

QUESTIONS AND ANSWERS ABOUT DRUG ENFORCEMENT ADMINISTRATION REGISTRATION OF PRIMARY CARE PROVIDERS

FOR FEDERAL EMPLOYEES

Q: *How do I register with the DEA in order to prescribe controlled substances?*

A: You register online at: http://www.deadiversion.usdoj.gov/drugreg/reg_apps/onlineforms_new.htm.

Q: *Do I need to be licensed in the state where I am prescribing?*

A: No. Indian Health Service policy allows you to be licensed in any state or territory of the United States, as long as you are not working outside of the federal jurisdiction. If you're moonlighting or seeing non-beneficiaries not covered under your normal scope of federal practice, you'll need to be registered in the state. See the DEA Memorandum, "Revised Policy Regarding the Federal Government Doctor, FEDDOC Program," at http://www.ihs.gov/painmanagement/index.cfm?module=dsp_pm_legal_who.

Q: *Do I have to pay a DEA registration fee?*

A: Not as long as you are prescribing for federal beneficiaries. You'll have to purchase your own DEA registration and register with the state if you work outside of a federal jurisdiction.

Q: *How does the DEA know I'm a federal employee?*

A: When you register with the DEA online, check the box on the online form that states you are fee exempt. You'll need to include the contact information of your supervisor, the facility name, and facility address. The DEA will perform a 100 percent verification audit to substantiate your claim. Please note that if you purchase your own DEA registration, the DEA will assume you are practicing medicine in the private sector and *will require* you to be licensed in the state.

Q: *I work in other federal facilities within the state in addition to my primary facility. Do I need separate DEA registrations for these secondary locations?*

A: No. The DEA requires you to be registered at your primary place of employment. If you're working in other locations within the same state, you may use your primary DEA registration and number. When using the same DEA registration for multiple facilities, you may only *prescribe* controlled substances for federal beneficiaries within your normal scope of federal practice at the secondary practice locations. You may also legally *dispense* controlled substances at your primary facility. Check with your chief pharmacist for local policies regarding provider dispensing.

Q: *I work in other federal facilities outside of the state where my primary practice is located. Do I need separate DEA registrations for these secondary locations?*

A: Yes. The DEA requires you to be registered at your primary place of employment. If you're traveling to other locations outside of your state, you must request a separate DEA registration for each state in which you practice.

Q: *I'm a commissioned officer on a memorandum of agreement to a Tribal facility. Do I fall under federal or state regulations?*

A: If you are treating patients that fall under your normal federal scope of practice, you're only subject to federal (DEA) controlled substance rules and regulations. If you see patients outside of your normal federal scope of practice, you're subject to state *and* federal regulations.

FOR LOCUM TENENS

Q: *Do I need to be registered by the DEA to prescribe controlled substances?*

A: Yes. See the DEA letter clarifying locum tenens registration at http://www.ihs.gov/painmanagement/index.cfm?module=dsp_pm_legal_who.

Q: *I'm already registered by the DEA in the state and I work for a non-IHS facility as my principal practice site. Can I use my current DEA registration to work at an IHS site within the same state?*

A: Yes you may, but you may only *prescribe* controlled substances at the IHS location.

Q: *I'm registered by the DEA in another state, and I'm currently working at an IHS facility as a locum tenens. May I use my out-of-state DEA registration?*

A: No. You'll have to request the DEA change the address of your principal place of employment, or you'll have to request a DEA registration for each state in which you practice.

Q: *I'm only going to be at the IHS facility for a week. Changing my DEA registration takes time. What are my other options?*

A: If none of the options already discussed will work for you, another DEA registered practitioner may always countersign your orders.

Q: *I'm a contractor working at an IHS facility. Am I allowed to be licensed in any state like IHS employees, or must I be licensed in the state which I'm practicing in?*

A: The DEA doesn't recognize contractors as federal employees, and so it requires the contract provider to meet state regulations. See the DEA Memorandum, "Revised Policy Regarding the Federal Government Doctor, FEDDOC Program," at

http://www.ihs.gov/painmanagement/index.cfm?module=dsp_pm_legal_who. If you don't prescribe controlled substances, the area or facility policy prevails.

Q: *The locum tenens letter says that I can use the DEA registration number of the facility. Is this an option?*

A: This depends on the IHS facility. IHS is getting away from this practice, which isn't allowed in all IHS Areas. Consult your chief pharmacist for a definitive answer.

FOR CLINICAL PSYCHOLOGISTS

Q: *The DEA rejected my registration. What can I do?*

A: Clinical psychologists are currently authorized to prescribe controlled substances in a few states, and the DEA has to sort this out case by case. You'll need to complete the following procedure get the DEA to register you.

Submit the following documentation to the Principal Pharmacy Consultant, routing the documentation through your chief pharmacist and Area pharmacy consultant:

1. A copy of your license or the online link showing that you are licensed;
2. A copy of your state practice act or its online link. Please cite where the practice act allows clinical psychologist prescribing;
3. Documentation of privileging by your local medical staff; and
4. A completed hard copy of the DEA Form 224, which is available from the Principal Pharmacy Consultant.

On Form 224, leave out your Social Security number, signify you are fee exempt, and get your federal supervisor to sign it. Scan Form 224, and give all four pieces of information to your chief pharmacist. Have the chief pharmacist concur and send the documentation to the Area pharmacy consultant, who will then need to concur and send everything to the Principal Pharmacy Consultant. He or she will then forward your packet via e-mail to Richard Boyd (richard.a.boyd@usdoj.gov), chief of registration and program support, DEA Office of Diversion Control, requesting to register you. In your e-mail, please include a phone number where Mr. Boyd can call you to obtain and complete your social security number.

Once this process is finished, the DEA has agreed to register you. Please note that Mr. Boyd won't take requests from any other source or through any other process.