Dispensing Controlled Substances for Narcotic Drug Treatment

National Conference
Dallas, Texas
December 13, 2017
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.**
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.
(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

- 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
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.
The Remaining Portion of the Prescription May Be Filled Within 72 hours of the First Partial Filling
(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.
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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)

Total: 1,587

Drug Enforcement Administration, Office of Diversion Control, Regulatory Section
updated 11/28/2017
DEA Registered Data Waived Physicians (DWP)
(Qualifying Practitioners)

Drug Enforcement Administration, Office of Diversion Control, Regulatory Section
updated 11/28/2017

Guam: 2
Thank You / Questions

Office of Diversion Control