



U. S. Department of Justice
Drug Enforcement Administration
8701 Morrissette Drive
Springfield, Virginia 22152

www.dea.gov

Dear Provider of Electronic Prescription Application(s) or Pharmacy Application(s):

On March 31, 2010, the Drug Enforcement Administration (DEA) published in the Federal Register an Interim Final Rule with Request for Comment entitled "Electronic Prescriptions for Controlled Substances" (75 FR 16236) [Docket No. DEA-218, RIN 1117-AA61]. The rule may be viewed at http://www.access.gpo.gov/su_docs/fedreg/a100331c.html. The rule will become effective June 1, 2010.

The rule revises DEA regulations to provide practitioners with the option of writing prescriptions for controlled substances electronically. The regulations also permit pharmacies to receive, dispense, and archive these electronic prescriptions. These regulations are an addition to, not a replacement of, the existing rules. The regulations provide pharmacies, hospitals, and practitioners with the ability to use modern technology for controlled substance prescriptions while maintaining the closed system of controls on controlled substances.

DEA worked closely with a number of components within the Department of Health and Human Services. DEA's discussions with the Office of the National Coordinator for Health Information Technology (ONC), Centers for Medicare and Medicaid Services (CMS), and Agency for Healthcare Research and Quality (AHRQ) were instrumental in the development of this rule. DEA also worked closely with the National Institute of Standards and Technology and the General Services Administration.

Persons who wish to prescribe/dispense controlled substances using electronic prescriptions must select software that meets the requirements of this rule. Application providers who make such electronic prescribing software or pharmacy software available may wish to carefully review the requirements of this rule if they wish their software to handle electronic prescriptions for controlled substances. As of June 1, 2010, only those electronic prescription applications and pharmacy applications that comply with all of DEA's requirements as set forth in 21 C.F.R. Part 1311 may be used by DEA-registered prescribing practitioners and DEA-registered pharmacies to sign and transmit controlled substance prescriptions electronically or electronically receive and archive controlled substances prescriptions and dispense controlled substances based on those prescriptions, respectively.

DEA appreciates your efforts to comply with the provisions of the Controlled Substances Act and its implementing regulations. You may obtain additional information regarding the Office of Diversion Control Program by accessing our website at www.DEAdiversion.usdoj.gov.

Sincerely,

Mark W. Caverly, Chief
Liaison and Policy Section
Office of Diversion Control