

# AMERICAN ACADEMY OF CHILD & ADOLESCENT PSYCHIATRY

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March 1, 2023

Xavier Becerra

Secretary, Department of Health and Human Services  
The Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Treatment  
5600 Fishers Lane Room 13-E-30  
Rockville, MD 20857

Re: *Medications for the Treatment of Opioid Use Disorder, RIN 0930-AA39*

Dear Secretary Becerra:

Thank you for the opportunity to provide comments on proposals that increase access to medications for opioid use disorder (MOUD). The American Academy of Child and Adolescent Psychiatry (AACAP) is the professional home to more than 10,000 child and adolescent psychiatrists, some of whom treat youth who have opioid use disorders. Our mission includes promoting the healthy development of children, adolescents, and families. We appreciate the agency's efforts to modernize regulatory language to reduce stigma and its focus on advancing racial equity to support underserved communities given the outsized impact of the opioid use epidemic, and overdose rates, on Black, American Indian, and Native Alaskan people who often have fewer ways to access substance use disorder treatments.

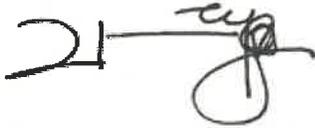
Given the lethality of opioid use, made even more dangerous by the addition of fentanyl in many cases, AACAP appreciates that the new rules update regulations for the treatment of opioid use disorders in opioid treatment programs (OTPs) by removing the requirement that individuals under the age of 18 must have two documented unsuccessful attempts at treatment within one year to be eligible to receive medications for the treatment of opioid use disorders (MOUD) in an OTP. AACAP also agrees that consent given by a parent or guardian to treat youth under the age of 18, except where not required by state law, makes sense.

We also applaud the agency's swift action to issue a supplemental proposed rule to codify the removal of the DATA-2000 waiver (X waiver) requirements stemming from amendments made to the Consolidated Appropriations Act of 2023.

Recent research<sup>1</sup> reveals that buprenorphine dispensing for youth is low, and has declined in recent years, an unfortunate situation given the rates of opioid use disorder among youth. These findings suggest that many youth who could benefit from MOUD are not receiving them. Modernizing both the opioid treatment program and outpatient buprenorphine prescribing rules will help increase access to MOUD for the nation's youth.

Should you have questions, please do not hesitate to contact Karen Ferguson, Deputy Director of Clinical Practice, at [kferguson@aacap.org](mailto:kferguson@aacap.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Ng', with a stylized flourish at the end.

Warren Y.K. Ng, MD, MPH  
President

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<sup>1</sup> [Buprenorphine Dispensing Among Youth Aged ≤19 Years in the United States: 2015-2020 - PubMed \(nih.gov\)](#)