

# Dept. of Justice: AG Kaul joins multistate effort urging DEA to extend telehealth capabilities for opioid use disorder treatment

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MADISON, Wis. – Attorney General Josh Kaul is joining a coalition of 45 attorneys general to urge the Drug Enforcement Administration (DEA) and Substance Abuse and Mental Health Services Administration (SAMHSA) to permanently extend telehealth flexibilities for prescribing buprenorphine, an opioid use disorder treatment. Buprenorphine is one of three medications that is approved by the Food and Drug Administration to treat patients suffering from addiction. During the COVID-19 pandemic, the FDA allowed doctors to use telehealth services to prescribe the medication, but the rule allowing buprenorphine to be prescribed virtually is set to expire once the COVID-19 public health emergency ends.

“Continuing to allow telehealth services to be used for opioid-use disorder treatment with buprenorphine will help reduce overdose deaths,” said Attorney General Kaul. “As we continue fighting the opioid epidemic, we must make access to treatment for substance-use disorder more accessible, not less.”

The United States is in the grips of an opioid crisis, with more than 100,000 Americans dying due to overdose last year alone. State attorneys general are on the front lines fighting the crisis to protect Americans from deadly synthetic opioids like fentanyl. Interdiction efforts alone will not end the crisis; therefore, attorneys general are urging for this treatment to remain easily available for those in need.

As a condition of the COVID-19 public health emergency, in March 2020 the DEA allowed audio-visual telemedicine services to prescribe all Schedule II-V controlled

substances, including buprenorphine. Without the proposed permanent extension, the current expiration of the public health emergency could cut off an estimated 2.5 million U.S. adults who utilize the opioid use disorder treatment.

In a letter to head DEA and SAMHSA officials, the attorneys general highlight how the existing flexibilities are critical to linking individuals with opioid use disorder to care. The attorneys general state: “The number of patients receiving buprenorphine as treatment...increased significantly when telehealth flexibilities were allowed...it also improved retention in care and reduced the odds of overdose for individuals prescribed buprenorphine via telehealth for opioid use disorder treatment.”

The current allowance for telehealth services also expands access of buprenorphine to patients who may have previously struggled to receive the medication. The attorneys general state: “An estimated 28 million Americans live more than 10 miles and about 3 million live over 30 miles from a buprenorphine provider. Today, the delivery of care for buprenorphine treatment has shifted significantly to telehealth, making it more accessible than ever for individuals to access the treatment they need.”

Along with Attorney General Kaul, the attorneys general of the following states and territories signed on to the letter: Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming.