

MEDICATION ACCESS AND TRAINING EXPANSION ACT INCLUDED IN APPROPRIATIONS BILL: CE REQUIREMENTS FOR DEA REGISTRATION

by C. Scott Litch COO and General Counsel



The Medication Access and Training Expansion Act (MATE Act), was included in Section 1263 of the FY 2023 omnibus spending bill that passed Congress at the end of 2022. **The new law requires dentists to complete eight hours of one-time training on safe controlled substance prescribing before receiving or renewing a Drug Enforcement Administration (DEA) registration.**

The American Dental Association (ADA) successfully advocated for Congress to amend certain provisions of the MATE Act to comport with ADA policy. This included prompting lawmakers to remove a requirement from the original bill that meant dentists would have to complete three hours of specialized training to safely prescribe buprenorphine, which is outside the scope of dental practice.

The MATE Act was also amended to allow:

- Dentists to apply continuing education credits accepted for state licensure towards their federally required training, as well as courses taken through ADA CERP providers. The AAPD is a CERP-recognized provider.
- New dentists who are less than five years out of dental school to use their dental school courses towards the federally required training.

The ADA also has a FAQ about the MATE Act on their website.¹ Please note the following key points from the FAQ:

- “The federal training requirement applies to any dentist who requires a DEA registration to prescribe controlled substances (Schedules II, III, IV, and V).”
- “The DEA is required to send a “written, electronic” communication about the requirement no later than March 31 [2023].” This might include what specific courses the DEA will recognize and how it will make such determinations. Presumably, CE concerning safe pharmacological management of dental pain would suffice.
- “Additional training is not required after the one-time, eight-hour requirement has been satisfied.”
- “Compliance is not required before June 30 [2023]; however, the exact date is relative to when the prescriber first obtains or next renews their DEA registration . . .”

Any questions not addressed in the FAQ can be directed to the ADA Member Service Center at msc@ada.org.

For further about Litch's Law Log, contact Chief Operating Officer and General Counsel C. Scott Litch at (773) 938-4759 or slitch@aapd.org.

This column presents a general informational overview of legal issues. It is intended as general guidance rather than legal advice. It is not a substitute for consultation with your own attorney concerning specific circumstances in your dental practice. Mr. Litch does not provide legal representation to individual AAPD members.

¹ <https://www.ada.org/publications/ada-news/2023/march/new-faq-addresses-questions-about-complying-with-mate-act?md5=bc->