

118TH CONGRESS
1ST SESSION

H. R. 5163

To amend the Controlled Substances Act to allow for the use of telehealth in substance use disorder treatment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2023

Mr. TRONE (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to allow for the use of telehealth in substance use disorder treatment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telehealth Response
5 for E-prescribing Addiction Therapy Services Act” or
6 “TREATS Act”.

1 **SEC. 2. TELEHEALTH FOR SUBSTANCE USE DISORDER**
2 **TREATMENT.**

3 Section 309(e)(2) of the Controlled Substances Act
4 (21 U.S.C. 829(e)(2)) is amended—

5 (1) in subparagraph (A)(i)—

6 (A) by striking “at least 1 in-person med-
7 ical evaluation” and inserting the following: “at
8 least—

9 “(I) 1 in-person medical evalua-
10 tion”; and

11 (B) by adding at the end the following:

12 “(II) for purposes of prescribing
13 a controlled substance in schedule III,
14 IV, or V that is approved by the Food
15 and Drug Administration for the
16 treatment of opioid use disorder
17 (other than methadone), 1 telehealth
18 evaluation; or”; and

19 (2) by adding at the end the following:

20 “(D) The term ‘telehealth evaluation’
21 means a medical evaluation that is conducted in
22 accordance with applicable Federal and State
23 laws by a practitioner (other than a phar-
24 macist) who is at a location remote from the
25 patient and is communicating with the patient,
26 or a health care professional who is treating the

1 patient, using a telecommunications system re-
2 ferred to in section 1834(m) of the Social Secu-
3 rity Act that includes audio-only or audio and
4 video equipment permitting two-way, real-time
5 interactive communication between the patient
6 and distant site practitioner or health care pro-
7 fessional who is treating the patient.”.

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