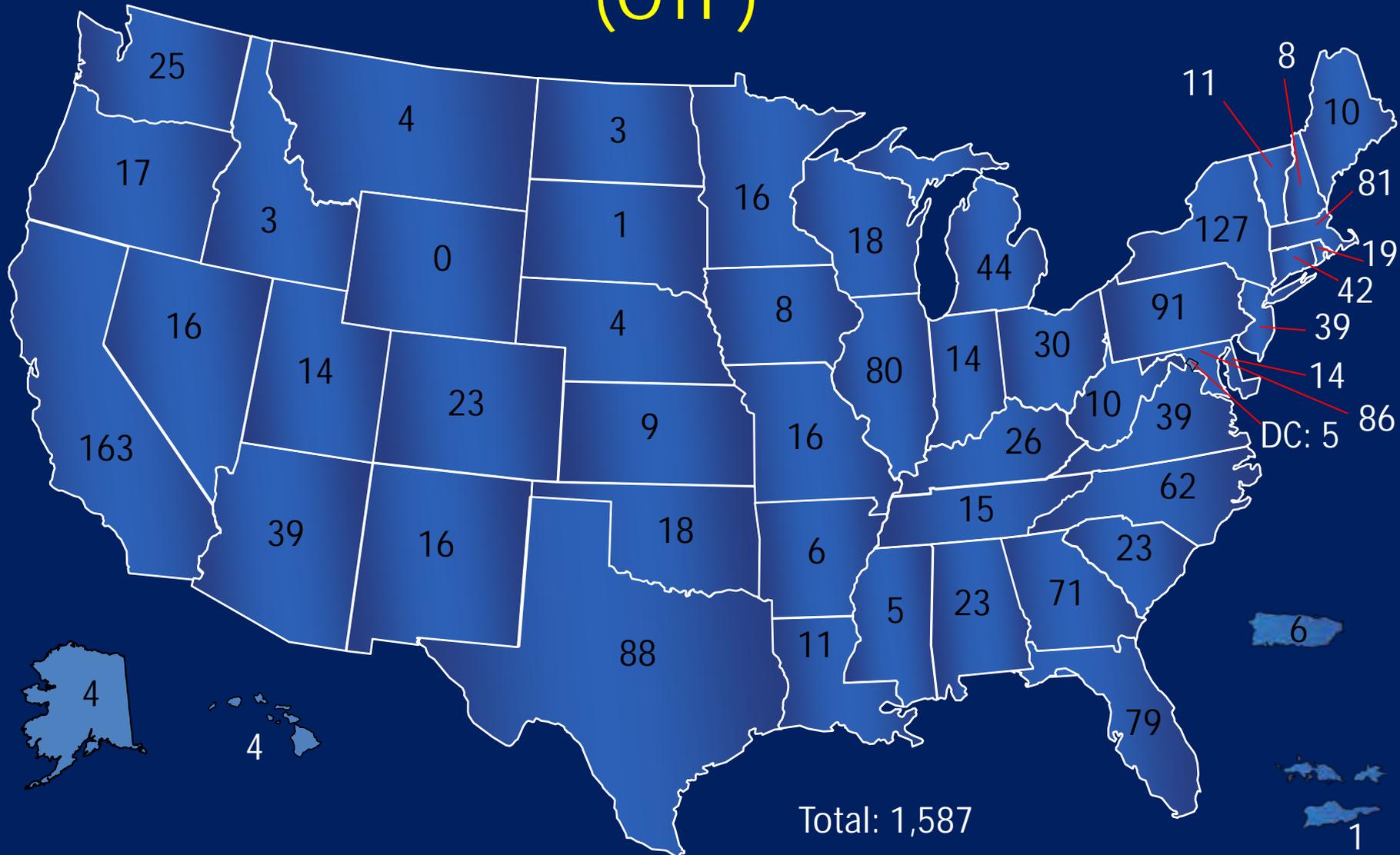
**(ii) shall be filled not later than 30 days after the date on which the prescription is written.**

# DEA Registered: Opioid Treatment Programs (OTP) & Data Waived Physicians (DWP) / Qualifying Practitioners

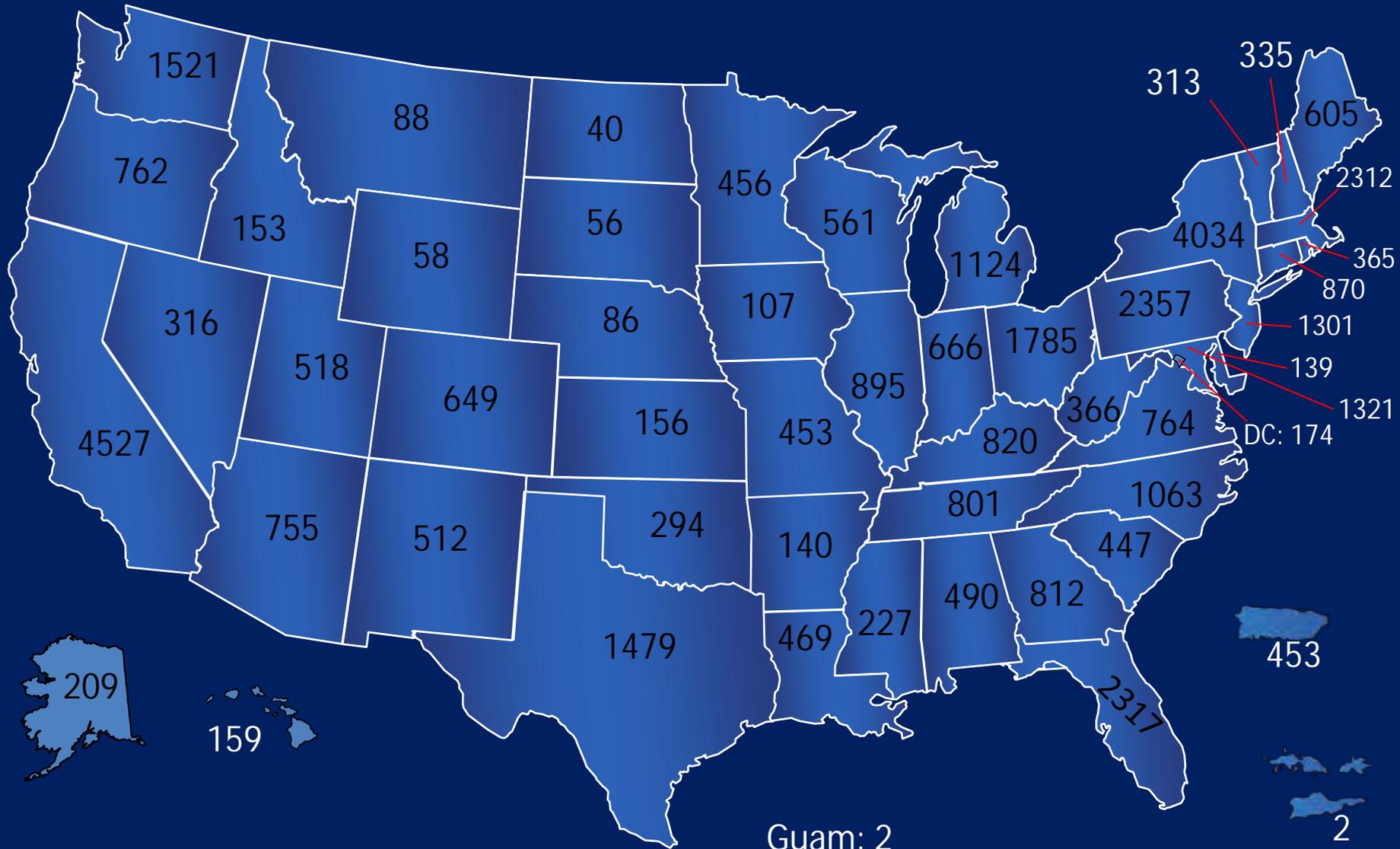
STATE	OTP	NP 30	PA 30	DWP 30	DWP 100	DWP 275	STATE	OTP	NP 30	PA 30	DWP 30	DWP 100	DWP 275	STATE	OTP	NP 30	PA 30	DWP 30	DWP 100	DWP 275
AK	4	23	13	134	32	7	KY	26	106	0	341	216	157	OH	30	224	29	858	394	280
AL	23	12	1	227	156	94	LA	11	43	1	213	124	88	OK	18	0	10	193	61	30
AR	6	6	1	72	45	16	MA	81	209	49	1330	543	181	OR	17	81	26	508	111	36
AZ	39	123	22	446	118	46	MD	86	174	26	735	288	98	PA	91	126	63	1287	573	308
CA	163	194	78	3362	734	159	ME	10	86	15	333	135	36	PR	6	0	0	368	80	5
CO	23	77	29	389	117	37	MI	44	38	30	667	279	110	RI	19	28	9	218	71	39
CT	42	126	18	486	185	55	MN	16	42	13	302	70	29	SC	23	52	12	231	104	48
DC	5	25	3	122	23	1	MO	16	19	0	309	78	47	SD	1	3	1	46	5	1
DE	14	12	5	72	30	20	MS	5	19	2	98	73	35	TN	15	0	0	351	279	171
FL	79	98	30	1390	589	210	MT	4	12	6	51	13	6	TX	88	91	23	913	322	130
GA	71	25	11	502	211	63	NC	62	116	57	562	198	130	UT	14	59	26	287	116	30
GU	0	0	0	1	1	0	ND	3	5	1	22	7	5	VA	39	61	18	445	164	76
HI	4	14	1	119	22	3	NE	4	5	4	58	12	7	VI	1	0	0	2	0	0
IA	8	12	3	70	15	7	NH	8	59	8	166	74	28	VT	11	35	7	196	56	19
ID	3	28	6	79	33	7	NJ	39	101	13	808	255	124	WA	25	147	43	1071	193	67
IL	80	58	16	602	173	46	NM	16	59	8	316	108	21	WI	18	36	11	350	125	39
IN	14	103	12	323	138	90	NV	16	34	8	194	61	19	WV	10	39	8	150	90	79
KS	9	9	3	107	27	10	NY	127	299	91	2733	672	239	WY	0	8	5	29	11	5

Grand Total:      OTP = 1,587      NP = 3,361      PA = 875      DWP 30 = 25,244      DWP 100 = 8,610      DWP 275 = 3,594

# DEA Registered Opioid Treatment Programs (OTP)



# DEA Registered Data Waived Physicians (DWP) (Qualifying Practitioners)





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# *Thank You / Questions*

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