

Submitted electronically via Regulations.gov

April 3, 2023

Scott A. Brinks
Diversion Control Division
Drug Enforcement Administration
Attention: DEA Federal Register Representative/DPW
8701 Morrissette Drive
Springfield, Virginia 22152

Re: Controlled Substances Ordering System (CSOS) Modernization [[Docket No. DEA-732](#)]

Mr. Brinks,

The National Community Pharmacists Association (NCPA) appreciates the opportunity to provide feedback on DEA's proposed rule: *Controlled Substances Ordering System (CSOS) Modernization*.

NCPA represents America's community pharmacists, including 19,400 independent community pharmacies. Almost half of all community pharmacies provide long-term care services and play a critical role in ensuring patients have immediate access to medications in both community and long-term care (LTC) settings. Together, our members represent a \$78.5 billion healthcare marketplace, employ 240,000 individuals, and provide an expanding set of healthcare services to millions of patients every day. Our members are small business owners who are among America's most accessible healthcare providers.

DEA is proposing to simplify the CSOS application process by requiring all CSOS enrollment applications to be submitted online. This proposed rule would amend DEA regulations to require electronic enrollment through a secure web-based system. DEA claims that submission through the secure online system will be a streamlined process which will benefit both DEA and CSOS participants.

NCPA has long supported improving the usability of CSOS, and has promoted its modification so that electronic ordering of schedule II controlled substances is less burdensome and time consuming. NCPA supports reducing paper 222 form use but also recommends that paper 222 be allowed as an option or backup method. In many states, a DEA-222 form is required to transfer controlled substances between an LTC pharmacy and an emergency kit in a skilled nursing facility (SNF). Therefore, it is essential that paper DEA-222 forms remain an option for use in these situations.

Transitions for Registrants with Existing, Active Certificates

NCPA was unable to determine from the proposed rule how the DEA intends to transition registrants that have existing, active certificates to the online CSOS. NCPA asks DEA for clarification as to how DEA registrants with existing, active certificates will be transitioned into the new online system, and asks that DEA clarify that these registrants not be required to resubmit information or complete processes in the new online portal that are otherwise required only for registrants seeking new certificates.

Conclusion

NCPA thanks DEA for the opportunity to provide feedback, and we stand ready to work with DEA to offer possible solutions and ideas.

Should you have any questions or concerns, please feel free to contact me at steve.postal@ncpa.org or (703) 600-1178.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Postal', with a long horizontal stroke extending to the right.

Steve Postal, JD
Director, Policy & Regulatory Affairs
National Community Pharmacists Association