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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Telehealth Response for E-prescribing Addiction Therapy Services Act” or “TREATS Act”.

SEC. 2. TELEHEALTH FOR SUBSTANCE USE DISORDER TREATMENT.

Section 309(e)(2) of the Controlled Substances Act (21 U.S.C. 829(e)(2)) is amended—
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(1) in subparagraph (A)(i)—

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

“(I) 1 in-person medical evalua-

(B) by adding at the end the following:

“(II) for purposes of prescribing

a controlled substance in schedule III,

IV, or V that has been approved by

the Food and Drug Administration

for the treatment of a substance use

disorder, 1 telehealth evaluation of the

patient; or”; and

(2) by adding at the end the following:

“(D) The term ‘telehealth evaluation’

means a medical evaluation that is conducted in

accordance with applicable Federal and State

laws by a practitioner (other than a phar-

macist) who is at a location remote from the

patient and is communicating with the patient,
or a practitioner who is treating the patient,

using a telecommunications system referred to

in section 1834(m) of the Social Security Act

(42 U.S.C. 1395m(m)) that includes audio-only
or audio and video equipment permitting two-way, real-time interactive communication between the distant site practitioner and the patient, or the practitioner who is treating the patient.”