

CTeL Urges DEA to Extend Telehealth Waivers for Prescribing Controlled Substances, Preventing Healthcare Crisis

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WASHINGTON, DC - In a letter to the Drug Enforcement Administration (DEA), the Center for Telehealth and e-Health Law (CTeL) [joined 17 organizations](#) in expressing concern over the impending expiration of waivers allowing for the telemedicine prescribing of controlled medications without an in-person visit.

CTeL is concerned that the DEA is likely planning to allow these waivers, initially promulgated in 2020 during the onset of the COVID-19 pandemic, to expire **without public notice** on December 31, 2024. To mitigate the spread of misinformation, CTeL has so far learned that:

1. The rules drafted by the DEA were stalled following opposition by the Department of Health and Human Services, based on concerns over the restrictiveness of the new rules.
2. The provisions contained in the draft rule are most restrictive specifically for Schedule II medications, such as a 50/50 in-person/virtual requirement and a required 50-state Prescription Drug Monitoring Program (PDMP) check before issuing a prescription.
3. DEA is still leaving the proposed rule on the Federal Register, but there is no indication that the rule will actually be issued and published. DEA is required to issue a proposed rule but is not required to do so before December 31, 2024.
4. The Biden Administration believes that this policy should come from the DEA.

The letter describes the wide-ranging and catastrophic effects that the Administration's policy would have. **"There is no clinical justification for requiring an in-person visit to prescribe controlled substances; this requirement often results in delayed treatment, increased travel burdens, and additional financial costs for patients. This is particularly concerning for cancer patients, those with chronic pain, mental health problems, or substance use disorders, those in the LGBTQ+ community, and the millions of others who require timely and ongoing access to medication,"** the letter writes. The organizations signing the letter called on the DEA to:

1. Issue an immediate extension of current telemedicine prescribing waivers; and,
2. Begin the process of issuing a rule paving the way for a permanent extension of prescribing authority.

CTeL is encouraging the collective voice of the telehealth community through their [sign-on letter](#) addressing concerns of the expiring waivers. CTeL is encouraging additional action beyond this letter to involve state hospital associations and encourage communication with the administration about why this policy will rollback decades of telehealth progress and advancements. To join their efforts, [sign the letter](#) to Assistant Administrator Thomas Prevostnik today.

The Center for Telehealth and e-Health Law (CTeL) is a 501 (c)(3) non-profit research institute which focuses on the legal and regulatory aspects of digital health. We are dedicated to conducting evidence-based research which shapes impactful policy and legislative advancements while fostering equitable and high-quality telehealth care accessible to all. Our mission is to help healthcare providers, legal and regulatory professionals, and policymakers navigate the complex legal and regulatory landscape of digital health, in the areas of telehealth, remote monitoring, artificial intelligence, and future technologies. For more information visit www.ctel.org.

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