

118TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. WHITEHOUSE introduced the following bill; which was read twice and
referred to the Committee on _____

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”.

7 **SEC. 2. TELEHEALTH FOR SUBSTANCE USE DISORDER**
8 **TREATMENT.**

9 Section 309(e)(2) of the Controlled Substances Act
10 (21 U.S.C. 829(e)(2)) is amended—

1 (1) in subparagraph (A)(i)—

2 (A) by striking “at least 1 in-person med-
3 ical evaluation” and inserting the following: “at
4 least—

5 “(I) 1 in-person medical evalua-
6 tion”; and

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

8 “(II) for purposes of prescribing
9 a controlled substance in schedule III,
10 IV, or V that has been approved by
11 the Food and Drug Administration
12 for the treatment of a substance use
13 disorder, 1 telehealth evaluation of the
14 patient; or”; and

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

16 “(D) The term ‘telehealth evaluation’
17 means a medical evaluation that is conducted in
18 accordance with applicable Federal and State
19 laws by a practitioner (other than a phar-
20 macist) who is at a location remote from the
21 patient and is communicating with the patient,
22 or a practitioner who is treating the patient,
23 using a telecommunications system referred to
24 in section 1834(m) of the Social Security Act
25 (42 U.S.C. 1395m(m)) that includes audio-only

1 or audio and video equipment permitting two-
2 way, real-time interactive communication be-
3 tween the distant site practitioner and the pa-
4 tient, or the practitioner who is treating the pa-
5 tient.”.