



FOR IMMEDIATE RELEASE

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The Association for Behavioral Health and Wellness (ABHW) Responds to the Drug Enforcement Administration (DEA)'s Special Registration for Telemedicine and Limited State Telemedicine Registrations Proposed Rule

Washington, D.C. — The Association for Behavioral Health and Wellness (ABHW), the national voice for payers that manage behavioral health insurance benefits for 200 million people, responded to the Drug Enforcement Administration (DEA)'s Special Registration for Telemedicine and Limited State Telemedicine Registrations Notice of Proposed Rulemaking that will establish special registrations for providers and telemedicine platforms to prescribe controlled substances II-IV without requiring an in-person visit.

ABHW is grateful that the DEA has proposed a system to improve access to care by authorizing less restrictive pathways for prescribing Schedule III-V controlled substances without the need for an in-person visit for qualified practitioners. However, we encourage the DEA to adjust the proposal to enhance patient care and effectively serve the broader public interest.

The proposed rule excludes primary care physicians and general medicine practitioners, often the first and only point of care for many people, from the Advanced Telemedicine Prescribing Registration. Excluding these providers limits the integration of behavioral health with primary care, and primary care helps meet the needs of society in a shrinking behavioral health workforce. Therefore, ABHW recommends including appropriately trained and licensed physicians and mid-level practitioners who need to be able to prescribe Schedule II medications during their everyday practice.

The proposal also introduces a measure that would limit a provider's ability to prescribe Schedule II controlled substances via telemedicine to less than 50% of their overall prescriptions. This requirement does not account for the unique needs of specialized providers, such as psychiatrists and pain management specialists, who routinely prescribe Schedule II substances or the many counties nationwide that lack a single psychiatrist and rely on telemedicine to access psychiatry and behavioral health services. While ABHW recognizes that in-person care may be necessary for some circumstances where it is a best clinical practice, we do not support mandating thresholds for in-person visits as it does not appropriately balance patient access with clinical necessity.

“Primary care providers and general medicine practitioners are often the first point of care for patients who may require controlled substances,” said ABHW President and CEO Debbie Witchey. “Excluding these providers from participating in a more simplified route for treating patients through telemedicine will create unnecessary barriers to care, particularly in rural and underserved communities where specialty care providers may be in shortage. Further, imposing an arbitrary quota of less than 50% on the modality of otherwise valid prescriptions would restrict access to care or disrupt the ongoing treatment of many individuals. These, among other requirements, could prevent qualified practitioners from effectively serving patients via telemedicine. We urge the DEA to make adjustments to its proposed rule so that patients can have both greater access to care and improved outcomes.”

Read the full letter with additional concerns and recommendations [here](#).

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ABOUT THE ASSOCIATION FOR BEHAVIORAL HEALTH AND WELLNESS

ABHW is the leading health plan association working to improve access and quality of care for mental health and substance use disorders. ABHW’s members include national and regional health plans that care for 200 million people. Together, we work to reduce stigma and advance federal policy on mental health and substance use disorder care. ABHW member companies – Aetna, a CVS Health Company; CareFirst BlueCross BlueShield; Caredon Behavioral Health, an Elevance Health Company; Centene Corporation; Evernorth; Kaiser Permanente; Lucet; Magellan Health; Molina Healthcare; Optum; and PerformCare, a subsidiary of AmeriHealth Caritas. To learn more, visit www.abhw.org and follow us on [X](#) and [LinkedIn](#).