The KBML is aware of President Biden's December 2022 omnibus appropriations bill, which eliminated the requirement of a DEA X-waiver to prescribe buprenorphine for the treatment of opioid use disorder (OUD). In addition to eliminating the X-waiver, the bill requires the establishment of new education requirements for all prescribers which may go into effect in June 2023. (https://www.deadiversion.usdoj.gov/pubs/docs/index.html)

The KBML is aware of these changes, and is monitoring the ongoing developments and reviewing its own regulation regarding the prescribing or dispensing of Buprenorphine-Mono-Product or Buprenorphine-Combines-with-Naloxone, 201 KAR 9:270.

If/when amendments to 201 KAR 9:270 are undertaken, proposed amendments will be filed with the Legislative Research Commission for promulgation. Once filed, there will be a two-month comment period in which members of the public (including individuals or special interest groups) may submit written or verbal comments on the proposed amendments, before the amended regulation would be considered by legislative committees. The amendment process may become protracted depending on the substance of the public comments and whether they result in further review or revision. In short, it is too early to provide an estimated timeline for the promulgation of amendments, if any.

Many have reached out to ask, "but what about *now*?" In response, the KBML reminds licensees who choose to prescribe or dispense Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone for the treatment of opioid use disorder (OUD):

- All KBML-licensees, with a valid DEA registration in Kentucky, may prescribe or dispense Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone for the treatment of OUD if they conform to acceptable and prevailing medical practices (KRS 311.595(9) as illustrated by KRS 311.597(4));

- 201 KAR 9:270 (https://apps.legislature.ky.gov/law/kar/titles/201/009/270/) sets forth the acceptable and prevailing practices for the prescribing, dispensing and administration of Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone in the Commonwealth of Kentucky and requires that

    - The licensee obtain and document all relevant information in a patient's medical record in a legible manner and in sufficient detail to enable the Board to determine whether the licensee is conforming to standards set forth in the regulation; and

    - If a licensee is unable to follow the standards set forth in the regulation, the licensee shall document those circumstances in the patient's record and only prescribe, dispense, or administer under the circumstances and in accordance with SAMHSA's TIP Series 63: https://kbml.ky.gov/Documents/SAMHSA%20TIP%2063%20-%20Updated%202020.pdf

- Education is important. To that end, for each three (3) year continuing education cycle, each prescriber of Buprenorphine-Mono-Product or Buprenorphine-Combined-with-

Naloxone shall complete at least twelve (12) hours of continuing medical education certified in Category I specific to addiction medicine.