

## MATE Act Controlled Substance Education Requirement for DEA Registration

### FREQUENTLY ASKED QUESTIONS (Rev. 3/8/23)

[Sec. 1263](#) of the spending bill Congress passed in December 2022 requires controlled substance prescribers to complete 8 hours of one-time training on safe controlled substance prescribing as a condition of receiving or renewing a DEA registration. The statutory language was taken from a separate bill, called the Medication Access and Training Expansion Act (or MATE Act).

#### Does this new federal training requirement affect me?

The federal training requirement applies to any licensed Doctor of Dental Surgery (DDS) or Doctor of Dental Medicine (DMD) who requires a DEA registration to prescribe controlled substances (Schedules II, III, IV, and V). Those who do not need a DEA registration are not affected.

#### What am I required to do?

Controlled substance prescribers are required to complete 8 hours of one-time training on safe controlled substance prescribing as a condition of receiving or renewing a DEA registration.

DEA is required to send a “written, electronic” communication about the requirement no later than March 31, 2023.

#### How will I know my CE hours will satisfy the requirement?

DEA is required to send a “written, electronic” communication about the required training no later than March 31, 2023. Until then, all we know is what is specified in the statute.

**Recognized Content.** Sec. 1263 states the coursework should focus on “the safe pharmacological management of dental pain and screening, brief intervention, and referral for appropriate treatment of patients with or at risk of developing opioid and other substance use disorders.”

**Recognized CE Provider.** Sec. 1263 also specifically states that the training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) must be provided or offered by any of the following:

- American Dental Association
- American Association of Oral and Maxillofacial Surgeons
- American Society of Addiction Medicine
- American Academy of Addiction Psychiatry
- American Medical Association
- American Osteopathic Association
- American Psychiatric Association

- Any organization accredited by the Commission for Continuing Education Provider Recognition (CCEPR)
- Any organization accredited by the Accreditation Council for Continuing Medical Education (ACCME)
- Any organization accredited by a state medical society accreditor that is recognized by the ACCME or the CCEPR
- Any organization accredited by the American Osteopathic Association to provide continuing education
- Any organization approved by the Assistant Secretary for Mental Health and Substance Use, the ACCME, or the CCEPR

### Will CE hours completed prior to the law's passage count toward the new requirement?

Sec. 1263 does not preclude DEA from recognizing CE hours completed in the recent past. However, DEA has yet to announce whether and how it will do so. The agency is required to send a "written, electronic" communication about the required training no later than March 31, 2023.

Note that relevant dental school coursework will count toward the federally required training for those who are less than five years out of dental school.

### Will I have to complete the 8 hours of federally required CE on a cyclical basis?

No. Additional training is not required after the one-time, 8-hour requirement has been satisfied. Sec. 1263 specifically states, "The Attorney General shall not require any qualified practitioner to complete the training...more than once."

### How much time do I have to satisfy the new federal CE requirement?

Compliance is not required before June 30, 2023; however, the exact date is relative to when the prescriber first obtains or next renews their DEA registration.

According to the statute:

- **First-time registrants.** Beginning on or after July 1, 2023, first-time registrants will need to have satisfied the CE requirement by the time of application. (Note that Sec. 1263 specifies that relevant dental school coursework would count toward the federally required training for those who are less than five years out of dental school.)
- **Current registrants.** Beginning on or after July 1, 2023, current registrants will need to have satisfied the CE requirement by the time of their next renewal.

DEA may have to resolve some practical concerns through rulemaking.

Questions about whether DEA will recognize CE that was completed prior to the law's passage are addressed elsewhere in this FAQ document.

### **Will CE credits that are accepted for state licensure count toward the new federal requirement?**

Yes. Continuing education credits accepted for state licensure can also be used to satisfy the federally required training.

Sec. 1263 specifically states, “Nothing...shall...preclude the use...of training...to satisfy registration requirements of a State or for some other lawful purpose.”

### **Am I required to complete training on controlled substance topics that are outside of my scope of practice?**

No. Dental prescribers are not required to complete coursework on controlled substance prescribing topics that are outside their scope of practice (e.g., medication-assisted treatment).

### **Can my state impose additional CE requirements?**

Yes. The federal requirement is a floor, not ceiling. Your state may impose additional CE requirements.

Sec. 1263 specifically states, “Nothing...shall...preempt any additional requirements by a State related to the dispensing of controlled substances.”

### **Do I have to use a specific CE provider? Will ADA CERP credits count?**

ADA CERP credits may be applied toward the federal training requirement.

Sec. 1263 specifically states that the training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) must be provided or offered by any of the following:

- American Dental Association
- American Association of Oral and Maxillofacial Surgeons
- American Society of Addiction Medicine
- American Academy of Addiction Psychiatry
- American Medical Association
- American Osteopathic Association
- American Psychiatric Association
- Any organization accredited by the Commission for Continuing Education Provider Recognition (CCEPR)
- Any organization accredited by the Accreditation Council for Continuing Medical Education (ACCME)
- Any organization accredited by a state medical society accreditor that is recognized by the ACCME or the CCEPR
- Any organization accredited by the American Osteopathic Association to provide continuing education
- Any organization approved by the Assistant Secretary for Mental Health and Substance Use, the ACCME, or the CCEPR

### Does the ADA offer CE on safe controlled substance prescribing?

Yes. The ADA produces 3-4 continuing education webinars a year on the safe pharmacological management of dental pain. The ADA CERP webinars are available for free through a partnership with the Providers Clinical Support System (PCSS). Find a live or archived webinar at [ADA.org](https://ada.org).

### What is the ADA's position on this new requirement?

In 2018, the ADA became the only major health professional organization to support mandatory continuing education on the safe prescribing of controlled substances. Lawmakers viewed the ADA as an honest broker on the subject and made several accommodations to address some early concerns.

Unlike the original version, lawmakers:

- Removed requirements for dentists to complete coursework on topics outside their scope of practice (e.g., prescribing buprenorphine).
- Allowed state-required training to count toward the new federal training requirement.
- Allowed dental school courses to count toward the federally required training for those less than five years out of dental school.
- Permitted ADA CERP credits to count toward the federal training requirement.

### Where can I find additional information?

If you have further questions, please email them to Mr. Robert J. Burns at [burnsr@ada.org](mailto:burnsr@ada.org).

