

February 23, 2023

The Honorable Miriam E. Delphin-Rittmon, Ph.D.  
Assistant Secretary for Mental Health and Substance Use  
Substance Abuse and Mental Health Services Administration  
Department of Health and Human Services  
5600 Fishers Lane  
Rockville, MD 20857

**RIN 0930-AA39**

**Re: Medications for the Treatment of Opioid Use Disorder: Removal of the  
DATA-2000 Waiver Requirements**

Dear Assistant Secretary Delphin-Rittmon:

On behalf of the nearly 40,000 members of the American College of Emergency Physicians (ACEP), we appreciate the opportunity to comment on the “Medications for the Treatment of Opioid Use Disorder: Removal of the DATA-2000 Waiver Requirements” supplemental proposed rule issued by the Substance Abuse and Mental Health Services Administration (SAMHSA), within the U.S. Department of Health and Human Services (HHS). This rule would implement the elimination of the requirement that practitioners obtain a waiver to prescribe certain schedule III – V medications for the treatment of opioid use disorder (OUD), as a result of the amendments made in the *Consolidated Appropriations Act, 2023*, which was enacted on December 29, 2022.

ACEP has advocated for years for the repeal of the “X-wavier requirement,” which was a significant barrier to the treatment of OUD and contributed to stigma around the disease. We thank SAMHSA for effectuation of the elimination of this wavier. However, we encourage SAMHSA and the Drug Enforcement Agency (DEA) to swiftly release guidance around the 8-hour training requirements included in the *Consolidated Appropriations Act, 2023*.

We appreciate the opportunity to comment on this proposed rule. If you have any questions, please contact Jeffrey Davis, ACEP’s Director of Regulatory and External Affairs, at [jdavis@acep.org](mailto:jdavis@acep.org).

Sincerely,



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ACEP President

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