

March 13, 2014

Dear Colleague:

In response to inquiries from the field and in consultation with the U.S. Drug Enforcement Administration (DEA), the Substance Abuse and Mental Health Services Administration (SAMHSA) offers the following guidance regarding the prescribing and dispensing of non-controlled substances in the Opioid Treatment Program (OTPS) setting. Further guidance regarding the use of controlled substances other than methadone and buprenorphine will be provided at a future date.

Title 42, Code of Federal Regulations, Part 8.12 does not prohibit physicians and other licensed health professionals with prescriptive authority from prescribing or dispensing non-controlled substances to OTP patients as a part of their formal job duties at an OTP. In as much as the DEA enforces the Controlled Substances Act (CSA) and its implementing regulations, the prescribing or dispensing of non-controlled substances are not under the jurisdiction of the DEA. State or local regulations as well as program and individual licensure restrictions may apply to provision of pharmacotherapy other than methadone and buprenorphine in an OTP so knowledge of such state and local requirements is expected of OTP staff where these pharmacotherapies are provided.

Programs are encouraged to develop the capacity to provide the most comprehensive and integrated medical and psychiatric treatment possible. Pharmacotherapy for common chronic medical and psychiatric problems as well as infectious diseases such as HIV and Hepatitis C can be successfully provided in the OTP setting. Programs may also wish to consider regularly providing pharmacotherapy for alcohol and tobacco use disorders as well as naltrexone for patients phasing out of opioid agonist therapy. Policies and procedures should be in place to assure that patients receiving prescription medications from OTP staff physicians, nurse practitioners or physician assistants are diagnosed and monitored in keeping with standard medical practice and in compliance with any and all applicable regulations. You may find it helpful to consult TIP 43 Medication-Assisted Treatment for Opioid Addiction in Opioid Treatment Programs or the 2011 Opioid Treatment Program (OTP) Survey: Data on Substance Abuse Treatment Facilities with OTPs. These resources can be downloaded from the following sites respectively: <http://store.samhsa.gov/product/TIP-43-Medication-Assisted-Treatment-for-Opioid-Addiction-in-Opioid-Treatment-Programs/SMA12-4214> and http://samhsa.gov/data/DASIS/OTP2011_Web.pdf.

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Thank you for your time and attention as well as your daily efforts on behalf of patients with opioid use disorders. Please contact Dr. Melinda Campopiano at SAMHSA. You may call her directly at (240) 276-2701 or melinda.campopiano@samhsa.hhs.gov with questions or for further information.

Sincerely,

[Signed by H. Westley Clark, M.D., J.D., M.P.H., CAS, FASAM.]

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