



May 4, 2023

The Honorable Miriam E. Delphin-Rittmon, Ph.D.
Assistant Secretary for Mental Health and Substance Use
Substance Abuse and Mental Health Services Administration
5600 Fishers Lane Rockville, MD 20852

The Honorable Anne Milgram
Administrator
Drug Enforcement Administration
600 Army Navy Drive Arlington, VA 22202

Dear Assistant Secretary Delphin-Rittmon and Administrator Milgram:

On behalf of the American Academy of Family Physicians (AAFP), representing 129,600 family physicians and medical students across the country, I write in follow up to our [March 20, 2023 letter](#) on recommendations for implementation of the Medication Access and Training Expansion (MATE) Act, as passed in the Consolidated Appropriations Act of 2023 (CAA).

The AAFP appreciates that recent guidance from the Drug Enforcement Agency (DEA) and Substance Abuse and Mental Health Services Administration (SAMHSA) implemented key AAFP recommendations, such as clarifying that previous X-waiver training is compliant with the new MATE training requirement and that physicians will need to attest to completing their training without providing additional documentation.

Yet the Academy is alarmed that the AAFP was not included in the list of organizations providing compliant accreditation for this new training requirement. We remain extremely concerned about the far-reaching impact this will have on the thousands of family physicians who have already completed substance use disorder (SUD) and safe prescribing training accredited by the AAFP.

While the AAFP as a national organization is Accreditation Council for Continuing Medical Education (ACCME) accredited and provides trainings compliant with the new requirement, the AAFP also has its own national continuing medical education (CME) accreditation system that awards AAFP credit to other organizations and state chapters. The AAFP Credit System is separate and distinct from the ACCME and other accreditors and focuses solely on the needs of family physicians. Both the [American Medical Association](#) (AMA) and [American Osteopathic Association](#) (AOA) recognize AAFP credit as being of an equivalent standard and content to theirs, as evident by the respective statements of equivalency. However, this reflects a recognition of our credit system by the AMA and AOA, not accreditation or approval as required in recent guidance. The AAFP therefore interprets existing guidance and statutory language to indicate that trainings that have only been accredited by the AAFP are not considered compliant with the 8-hour training requirement.

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We strongly urge SAMHSA and the DEA to swiftly pursue the following pathways to ensure trainings accredited by the AAFP Credit System are considered compliant with the new 8-hour training requirement:

- **Amend existing guidance to include** “Any other organization accredited by the American Academy of Family Physicians Credit System,”
- **Amend existing guidance and/or issue a clarification to all DEA registrants** noting that “any other organization providing credit recognized as being equivalent to AMA PRA Category 1 or 2 or AOA Category 1 or 2” is considered compliant;
- **Undergo rulemaking to approve trainings approved or accredited by organizations not listed in the statute, including the AAFP;**
- **Work with the Department of Justice (DOJ), the Attorney General, and the Assistant Attorney General in the Office of Legal Counsel to request a written opinion on the inclusion of the AAFP’s credit system under interpretation of the MATE Act.** The Office of Legal Counsel provides written opinions and other advice in response to requests from federal agencies, particularly those with complex implementation requirements.

The AAFP Credit System has certified individual CME activities since 1958 and was the first CME system in the U.S. for physicians. The AAFP is the only physician credit system that focuses on a review of CME at the activity level, providing a detailed validation that the activity is relevant, unbiased, and aligned with the scope of care provided by family physicians. Completing training through organizations accredited by the AAFP allows family physicians to receive specifically tailored training that directly applies to their patient population and their practice. As such, including AAFP accredited trainings in MATE Act implementation will advance our shared goal of ensuring family physicians and other prescribers receive effective training on SUD and safe prescribing.

Since 2020, organizations across the country have provided over 6,200 educational sessions totaling over 2 million prescribed credits that are consistent with SAMHSA’s recommendations for content and are of equivalent standards to that of AMA or AOA. Yet these trainings do not meet the qualifications for this law because AAFP credit was not included in the list of approved organizations. The AAFP is concerned that thousands of family physicians will be required to take time away from their patients to complete duplicative trainings offered by other organizations, ultimately disrupting patient care, worsening physician burnout, and providing family physicians with training that is less applicable to their practice and patient population.

To prevent these adverse impacts on patients and physicians, we urge DEA and SAMHSA to ensure AAFP accredited trainings are considered compliant with the new 8-hour training requirement.

Thank you for your consideration of these important recommendations. For additional questions, please contact Morgan Bailie, Senior Regulatory Specialist, at mbailie@aafp.org.



Sterling Ransone, Jr., MD, FFAFP
American Academy of Family Physicians, Board Chair