



**NEXUS**  
2025

# **DEA Telemedicine Prescribing: Special Registrations, Waivers, Buprenorphine, and What to Expect**

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# DEA Registration & Telemedicine Prescribing Requirements Refresh

## DEA Registration

### **Without Flexibilities:**

- Practitioners must have a separate DEA registration in **each state** in which a telemedicine patient is located.

### **With Flexibilities:**

- Practitioners only need a registration in **one state** – the state in which they are located.

## Telemedicine Prescribing

### **General Rule**

- No prescribing of controlled substances without at least one in-person evaluation.

### **Exception: “Practice of Telemedicine”**

- Defined as communicating with a patient via a telecommunications system.
  - Includes two-way, real-time:
    - Audio-video
    - Audio-only\*

*\* If the practitioner has the capability to use audio-video, but the patient is either unable to use video or does not consent to it.*

# “Practice of Telemedicine” Exceptions

There are **seven** specific cases where a practitioner can prescribe via telemedicine without an in-person exam:

**1**

## **Hospital or Clinic**

Patient is treated by and physically located in a hospital or clinic.

**2**

## **With Another Practitioner**

Patient is treated by and in the physical presence of another practitioner.

**3**

## **Indian Health Services**

Patient is treated by an employee of the Indian Health Services.

**4**

## **Public Health Emergency**

Treatment occurs during a PHE declared by HHS.

**5**

## **Special Registration**

Practitioner holds a special registration.

Special registration proposed rule establishes this process

**6**

## **VA Medical Emergency**

Patient is treated for a medical emergency by a Veterans Health Administration employee.

**7**

## **Other Regulations**

Patient is treated under other circumstances permitted by HHS regulations.

Current DEA telemedicine flexibilities and the buprenorphine final rule fall under this exception

# Special Registration Proposed Rule

*Comment Period Closed March 18, 2025*

**To prescribe controlled substances via telemedicine using the Special Registration pathway, the following must occur:**



## Special Registration

Each practitioner and telemedicine platform must obtain a Special Registration



## State Telemedicine Registration

Each practitioner and telemedicine platform must also obtain a State Telemedicine Registration in each state they prescribe or dispense



## PDMP Check

Practitioners must check the PDMP of the state where they are located, the state where the patient is located, and any state that has a reciprocity agreement with these states



## Telehealth Modality

Prescriptions must be issued via an audio-video visit  
*except*  
buprenorphine may be prescribed via an audio-only visit in certain circumstances



## Schedule II

Practitioners must be located in the same state as the patient and prescribe less than 50% of Schedule II prescriptions via telemedicine



# Buprenorphine Final Rule

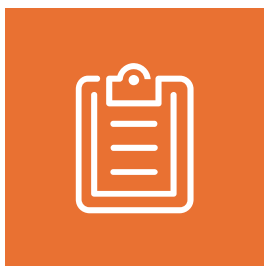
*Implementation Delayed to December 31, 2025*

**Before prescribing via telemedicine and dispensing buprenorphine for OUD treatment, the following must occur:**



## PDMP Check

Check PDMP of state where the patient is located



## Scope of PDMP Review

Prescription history for the past year or whatever is available



## Initial Prescriptions

Issue up to a six-month supply if able to review PDMP data

*or*

Issue up to a 7-day supply if *not* able to review PDMP data



## Follow-Up Prescriptions

Conduct an in-person visit

*or*

Meet one of the seven Ryan Haight Act exceptions to prescribe via telemedicine



## Pharmacist Verification

Verify the identity of the patient using acceptable documentation

# The Future for DEA Telemedicine Prescribing

*Our Predictions*

## **Special Registration Proposed Rule**

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**Likely to be shelved or  
revamped**

- Burdensome requirements
- Unworkable Schedule II restrictions
- Current DEA will likely want to write their own rule

## **Buprenorphine Final Rule**

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**Likely to be delayed further  
or to be rescinded**

- Delayed twice already
- Second delay was to review 32 comments
- Current DEA will likely want to write their own rule

## **Current Telemedicine Prescribing Flexibilities**

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**Likely to be extended  
another year**

- No other viable alternative to continue prescribing via telemedicine to avoid interruptions in patient care and patient harm
- Pressure from stakeholders will be important



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## Thank You! Contact Us



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