

*Department of Health  
Nursing Care Quality Assurance Commission*

# Advisory Opinion

The Nursing Care Quality Assurance Commission (NCQAC) issues this advisory opinion in accordance with WAC 246-840-800. An advisory opinion adopted by the NCQAC is an official opinion about safe nursing practice. The opinion is not legally binding and does not have the force and effect of a duly promulgated regulation or a declaratory ruling by the NCQAC. Institutional policies may further restrict practice in that facility's setting and/or impose additional requirements to assure patient safety and/or decrease risk.

<i>Title:</i>	Opioid Use Disorder – Medication Assisted Treatment: Nurse Care Managers and Scope of Practice	<i>Number:</i> NCAO 16.00
<i>References:</i>	<a href="#">RCW 18.79 Nursing Care</a> <a href="#">WAC 246-840 Practical and Registered Nursing Nursing Scope of Practice Decision Tree</a>	
<i>Contact:</i>	Deborah Carlson, MSN, RN	
<i>Phone:</i>	360-236-4725	
<i>Email:</i>	<a href="mailto:NursingPractice@doh.wa.gov">NursingPractice@doh.wa.gov</a>	
<i>Effective Date:</i>	5-10-2019	
<i>Supersedes:</i>	Not Applicable	
<i>Approved By:</i>	Nursing Care Quality Assurance Commission	

The Nursing Care Quality Assurance Commission determined it is within the scope of practice of an appropriately prepared and competent registered nurse care manager to follow approved standing orders for patients receiving medication assisted treatment (MAT) for opioid use disorder such as buprenorphine, methadone, and naltrexone.

They made the decision based on several documents previously approved by the commission, including the following:

- [Prevention and Treatment of Opioid-Related Overdoses](#)
- [Public Health Nurses: Dispensing Medications/Devices for Prophylactic and Therapeutic Treatment of Communicable Diseases and Reproductive Health](#)
- [Registered Nurse and Licensed Practical Nurse Scope of Practice](#)
- [Standing Orders and Verbal Orders](#)

Federal law requires DEA-registration to prescribe controlled substances. A unique regulatory regime applies to methadone and buprenorphine when they are used to treat opioid dependence. When methadone is used to treat opioid dependence, it must be dispensed by a federally certified [Substance Abuse and Mental Health Services Administration \(SAMHSA\) opioid treatment center \(OTP\)](#) through the U.S. Department of Health and Human Services. The OTP must also be

## NCAO 16.00 Opioid Use Disorder – Medication Assisted Treatment: Nurse Care Managers and Scope of Practice

licensed by the state and have a [Drug Enforcement Agency \(DEA\)-Registration](#). The prescriber must also have a Federal [Buprenorphine Waiver](#) through SAMHSA to prescribe buprenorphine.

The Washington State laws and regulations do not prohibit a registered nurse from performing the initial assessment following standing orders to begin MAT for opioid use disorder. However, the DEA interprets that it is not within the scope of the RN to perform the initial assessment following standing orders. The [HR 6353 - Ryan Haight Online Pharmacy Consumer Protection Act of 2008](#) requires an in-person medical evaluation by a qualified practitioner before prescribing medications for MAT. The act currently allows for controlled substance prescriptions via telehealth only in certain circumstances:

- Patient is being presented in a DEA-registered hospital or clinic.
- Non-DEA registered facility or provider where patients might seek access to a remote provider. An example is a patient who is seen by an advanced registered nurse practitioner (ARNP) who does not have the buprenorphine waiver. The ARNP can perform the initial evaluation required, and a qualified remote provider can prescribe the buprenorphine via telehealth.

### References

Drug Enforcement Agency – Use of Telemedicine while Providing Medication Assisted Treatment: <https://www.hhs.gov/opioids/sites/default/files/2018-09/hhs-telemedicine-dea-final-508compliant.pdf>

HR 6353 – Ryan Haight Online Pharmacy Consumer Protection Act of 2008:  
<https://www.congress.gov/bill/110th-congress/house-bill/6353/text>

Title 21 U.S.C. Controlled Substances Act:  
<https://www.deadiversion.usdoj.gov/21cfr/21usc/829.htm>

Substance Abuse and Mental Health Services Administration – Medication Assisted Treatment:  
<https://www.samhsa.gov/medication-assisted-treatment/statutes-regulations-guidelines>