

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

March 19, 2020

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TMB Waiver for Chronic Pain Patients Granted by Governor Abbott

Following Governor Greg Abbott's [state disaster declaration](#), the Texas Medical Board, with direction and assistance from the Governor's Office, is implementing procedures to waive certain requirements to help the state's physicians, physician assistants and other health care professionals respond to COVID-19.

Governor Abbott approved TMB's request to **temporarily suspend** Title 22, [Chapter 174.5 \(e\) \(2\)\(A\)](#) of the Texas Administrative Code. The Texas Medical Board asserts that strict compliance with these laws could prevent, hinder, or delay timely delivery of necessary medical services in relation to efforts to cope with the declared disaster.

This waiver allows telephone refill(s) of a valid prescription for treatment of chronic pain by a physician with an established chronic pain patient. Due to the seriousness of the opioid crisis and the need to ensure there is proper oversight of chronic pain management, **this suspension is only in effect until April 10, 2020.**

This measure protects public health and curbs the spread of COVID-19, by providing patients access to ensure on-going treatment of chronic pain and avoids adverse consequences of abrupt cessation of pain medication.

Additionally, this waiver enables health care providers to provide necessary continuity of care for their chronic pain patients, while at the same time better preventing the risk of unnecessary exposure of the physician or their delegates to COVID-19.

The physician(s) remains responsible for meeting the standard of care and all other laws and rules related to the practice of medicine. The standard of care must still be maintained related to the treatment of chronic pain patients.

This waiver follows the [Drug Enforcement Agency \(DEA\) announcement](#) that healthcare professionals can prescribe controlled substances, including opioids, via telemedicine during the current coronavirus public health emergency.

Due to the developing nature of the public health event, the TMB is monitoring other regulatory issues that may affect our licensees managing COVID-19 patients. TMB will provide any updates on these issues on the TMB website at www.tmb.state.tx.us.

TMB will continue working to protect the public's health and safety during the public health emergency.

For the latest COVID-19 information for health providers and the public, visit the Department of State Health Services (DSHS) COVID-19 web page at dshs.texas.gov/coronavirus/.

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