

## **DEA Registration Requirements for Physician's Assistants, Nurse Practitioners and Nurse Midwives**

For the past three years, the Bureau of Health Services has been involved in discussions with the Drug Enforcement Administration (DEA) regarding the DEA's requirement that a mid-level practitioner obtain a DEA registration in order to write prescriptions for controlled substances.

DEA regulations require that a physician cannot delegate the use of his/her signature and DEA registration to another person. Consequently, if the mid-level practitioner is delegated authority to prescribe controlled substances, in order for the prescription to be acceptable under DEA regulations, the mid-level practitioner must be registered with the DEA. Therefore, the DEA is requiring that all physician's assistants, nurse practitioners, and nurse midwives who prescribe controlled substances via delegation from a physician prescriber must obtain a DEA mid-level controlled substances registration.

When writing a controlled substance prescription, under the delegated authority of prescriber, mid-level practitioners must use their supervising physician's controlled substance license as the basis for the prescription. Under the current rules in the State of Michigan, mid-level practitioners cannot independently issue a controlled substance prescription without the delegating prescriber's identity appearing on the prescription. Michigan Board of Pharmacy Administrative Rule 338.3161 requires that a prescription issued for a controlled substance shall include the prescriber's DEA registration number, printed name, address, and professional designation.

The Bureau of Health Services, recognizing the concerns of mid-level practitioners, reviewed the Michigan Public Health Code and the Administrative Rules of the affected boards to determine how best to address differences between the federal DEA registration requirement and the current Administrative Rules of the Boards of Medicine, Osteopathic Medicine & Surgery, and Pharmacy. After review, the Bureau has determined that no changes in the Administrative Rules will be pursued at this time. The Bureau of Health Services does, however, acknowledge the DEA requirement that mid-level practitioners must obtain the appropriate DEA registration.

### **REQUIREMENTS FOR A CONTROLLED SUBSTANCE PRESCRIPTION WRITTEN BY MID-LEVEL PRACTITIONERS IN MICHIGAN**

**Prescriptions for controlled substances written by Physician's Assistants, Nurse Practitioners, and Certified Nurse Midwives in Michigan must contain the name of the delegating physician, the physician's DEA number and the mid-level practitioner's DEA registration number.**

Federal regulations covering mid-level practitioners do not require DEA registration for inpatient hospital medical orders provided that the mid-level practitioner is an authorized employee or agent of the hospital. However, DEA mid-level registration is required if, upon discharge from the hospital setting, the practitioner will be writing controlled substance prescriptions. A delegating physician may not delegate the prescription of Schedule II controlled substances issued for the discharge of a patient for a quantity for more than a 7-day period. Schedules III-V may be prescribed for longer periods of time in accordance with delegation protocol.

Applicant's for a DEA mid-level registration may visit the DEA application website at: [www.dea diversion.usdoj.gov/online\\_forms.htm](http://www.dea diversion.usdoj.gov/online_forms.htm) to obtain the necessary form.

Applicant's whose practice is in a hospital setting, free standing surgical suite and those in oncology/hospice/palliative care are eligible to apply for Schedules II – V. All others are eligible to apply for Schedules III-V.

Although the application and other required documents are sent to the DEA in Washington D.C., to expedite your application process, you may wish to submit a copy of your State of Michigan Physician's Assistant/Nurse Practitioner or Midwife license/certification and a copy of the Delegation of Prescriptive Authority Agreement signed by your supervising physician to:

DEA  
Rick Finley Building  
431 Howard Street  
Detroit, MI 48226

Attn: Annie Witherspoon or Fax copies to the above DEA office at (313) 234-4149

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