

September 10, 2024

The Honorable Charles Schumer
Senate Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate
Washington, DC 20510

Dear Congressional Leaders,

Thank you for your leadership in expanding access to virtual care. We are writing today to request your help in ensuring ongoing access to virtual prescribing for patients and providers. We anticipate that the Drug Enforcement Administration (DEA) will dramatically limit virtual prescribing, either through new regulations or by allowing the existing flexibilities to expire. We are asking Congress to intervene before millions of American lose access to critically important treatment. We urge you to include, in the end-of-year legislative package, a two-year extension of prescribing flexibilities.

Congress passed the Ryan Haight Online Pharmacy Consumer Protection Act in 2008, which requires the DEA, in conjunction with HHS, to promulgate permanent rules to allow practitioners to prescribe certain controlled medications via telehealth through a special registration pathway. As of today, the agency still had not done so. In the advent of the Public Health Emergency, the DEA allowed DEA-registered practitioners to issue prescriptions for certain controlled substances to patients via telemedicine without requiring an in-person medical evaluation. These flexibilities have been a lifeline for countless individuals across the country, ensuring uninterrupted access to essential mental health care, substance use treatment, end-of-life care, and many other crucial treatments during a time when in-person visits were impossible or unsafe.

The ongoing challenges in accessing mental health and substance use treatment services, particularly in rural and underserved areas, underscore the importance of maintaining these flexibilities. More than half of U.S. counties [do not](#) have a psychiatrist. The shortage is even more prominent in rural areas, with [nearly three quarters](#) of rural counties lacking a psychiatrist. Telemedicine has proven to be an effective tool in bridging the gap between patients and providers, reducing barriers to care, and supporting those most in need. At its pandemic peak, telehealth [represented](#) 40% of mental health and substance use outpatient visits, and still remains strong, representing 36% of outpatient visits currently.

Given the widespread provider shortage across medical professions and specialties, this flexibility has been essential in ensuring that patients receive timely and necessary care. Continuing these practices is vital to sustaining access to treatment and addressing the ongoing healthcare challenges in underserved areas.

Given how late we are in the year and with the waiver expiring on December 31, there is very little time left for the DEA to release a draft rule for public comment, close the comment period, review the substantive feedback, and finalize the rule in time for the end of the year. Nearly 40,000 comments were submitted last year when the DEA first attempted to draft rules for a permanent framework on remote prescribing of controlled substances.

Given the success and positive clinical outcomes associated with the prescribing flexibility, **the undersigned organizations request that Congress extend these prescribing flexibilities for two years.** An extension would avert patient harm from abruptly cut off care, while giving us all more time to come to consensus about the best way to balance access and enforcement.

Thank you for your consideration of this request. Please feel free to reach out to any signer of this letter for additional information and context.

Sincerely,

Alliance for Connected Care
Alliance for Aging Research
American Academy of Hospice and Palliative Medicine
American Academy of Neurology
American Academy of PAs
American Academy of Physical Medicine and Rehabilitation
American Academy of Sleep Medicine
American Association of Nurse Practitioners
American Association of Psychiatric Pharmacists
American College of Physicians
American Epilepsy Society
American Health Care Association
American Medical Informatics Association (AMIA)
American Pharmacists Association (APhA)
American Psychiatric Association
American Psychological Association Services
American Telemedicine Association
American Urological Association
Association for Behavioral Health and Wellness
Association of American Cancer Institutes
Association of American Medical Colleges
ALS Association
ATA Action
Big Cities Health Coalition
Center for Alcohol and Drug Treatment Center
Center of Attention Mental Health Services
Center to Advance Palliative Care (CAPC)
Child Neurology Foundation
Children and Adults with Attention-Deficit/Hyperactivity Disorder
Children's Hospital Association
College of Healthcare Information Management Executives (CHIME)
Connected Health Initiative
Consumer Technology Association
Convenient Care Association
Digital Medicine Society (DiMe)
Epilepsy Alliance America
Epilepsy Foundation
Healthcare Information and Management Systems Society (HIMSS)
LeadingAge
Medical Group Management Association

