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Dear Pharmacists,

Thank you for your dedication to your patients during this time of uncertainty and confusion. Your expertise, knowledge, and ease of access are critical to the communities you serve.

As many of you are aware, Governor Carney has issued several Emergency Declarations that have suspended certain rules and requirements for healthcare practitioners. This is to ensure that our residents continue to receive the necessary care that they require. Many of the Governor's declarations were recently enacted into law.

One of the law changes expands telehealth services available to Delawareans during the State of Emergency. The amendment lifts all in-person requirements for telehealth during the State of Emergency. In addition, Delaware physicians, advanced practice registered nurses, and physician's assistants otherwise authorized to prescribe controlled substances, i.e. they have prescriptive authority, hold an active DEA number, including an XDEA number, may prescribe controlled substances through telehealth during the State of Emergency. The Board of Medical Licensure & Discipline's Regulation 19, prohibiting the prescribing of controlled substances by telehealth, has been suspended during the State of Emergency.

Suspension of certain requirements does not mean that all regulations have been suspended. Pharmacists are still required to comply with 21 CFR Section 1306, including manner of issuance of prescriptions. For example, the telemedicine modification does not mean that prescribers may "call in" Schedule II controlled substances during or after this State of Emergency. All federal statutes and regulations apply, unless otherwise waived by agencies of the federal government.

Thank you again for your commitment to your communities. Please do not hesitate to reach out to the Division with any other questions you may have during this State of Emergency. Stay safe and healthy!

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