



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**KODY H. KINSLEY** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

MEMORANDUM

TO: Opioid Treatment Programs

FROM: Robin Sulfridge, Chief, Mental Health Licensure and Certification Section

DATE: May 12, 2023

RE: Request for Temporary Waiver of 10A NCAC 27G .3604 (f)(1)(A)-(G) and (f)(3)(A)

As you may be aware, the Substance Abuse and Mental Health Services Administration (SAMHSA) has granted a temporary exemption from the unsupervised take-home medication requirements of 42 C.F.R. § 8.12(i) that are necessary to (1) dispense up to 7 unsupervised take-home doses of methadone for a patient in treatment 0-14 days (2) up to 14 unsupervised take-home doses of methadone may be provided to the patient in treatment days 15-30, and (3) up to 28 unsupervised take-home doses of methadone may be provided to the patient from 31 days in treatment, if the Opioid Treatment Program (OTP) believes the patient can safely handle the amount of take-home medication, with applicable conditions (herein referred to as “SAMHSA’s temporary exemption”). See, [Methadone TakeHome Flexibilities Extension Guidance | SAMHSA](#)

Pursuant to North Carolina General Statute § 122C-23(f), the Department of Health and Human Services’ Division of Health Service Regulation (DHSR) may, based on a written application and for good cause, waive any of the rules implementing Article 2 of Chapter 122C so long as those rules do not affect the health, safety, or welfare of individuals served by the facility. Upon receipt and approval of an OTP’s request for a waiver (using the request form attached to this memorandum), based on SAMHSA’s temporary exemption, DHSR will temporarily waive 10A NCAC 27G .3604 (f)(1)(A)-(G) and (f)(3)(A) subject to the OTP representing and agreeing to the parameters set forth in the attached document. DHSR is exercising this authority to waive rules in order to align with the SAMSA temporary exemptions.

An OTP may request a temporary waiver of 10A NCAC 27G .3604 (f)(1)(A)-(G) and (f)(3)(A) by competing and signing the attached document and returning it to DHSR’s Mental Health Licensure and Certification Section, Pam Pridgen, Administrative Supervisor, via email ([pam.pridgen@dhhs.nc.gov](mailto:pam.pridgen@dhhs.nc.gov)). Attachment

cc: Julie Cronin  
Bethany Burgon  
Emery Milliken  
Mark Payne

**MENTAL HEALTH LICENSURE & CERTIFICATION SECTION**

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION**

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