



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

AUG 28 2014

The Honorable Charles Grassley
United States Senate
Washington, D.C. 20510

Dear Senator Grassley:

Thank you for your letter requesting that the Department of Health and Human Services (HHS) increase the cap on the number of patients that each physician is permitted to treat with buprenorphine, a drug used to treat opioid addiction. I agree with you that the number of Americans suffering from opioid use disorders and who are at risk for opioid overdose is a significant public health concern. Given that, HHS is currently reviewing possible administrative action on this issue. Therefore, please consider this an interim response to your letter.

As you know, the Drug Addiction Treatment Act of 2000 provided the means for office-based physicians to obtain a waiver to treat persons with opioid use disorder by prescribing Schedule III, IV, or V drugs specifically approved by FDA for that purpose. However, the law limits the number of patients a physician may treat at any one time to 30 in the physician's first year and 100 patients thereafter. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), of the more than 800,000 physicians currently registered with the Drug Enforcement Administration to prescribe Schedule III – V controlled substances, approximately 26,000 physicians have a waiver to prescribe such drugs.

I have asked SAMHSA and the Centers for Disease Control and Prevention (CDC) to evaluate possible actions HHS could take to increase access to medication assisted treatment for individuals with opioid use disorders, including raising the caps. I will follow-up with you and your colleagues in the near future.

Again, thank you for your interest in this important issue. I am sending the same response to the co-signers of your letter.

Sincerely,

A handwritten signature in dark ink, appearing to be "S. Burwell", is written over a horizontal line.

Sylvia M. Burwell