

Waivers for Telemedicine Prescribing of Controlled Substances Expire

Healthcare Law Update

Waivers for Telemedicine Prescribing of Controlled Substances Expire

Caroline J. Patterson
Member & Vice Chair, Healthcare

Edward J. Yun
Member, Healthcare

Andrew M. Kuder
Associate, Healthcare

BRACH | EICHLER^{LLC}
Counsellors at Law

3/1/2026

Beginning February 16, 2026, all New Jersey licensed providers are required to conduct an in-person physical examination prior to prescribing Schedule II controlled dangerous substances to patients, with limited exceptions. This comes as a result of then Governor Phil Murphy signing [Executive Order 415](#), which terminated the COVID-19 State of Emergency in New Jersey, and with it, waivers that permitted the prescribing of Schedule II controlled dangerous substances via telemedicine without an in-person physical examination. Providers may still prescribe such substances via telemedicine, but may only do so after an initial in-person examination, and there must be subsequent in-person visits with the patient every three months that the patient is being treated with the Schedule II controlled dangerous substance. Notably, when prescribing stimulants to minor patients under the age of 18, such as those used to treat ADHD, an in-person examination is not required if the provider is using interactive, real-time, two-way audio and video technologies and the provider obtains a written consent for the waiver of in-person requirements from the minor's parent or guardian.

[Click Here to read the entire March 2026 Healthcare Law Update now!](#)

For more information, contact:

Caroline Patterson | 973.364.5233 | cpatterson@bracheichler.com

Edward J. Yun | 973.364.5229 | eyun@bracheichler.com

Andrew M. Kuder | 973.403.3141 | akuder@bracheichler.com

Authors

The following attorneys contributed to this insight.



Caroline J. Patterson

Member
Healthcare Law

973-364-5233 · 973-618-5547 Fax

cpatterson@bracheichler.com



Edward J. Yun

Member
Healthcare Law

973.364.5229 · 973.618.5589 Fax

eyun@bracheichler.com