



U. S. Department of Justice
Drug Enforcement Administration

8701 Morrissette Drive
Springfield, Virginia 22202

www.dea.gov

Dear DEA-Registered Hospital/Clinic Practitioners:

The Drug Enforcement Administration (DEA) has been working with our partners from other Federal, state, and local agencies to formulate new or updated guidance related to the treatment of Opioid Use Disorder (OUD) including ways to expand access to Medication Assisted Treatment (MAT). DEA appreciates those willing to provide access to MAT, a successful evidence-based practice to treat OUD. DEA is committed to ensuring that MAT is available to everyone, especially in rural or underserved areas where treatment options may be limited.

Under [21 CFR 1306.07\(b\)](#), a physician is authorized to administer “narcotic drugs to a person for the purpose of relieving acute withdrawal symptoms when necessary while arrangements are being made for referral for treatment,” even if that physician is not registered as a Narcotic Treatment Program (NTP). A limitation of this regulation includes that “not more than one day’s medication may be administered to the person or for the person’s use at one time. Such emergency treatment may be carried out for not more than three days and may not be renewed or extended.”

In December 2020, Congress directed DEA to revise subsection 1306.07(b) to allow for a three-day supply of medication to be dispensed at one time. Pub. L. 116-215. Consistent with this directive, DEA is working to amend 21 CFR 1306.07(b). DEA encourages you to monitor the website www.regulations.gov for any new rulemaking. See also the Office of Management and Budget, [Unified Agenda](#) of Regulatory and Deregulatory Actions at www.reginfo.gov for status updates on any pending regulations.

In the meantime, to promote more immediate expanded treatment while the rulemaking is being undertaken, DEA is providing practitioners with the following option. In accordance with 21 CFR 1307.03, a DEA-registered practitioner working in a hospital, clinic, or emergency room, or any DEA-registered hospital/clinic that allows practitioners to operate under their registration number as per [21 CFR 1301.22\(c\)](#), may request an exception to the one-day supply limitation currently imposed pursuant to [21 CFR 1306.07\(b\)](#). Consistent with Pub. L. 116-215, DEA will grant such requests to allow a practitioner to dispense up to a three-day supply of the medication under the circumstances described in subsection 1306.07(b).

Requests for exception must be emailed to: ODLP@dea.gov. Please add the following to the subject line: **Request for Exception to Limitations on Dispensing for OUD.**

Please contact the DEA Policy Section by email if we may provide additional assistance at ODLP@dea.gov. For more information regarding DEA's Diversion Control Division, please visit <https://DEAdiversion.usdoj.gov>.

Sincerely,

THOMAS
PREVOZNIK

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THOMAS PREVOZNIK
Date: 2022.03.23
07:15:34 -0400

Thomas W. Prevoznik
Deputy Assistant Administrator
Diversion Control Division

EO-DEA248, March 23, 2022