



AMENDMENT NO. _____ Calendar No. _____

Purpose: To allow for the use of telehealth in substance use disorder treatment.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 3393

To reauthorize the SUPPORT for Patients and Communities Act, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. MURKOWSKI (for herself and Mr. KAINE) to the amendment (No. _____) proposed by _____

Viz:

1 At the end of title II, add the following:

2 **SEC. 2** _____. **TELEHEALTH FOR SUBSTANCE USE DIS-**
3 **ORDER TREATMENT.**

4 Section 309(e)(2) of the Controlled Substances Act
5 (21 U.S.C. 829(e)(2)) is amended—

6 (1) in subparagraph (A)(i)—

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

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

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

2 “(II) for purposes of prescribing
3 a controlled substance in schedule III,
4 IV, or V that has been approved by
5 the Food and Drug Administration
6 for the treatment of a substance use
7 disorder, 1 telehealth evaluation of the
8 patient; or”; and

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

10 “(D) The term ‘telehealth evaluation’
11 means a medical evaluation that is conducted in
12 accordance with applicable Federal and State
13 laws by a practitioner (other than a phar-
14 macist) who is at a location remote from the
15 patient and is communicating with the patient,
16 or a practitioner who is treating the patient,
17 using a telecommunications system referred to
18 in section 1834(m) of the Social Security Act
19 (42 U.S.C. 1395m(m)) that includes audio-only
20 or audio and video equipment permitting two-
21 way, real-time interactive communication be-
22 tween the distant site practitioner and the pa-
23 tient; or the practitioner who is treating the pa-
24 tient.”.