

Office of Regulatory Management
Economic Review Form

Agency name	Department of Medical Assistance Services
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 30-130
VAC Chapter title(s)	Amount, Duration and Scope of Selected Services
Action title	Removal of DEA-X Waiver
Date this document prepared	January 4, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Final Exempt

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Section 1262 of the Consolidated Appropriations Act (CAA), 2023, made substantial regulatory changes to remove barriers and promote access to evidence-based treatment of substance use disorders (SUD). In particular, the CAA, 2023, removed the federal requirement that practitioners obtain a special federal waiver, referred to as “X-Waiver” (or “DEA-X Waiver” or “Buprenorphine Waiver”) to prescribe buprenorphine for the treatment of opioid use disorder (OUD). Note the X-Waiver is not required for prescribing buprenorphine for pain management. Accordingly, the Virginia Administrative Code (VAC) is being amended to allow providers who have a current license to practice and prescribe, as well as a Drug Enforcement Administration (DEA) registration authorizing the prescribing of Schedule III drugs, to prescribe buprenorphine for the treatment of opioid use disorder without the federal X-Waiver since it has since been eliminated.</p> <p>There are no direct or indirect costs associated with the regulation changes.</p> <p>The benefit is that DMAS will be in compliance with the CAA, 2023.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The changes being made by this regulatory action are non-discretionary.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)

(3) Net Monetized Benefit	
(4) Other Costs & Benefits (Non-Monetized)	
(5) Information Sources	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	The changes being made by this regulatory action are non-discretionary.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	Local partners will not incur any direct costs or benefits of the regulatory changes contained in the regulatory action.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)

(3) Other Costs & Benefits (Non-Monetized)	
(4) Assistance	
(5) Information Sources	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	Families will not incur any direct costs as a result of the regulatory changes.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Information Sources		

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: DMAS is not aware of any quantifiable direct costs at this time.</p> <p>Direct Benefits: DMAS is not aware of any quantifiable direct benefits at this time.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		
(5) Information Sources		

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
12 VAC 30-130-5020	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	3	0	0	0
	(D/R):	0	0	0	0
12 VAC 30-130-5050	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	19	0	0	0
	(D/R):	0	0	0	0
12 VAC 30-130-5060	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	20	5	5	0
	(D/R):	0	0	0	0
12 VAC 30-130-5090	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	10	0	1	-1
	(D/R):	0	0	0	0
12 VAC 30-130-5100	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	9	0	1	-1
	(D/R):	0	0	0	0
12 VAC 30-130-5120	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	15	0	1	-1
	(D/R):	0	0	0	0
12 VAC 30-130-5130	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	21	0	1	-1
	(D/R):	0	0	0	0
12 VAC 30-130-5140	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	29	0	1	-1
	(D/R):	0	0	0	0
12 VAC 30-130-5150	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	14	0	1	-1

	(D/R):	0	0	0	0
				Grand Total of Changes in Requirements:	(M/A): 0
					(D/A): 0
					(M/R): -6
					(D/R): 0