



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

MARYLAND MEDICAL ASSISTANCE PROGRAM

Physician Transmittal No. 157

Nurse Practitioner Transmittal No. 28

Physician Assistant Transmittal No. 7

Physician Dentist Transmittal No. 1

March 30, 2023

TO: Physicians
Nurse Practitioners
Physician Assistants
Physician Dentists

FROM: Sandra Kick, Director *Sandra E. Kick*
Office of Medical Benefits Management

RE: Removal of DATA 2000 Waiver Federal Requirement for Prescribing
Buprenorphine for Opioid Use Disorder

NOTE: **Please ensure that the appropriate staff members in your organization are informed of the contents of this transmittal.**

On January 12, 2023, the federal Drug Enforcement Agency (DEA) announced that the DATA 2000 Waiver (X-Waiver) requirement was eliminated through the passage of the Consolidated Appropriations Act of 2023. Providers with DEA registration that includes Schedule III authority may prescribe buprenorphine for opioid use disorder, as permitted by applicable state law.

The following provider types (PT) may possess a DEA certificate with Schedule III authority and be affected by this change:

- Physicians (PT 20)
- Nurse Practitioners (PT 23)
- Physician Assistants (PT 80)

- Physician Dentists (PT D2)

Provider Enrollment Process to Add Buprenorphine Services

Providers who currently are enrolled with Maryland Medicaid to prescribe buprenorphine do not need to take any action to update their DEA registration information from the X-Waiver.

Providers who did not previously have an X-Waiver and are now eligible to prescribe buprenorphine must submit a supplemental application in ePREP and upload the following documents in order to update their provider records and provide that service:

- A copy of the DEA letter announcing the termination of the X-Waiver:
<https://www.deadiversion.usdoj.gov/pubs/docs/A-23-0020-Dear-Registrant-Letter-Signed.pdf>
- A DEA certificate that includes Schedule III authority

Billing Reminders

Substance Use Disorder Transmittal No. 13 (PT 21-15) from December 15, 2014 describes the Medicaid billing policy for physicians providing buprenorphine services for addiction treatment. Please note practitioners that serve as the participant's primary care provider (PCP) should continue to bill the office-based service to the participant's MCO. The Department is further clarifying that the participant's OB/GYN prescribing buprenorphine would also bill the office-based service to the participant's MCO.

Physicians, nurse practitioners, and physician assistants providing buprenorphine services that are not the participant's PCP or OB/GYN must register with the Behavioral Health Administrative Services Organization, for reimbursement. The Public Behavioral Health Fee Schedule lists the Evaluation and Management codes and associated rates these providers may bill: <https://health.maryland.gov/mmcp/Pages/Provider-Information.aspx>

For questions regarding this transmittal, please contact mdh.bhenrollment@maryland.gov.