

LICENSEE ALERT: “Three Day Rule” for Initiating Opioid Maintenance or Detoxification Treatment to Patients

Date: **11/04/2025**

To: Prescriber Licensees

Subject: **Dispensing Opioid Treatments to Initiate Maintenance or Detoxification Treatment Under The Federal Three Day Rule ([21 CFR § 1306.07\(b\)](#))**

This notice is to inform you of an important federal rule that may apply in your practice when making arrangements to refer a patient to a narcotic treatment program for opioid use disorder (OUD).

[Business and Professions Code section 750](#) requires the Board to post online and annually disseminate this informational material to licensees authorized to write or issue controlled substance prescriptions pursuant to Health and Safety Code section 11150. **[Medical Board addition:** The Board must also disseminate this information to acute care hospitals.]

“Three Day Rule” for Opioid Use Disorder Treatment

Under federal and state law ([21 CFR § 1306.07\(b\)](#) and [Health & Saf. Code, § 11158](#)), authorized practitioners who are not specifically registered with the federal Drug Enforcement Administration to conduct a narcotic treatment program (NTP) may dispense on an emergency basis Schedule II narcotic medication (e.g., methadone) to patients for the purpose of initiating maintenance treatment or detoxification treatment (or both).

Key Requirements of the Rule:

- Practitioners may dispense up to a three-day supply of Schedule II narcotic medication while referral to opioid treatment is being arranged.
- Not more than a three-day supply may be dispensed to one person for one person's use. This emergency treatment may not be renewed or extended.
- The rule is intended as a short-term emergency bridge until the patient can be admitted to a licensed NTP.

The Three Day Rule represents one pathway for practitioners to dispense Schedule II medications to initiate treatment for OUD. For more information about the Three Day Rule and other pathways to treat OUD, see the Additional Resources at the bottom of this notice.

For questions about this notice, contact the Board at:

Osteopathic Medical Board of California
1300 National Drive, Suite #150
Sacramento, CA 95834-1991
Phone: (916) 928-8390
Website: www.ombc.ca.gov

For more information about licensed narcotic treatment programs, review the online [provider directory](#) or contact the California Department of Health Care Services (DHCS), Licensing and Certification Division, Counselor and Medication Assisted Treatment Section at:

Website: [DHCS Licensing and Certification](#)
Email: DHCSNTP@dhcs.ca.gov
Phone: (916) 322-6682

Additional Resources

[DEA Guidance on Development of Revised Three Day Rule \(Jan. 12, 2023\)](#)

[DEA Notice of Final Rule, Dispensing of Narcotic Drugs to Relieve Acute Withdrawal Symptoms of Opioid Use Disorder \(Aug. 8, 2023\)](#)

[DEA Practitioner's Manual, An Informational Outline of the Controlled Substances Act \(Rev. 2023\)](#)

[Substance Abuse and Mental Health Services Administration, Federal Guidelines for Opioid Treatment Programs \(Fall 2024\)](#)

[California Department of Public Health, Substance and Addiction Prevention Branch, Resources: Health Care Providers](#)

[Medical Board of California, Guidelines for Prescribing Controlled Substances for Pain \(July 2023\)](#)