

Insights

DEA Extends COVID-Era Telemedicine Flexibilities to December 31, 2026

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On December 31, 2025, the Department of Health and Human Services (HHS) and the Drug Enforcement Administration (DEA) announced that they were issuing a *Fourth Temporary Extension of the COVID-19 Telemedicine Flexibilities for the Prescription of Controlled Medication*. This was done right in the nick of time, as the prior temporary extension was set to expire at the end of 2025.

The extension allows prior COVID-19-era telemedicine flexibilities to remain in place until December 31, 2026. Namely, health care providers should still expect to be allowed to remotely prescribe Schedule II-V controlled medications via audio-video telemedicine encounters with patients, without ever having to conduct an in-person medical evaluation. This is provided that such prescriptions otherwise comply with DEA requirements and applicable federal and state law.

In addition, health care providers should continue to follow the requirements under the DEA and HHS January 2025 final rule, *Expansion of Buprenorphine Treatment via Telemedicine Encounter and Continuity of Care via Telemedicine for Veterans Affairs Patients*, to the extent it is applicable to the provider's practice. You can read our summary and analysis on these requirements [here](#).

If you are a health care provider or entity with questions about how these federal rules will impact you, please reach out to Stephanie T. Eckerle and Madison Hartman Harada.

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