National Alliance for Care at Home
National Association of Epilepsy Centers
National Association of Pediatric Nurse Practitioners
National Center for Assisted Living
National Center on Domestic Violence, Trauma, and Mental Health
National Council for Mental Wellbeing
National League for Nursing
National Mental Health
National Rural Health Association
OCHIN
PAN Foundation
Partnership for Employer Sponsored Coverage
Partnership to Advance Virtual Care
The Pew Charitable Trusts
Access TeleCare
Ace Mentality
Advance Into Wellness
Advanced Care Basic, LLC
Advanced Practice Psychiatry
AGMP Telehealth
AiArthritis (Autoimmune & Autoinflammatory Arthritis)
Alex Petrino Counseling & Consulting LLC
Alliance Mental Health
Amazon
American TelePhysicians
Anderson Medical Services
Anderson Mental Health Services LLC
Anew Outlook Health, PLLC
Aragon Mental Health, LLC
Arrow Health
AsyncHealth Inc
At Your Service Psychiatry, PLLC
Authentigo Health, PLLC
Avel eCare
Avery's Hope
Balanced Innovative Care
Bard College Health Services
BDSRA Foundation
Behavioral Health Tech
Betterlifemws
Bicycle Health
Billings Clinic
Birch Grove Mental Health
Blue Sea Mental Health LLC

Boston Behavioral Health Associates INC.
Boulder Care
Brave Health
Brightline, Inc.
Broad Mountain Holistic Mental Health Services
Brownlee Health
CACNA1A Foundation
Capitol Hill Medical
Care Simplified PLLC
Caregility
Centerstone
Chesapeake Psychological Associates
Children's Nebraska
Children's Hospital New Orleans
ChristianaCare
Circle Medical
CirrusMD
Cleveland Clinic
Coalition to Cure CHD2
Cohesive Health and Wellness
Collaborative Physician Partners, LLC
Columbia University Irving Medical Center
Compass Psychiatric Wellness
Compassion & Choices
Compassion Recovery Centers
Complete Behavioral Health, PLLC
Craig Hospital
CSNK2B Foundation
Cure GABA-A
Current Mind Care
Danny Did Foundation
Deerbrook Counseling
Different MHP, PC
DOGTOWN MEDIA LLC
DoseSpot
Down East Psychiatry
Dr Sun Psychiatry, LLC
Dravet Syndrome Foundation
Duke Health
Dup15q Alliance
Eleanor Health
ELEVATE HEALTH AND WELLNESS LLC
Embolden You LLC
Emory

Empower Pharmacy
Encounter Telehealth, Inc
Envision Elite Wellness PLLC
Epilepsies Action Network (EAN)
Epilepsy Alliance Louisiana
Epilepsy Foundation Texas
Essentia Health
Evergreen Psychiatric Services PLLC
Evolution Health
Evolve Mental Health P.C.
Excel Medical
Fermata
Florida Alliance for Healthcare Value
Floridians for Accountability in Health Care, Inc.
FOLX Health
FORCE: Facing Our Risk of Cancer Empowered
Fountain Vitality, Inc
Friedreich's Ataxia Research Alliance (FARA)
Friends of Parkinson's
Frontier Psychiatry, Inc.
GABA-A Alliance
Gaucher Community Alliance
GenieMD, Corp
GRIN2B Foundation
Guide To Wellness PA LLC
Hadi Shah MD Inc
Half Full Psychiatry LLC
Harmony & Unity Mental Health
Harmony Mental Health
Hawley Psychiayric PLLC
Health Care Advocates International
Heartland Alliance Health
Heron Mental Health
Hims & Hers Health, Inc.
Hive Mental Health
Holistic Medical Care Clinic LLC
Homeward Health Inc.
Hone Health
Hope for HIE
Hope for Hypothalamic Hamartomas
Hope Mental Health
HouseCallMD LLC
Human RX Wellness LLC
Hydrocephalus Association

IMPOWER
IN HARMONY WELLNESS
Included Health, Inc.
Innovatel Telepsychiatry, LLC
InSite Health
Integrated Telehealth Partners
Intermountain Health
Jasper Health LLC
Johns Hopkins University and Medicine
Kate Mageau Counseling LLC
Kelley-Ross Pharmacies Gender Affirming Care Program
KeyCare Medical Group
Kohnling, Inc.
Koolen-de Vries Syndrome Foundation
Kristina Casel Mental Health
Lennox-Gastaut Syndrome (LGS) Foundation
LifeMD, Inc.
Lifepoint Health
LMA MENTAL HEALTH SERVICES
Logan Wellness Advanced Nursing Practice Corp.
Loma Linda University Health
LT Telehealth/LocumTenens.com
Mae Mental Wellness
Magnolia Therapeutics
Marek Health
marina medical group, inc.
Mass General Brigham
Meadows Mental Health Policy Institute
Meds.com
MedStar Health
Melissa Prince Canp endocrinology
Mend VIP, Inc.
Mente Behavioral Health
Midi Health
Mind Revive Psychiatry LLC
Mindful Intentions, LLC
Minnesota Hospital Association
Moving Mountains - Mental Health & Recovery, PLLC
My Kool Brother
Nest Collaborative
New Jersey Association of Mental Health and Addiction Agencies, Inc.
NextGen Healthcare
Nicklaus Children's Health System
NIM Longevity

