



# Office of Addiction Services and Supports

OASAS. Every Step of the Way.

KATHY HOCHUL  
Governor

CHINAZO CUNNINGHAM, MD  
Commissioner

October 22, 2024

The New York State Office of Addiction Services and Supports (OASAS) is responsible for the certification, regulation, and oversight of prevention, treatment, and recovery services for individuals with substance use disorders and problem gambling. Under 14 NYCRR Part 800.7, the Office has the authority to waive regulatory provisions when meeting a specific requirement would impose a hardship but waiving the specific requirement would not impact patient health and safety and would be in the best interests of patients.

OASAS recognizes that Addiction Medicine and Addiction Psychiatry are essential disciplines in addressing the multifaceted nature of addiction. These fields encompass medical and psychiatric aspects of addiction, including management of intoxication, withdrawal syndromes, comorbid psychiatric conditions, and the treatment of associated medical complications. Addiction is frequently treated by psychiatrists, as addiction often co-occurs with various psychiatric conditions, and the management of addiction requires a thorough understanding of the psychological and behavioral components.

As such, programs certified, funded, designated or otherwise authorized by the Office may wish to waive the requirement at Part 800.4(h)(2) that medical directors (other than those in place as of the effective date of the regulation) must hold, or obtain within four years of hire, a board certification in Addiction Medicine from a certifying entity appropriate to their primary or specialty board certification, in order to allow physicians who hold, or obtain within four years of hire, a subspecialty board certification in Addiction Psychiatry from the American Board of Psychiatry and Neurology (ABPN) to serve as program medical directors.

Such waivers are approved and shall remain in effect until such time as Part 800 may be amended. In addition, the requirement in Part 800.4(h)(2) that medical directors must have a federal DATA 2000 waiver to prescribe buprenorphine is waived, as it was rendered obsolete by the Consolidated Appropriations Act of 2023. A copy of this letter should be maintained at the program site.

Please note that this waiver does not modify or remove any other programmatic or regulatory requirements applicable to programs certified, funded, designated or otherwise authorized by the Office under Chapter XXI of Title 14, NYCRR.

Sincerely,

A handwritten signature in black ink that reads "Trishia Allen".

Trishia Allen  
General Counsel

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