

## DEA Registration

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Certified nurse-midwives (CNMs) and certified midwives (CMs) are eligible to obtain DEA numbers if they are licensed in a state or jurisdiction which provides prescriptive authority for controlled substances. This document provides basic information regarding the Drug Enforcement Administration (DEA) and the DEA registration process and directs midwives to the appropriate DEA offices and publications.

### **Drug Enforcement Administration (DEA)**

The DEA is a large federal agency whose overall mission is to enforce the controlled substances laws and regulations and to bring to the criminal and civil justice system anyone involved in the growing, manufacturing, or distribution of controlled substances. Information about the DEA is available on their Web site:

<http://www.usdoj.gov/dea/index.htm>.

The Office of Diversion Control is the program within the DEA that is relevant to midwives seeking information regarding DEA registration. They maintain a separate Web site at <http://www.deadiversion.usdoj.gov/>.

### **Federal Regulations Regarding DEA Registration**

On June 1, 1993, the DEA published the final rule entitled, "Definition and Registration of Mid-Level Practitioners" (58FR 31171). ACNM and other professional organizations worked with the DEA to ensure that the perspectives of midwifery and nursing were incorporated in the final rule. The final rule provides the opportunity for mid-level practitioners (MLPs) to obtain a DEA number, necessary for the prescription of controlled substances.

Pursuant to Title 21, Code of Federal Regulations, Section 1300.01(b28), the term mid-level practitioner means an individual practitioner, other than a physician, dentist, veterinarian, or podiatrist, who is licensed, registered, or otherwise permitted by the United States or the jurisdiction in which he/she practices, to dispense a controlled substance in the course of professional practice. Examples of mid-level practitioners include, but are not limited to, health care providers such as nurse practitioners, nurse-midwives, nurse anesthetists, clinical nurse specialists and physician assistants who are authorized to dispense controlled substances by the state in which they practice. A listing of Mid-Level Practitioners Authorization by State can be found at:

<http://www.deadiversion.usdoj.gov/drugreg/practioners/index.html>.

**Nurse-Midwifery Today: A Handbook of State Laws and Regulations** is the ACNM publication that contains the current legal guidelines governing the practice of nurse-midwifery in each of the 50 states, the District of Columbia, and all U.S. territories. It can be ordered from the ACNM Resource Catalog (Stock ID#804); Members \$30, Non-members \$60.

### **Registration Requirements**

The fastest and easiest way to obtain information concerning the DEA registration process is by visiting their Web site: [www.deadiversion.usdoj.gov/](http://www.deadiversion.usdoj.gov/). You must complete **DEA Form 224 – New Application for Retail Pharmacy, Hospital/Clinic, Practitioner, Teaching Institution, or Mid-Level Practitioner**. The DEA Form 224 is available online.

You may also obtain information from a local DEA office or by contacting the Registration Call Center at 1-800-882-9539. If the call is made during non-business hours, select option 3 from the voice tree and follow the prompts.

There is a cost associated with filing of the registration.

The DEA number provided to MLPs has a unique identifier, the letter M in the first position of the registration number. This DEA number has no relation to the DEA number of any collaborating physicians. CNMs may not use the number of a collaborating physician.

Every MLP who prescribes or dispenses any controlled substance must be registered with the DEA.

**“Prescribe”** means to issue a prescription order for the patient. **“Dispense”** means to deliver a drug to the ultimate user in some type of container to the patient. (Under the CSA, the definition of “dispense” also includes the administering of a controlled substance.)

### **DEA Manual**

As of March 2004, the DEA has revised the “Mid-Level Practitioner’s Manual: An Informational Outline of the Controlled Substances Act of 1970,” (MLP’s Manual) first published in January 1993. In addition to a brief description of the DEA and the Schedules of Controlled Substances, the manual addresses registration requirements and guidelines for prescribers of controlled substances. The complete text of the MLP’s Manual can be found on the DEA Web site under **Publications**. The manual will be updated periodically so that current information is always available on the DEA Web site. Therefore, the manual can be downloaded and reproduced at your convenience without having to request a print copy by mail from DEA.

### **Prescription Requirements**

Please see the MLP Manual for detailed information about how to prepare a prescription. Note that a prescription may not be issued in order for an individual practitioner to obtain a supply of controlled substances for the purpose of general dispensing to his/her patients. *Therefore, a prescription written for office stock or “medical bag” use is not valid.*

### **Problems**

If ACNM members have any difficulty related to obtaining or renewing DEA numbers, they are asked to contact the ACNM Department of Professional Services at (240) 485-1800.

### **Theft or Loss of Controlled Substances**

As of April 2006, a secure, electronic version of DEA Form 106 (Report of Theft or Loss of Controlled Substances) was made available to DEA registrants. The electronic form may now be completed online through a secure connection and submitted electronically via the internet to DEA Headquarters. This new interactive form is located on DEA’s Diversion Control Program internet Website at <http://www.deadiversion.usdoj.gov/>. DEA registrants are required to notify the DEA field office in their area, in writing, of any theft or significant loss of any controlled substances within one business day of discovery of the theft or loss.

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The ACNM “QuickInfo” series was developed by the Department of Professional Services to respond to common inquiries, summarizing ACNM resources regarding a particular topic, as well as listing selected literature and a variety of other resources. Your feedback is welcomed; contact Professional Services at (240) 485-1800 or [info@acnm.org](mailto:info@acnm.org).