Nixon Gwilt Law
Noma Therapy
NORSE Institute
Northwell Health
Northwest Telepsychiatry
Ophelia
Optimal Hormones & Wellness
Ovum Health
Palmetto Care Connections
Pandemic Patients
Paragon Behavioral Health
Parisi Psychiatry and Wellness
PAs in Virtual Medicine and Telemedicine
Peak Mental Health LLC
Pediatric Epilepsy Research Consortium
Pelago
Phelan-McDermid Syndrome Foundation
Physician Assistants In Virtual Medicine and Telemedicine
Pivot Behavioral Health LLC
Planned Parenthood of Southern New England
Plume Clinic
Policy Center for Maternal Mental Health
Precision Compounding Pharmacy
Premier Inc.
Psychboston
Psychiatric Medical Care
Psychiatric Medical Practitioners, Inc.
Psychiatric Solutions LLC
PursueCare
Qbtech, Inc.,
QMed, LLC
Quartet Health, Inc.
QueerDoc
Rare Epilepsy Network (REN)
RASopathies Network
Renewed Outlook Holistic Mental Health and Wellness LLC
Resolve Psychiatric Services
Ro
Rocket Doctor
Rogo Healthcare Services, Inc
RxHomeTest
Sandpiper Wellness, LLC
Sanford Health
Shadow Mountain Mental Health

Shock Therapy Group
Small Business & Entrepreneurship Council
South Carolina HIMSS
Sovato
Specialist Telemed
Spectrum: The Other Clinic
Spring Forest Counseling & Wellness at Red Cedar
SSM Health
Stanford Medicine
Still Waters Psychiatry PLLC
STXBP1 Foundation
Synchronous Mental Health
SynGAP Research Fund - DBA curesyngap1
Taconic Psychiatry
Tailor Made Compounding
Talkiatry
Talking Twenties
Tandem Telehealth Medical Group
TECHMEDO
Telecare Anywhere
Telehealth Services USA PC
Telehealthdocs Medical Group
TeleMed2U
Texas Health Resources
The Center for Discovery, inc.
The Cute Syndrome Foundation
The Dream of Health LLC
The FamilieSCN2A Foundation
The Global Foundation for Peroxisomal Disorders
The Global Telemedicine Group
The Rory Belle Foundation
The Sturge-Weber Foundation
The Taylor-Austin Group, LLC
The Trevor Project
TheraTec, Inc
TimberNorth Mental Health
tMED - The Massachusetts Telemedicine Coalition
Transcendental Wellness, PLLC
Transformative Healthcare
TruBridge
True North Psychiatry
True U Clinic
TSC Alliance
Tufts University

University of Colorado School of Medicine
University of Michigan Health
University of Mississippi Medical Center Center for Telehealth
University of Pittsburgh Medical Center (UPMC) Health System
URAC
UVA Health
UW Medicine
VA Hospital
Vanderbilt University Medical Center
VeeOne Health
VerifiNow Inc
Vida Telehealth
Virtually CALM, LLC
ViTel Net
Vizient, Inc.
Ward Group, LLC.
Washington State Psychiatric Association
WeKonnnect, LLC
Welliti
Williamson Health and Wellness Center
Winston Center
With You Medical
Workit Health
Yale New Haven Health System
Yale School of Medicine
YesPsych LLC
Your Best Self Behavioral Health
YWHAG Research Foundation
Zane Networks LLC

CC: Chairman Bernie Sanders, Chairman, Senate HELP Committee

CC: Ranking Member Bill Cassidy, Ranking Member, Senate HELP Committee

CC: Chairman Ron Wyden, Chairman, Senate Finance Committee

CC: Ranking Member Mike Crapo, Ranking Member, Senate Finance Committee

CC: Chair Dick Durbin, Chair, Senate Committee on the Judiciary

CC: Ranking Member Lindsey Graham, Ranking Member, Senate Committee on the Judiciary

CC: Chair Jeanne Shaheen, Chair, Commerce, Justice, Science, and Related Agencies Subcommittee, Senate Appropriations Committee

CC: Ranking Member Jerry Moran, Ranking Member, Commerce, Justice, Science, and Related Agencies Subcommittee, Senate Appropriations Committee