

## The DEA Buprenorphine Teleprescribing Final Rule

**Overview:** The DEA/HHS buprenorphine final rule [Expansion of Buprenorphine Treatment via Telemedicine Encounter](#), published January 17, 2025, permanently expands teleprescribing for buprenorphine, allowing initial 6-month supplies via audio/video or audio-only under key guardrails. The final rule went into effect December 31, 2025.

### I. Initial 6-Month Supply:

It allows DEA-registered practitioners to prescribe Schedule III-V controlled substances, i.e., buprenorphine, to treat opioid use disorder (OUD) through audio-video visits and audio-only visits, when clinically appropriate. Up to a six-month supply may be prescribed without an in-person exam, provided the specific safeguards described in A-C below are met:

#### A) Prescribing Practitioner DEA Registration:

- The prescribing practitioner must be registered with the DEA in both the state that the practitioner is located as well as the state in which the patient is located.

#### B) Prescription Drug Monitoring (PDMP) Check:

- This requires the prescribing practitioner to conduct a PDMP check, reviewing the PDMP data of the state in which the patient is located at the time of the telemedicine encounter. The PDMP check requirement is intended to ensure that practitioners have the information needed about a patient's-controlled substances prescription history in order to make the clinical decision regarding whether to prescribe buprenorphine:
  - The last year of PDMP data must be reviewed, if possible. The practitioner must ensure that the date and time of the review is annotated in the patient's record.
  - If the PDMP data cannot be reviewed for a patient (e.g., due to technological issues with a state's PDMP), the prescribing practitioner should note their attempt and the reason the review could not be completed.
  - When the practitioner cannot review the PDMP data, the practitioner is limited to prescribing an initial seven-day supply of buprenorphine. If PDMP data remains unavailable or inaccessible, the practitioner is authorized to issue additional 7-day supplies up until the six-month limitation is reached, provided that the date and time of each PDMP review attempt are annotated in the patient's record.

### **C) Pharmacist Identity Verification:**

- Before dispensing buprenorphine prescribed via telemedicine, pharmacists must verify patient identity using:
  - A state government-issued ID;
  - A federal government-issued ID; or
  - Other acceptable documentation, such as a paycheck, bank or credit card statement, utility bill, tax bill, or voter registration card.

## **II. Prescribing after the Initial 6-Month Period:**

- After the initial six-month supply, practitioners may issue additional prescriptions if they either:
  - Conduct an in-person medical exam; or
  - Meet one of the seven narrow exceptions under the Ryan Haight Act [21 U.S.C. § 802\(54\)](#) (discussed below) for telemedicine practitioners.
    - The Ryan Haight Act outlines seven exceptions under which practitioners may prescribe controlled substances via telemedicine without an in-person exam.
    - One exception relies on a DEA “special registration” pathway
      - DEA has not finalized this process. A proposed rule was issued in January 2024, but no final rule is in effect yet.
- Once an in-person medical exam has been conducted, the prescribing practitioner and patient are no longer considered to be engaged in the practice of teleprescribing. In other words, the provider can prescribe like they would in traditional practice without having to meet the specific buprenorphine teleprescribing final rule conditions outlined above (such as PDMP checks and pharmacy verification).