



Update: Electronic Prescriptions – Controlled Dangerous Substances
December 21, 2021

**Health care practitioners must apply for a waiver by January 1, 2022.
Compliance actions will be delayed until January 1, 2023.**

To apply for a waiver, visit the Office of Controlled Substances website, Quick Links, Electronic Prescribing Waiver Request.

<https://health.maryland.gov/ocsa/Pages/Electronic-Prescribing-Waiver-Request-form.aspx>

Effective January 1, 2022, [Senate Bill 0166 \(CH0299\)/House Bill 0512 \(CH0230\) \(2020\) Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances](#) requires licensed health care providers to electronically prescribe prescriptions for controlled dangerous substances and allows for waivers to be granted under certain circumstances. The effective date of the state law aligned with the comparable federal law (Section 2003 of the SUPPORT Act). In December 2020, Centers for Medicare and Medicaid Services (CMS) implemented the first phase of this mandate by naming the standard that prescribers must use for e-prescribing transmissions and delaying compliance actions until January 1, 2022.

On November 2, 2021, CMS [announced](#) they are delaying the start date for compliance actions to January 1, 2023, in response to stakeholder feedback. In order to maintain alignment with the federal government, MDH is also delaying compliance actions to January 1, 2023

However, to maintain compliance with Health General Article, §21-220(C) which requires implementation of e-prescribing on January 1, 2022, a health care practitioner who is unable to electronically transmit prescriptions for controlled dangerous substance drugs must [request a waiver](#) from the electronic prescribing requirement. All requested waivers will be granted for calendar year 2022 only.