ARA

Telehealth Prescribing of Schedule II Substances in New Jersey

What the 2026 law means for patients and families



Agard Research Associates Inc.

Based on ARA's policy analysis of P.L.2026, c.40, signed into law on July 8, 2026.

The law at a glance

New Jersey’s law keeps in-person visits as the general rule for Schedule II prescriptions made through telehealth.
It adds a video path for adults on stimulants and exempts several groups of patients.

01 State law lets adults start a stimulant by video, with in-person follow-up visits.

02 Patients in active cancer treatment, hospice, palliative care, long-term care, or Medical Aid in Dying are exempt.

03 Every telehealth prescription of these drugs requires live video; a phone call does not count.

Schedule II and the default rule

A controlled-drug category

Schedule II

The most tightly controlled medications that can be prescribed, including ADHD stimulants such as Adderall and strong opioids such as morphine and methadone.

1. An in-person exam must come before the first telehealth prescription.

2. An in-person visit is required every three months while the prescription continues.

3. This rule still applies to every patient and medication not covered by an exception.

A new path for adults on stimulants

30 days

First in-person visit

Required within 30 days when the first exam is by video.

3 months

Regular check-ins

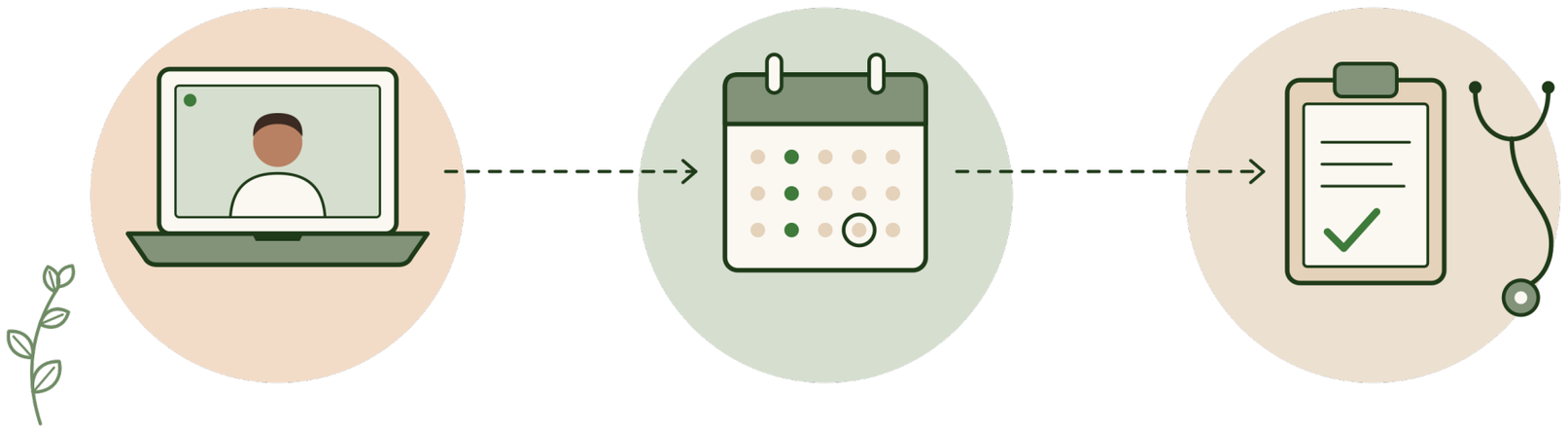
An in-person visit or a telehealth contact every three months.

1 year

Yearly in-person visit

At least one in-person visit every year.

The path covers stimulants prescribed for any condition, not only ADHD. Federal law also decides whether a first exam can take place by video.



Who is exempt from the default rule

Exempt patients

Patients in active cancer treatment

Patients in hospice or receiving palliative care

Residents of long-term care facilities

Patients evaluated or treated under New Jersey’s Medical Aid in Dying law

Other exceptions and limits

Medications prescribed to treat a substance use disorder are exempt.

As before, state law lets a child under 18 get a stimulant without an in-person exam if a parent or guardian consents in writing.

Adults in the exempt groups who take a stimulant still follow the adult stimulant schedule, according to the law’s text and nonbinding state guidance.

How telehealth prescribing must work

01	Live audio and video. Every telehealth prescription of a Schedule II drug requires a live, two-way video visit.
02	No phone-only visits. A phone call alone does not qualify.
03	Same standard of care. The prescriber must meet the standard of an office visit.
04	Both laws apply. State and federal rules both apply, and the stricter one controls.

Federal law also applies

01 **The stricter rule controls.**
A New Jersey prescriber must follow both state and federal law. Where they differ, the stricter rule applies.

02 **The federal in-person rule.**
A 2008 federal law, the Ryan Haight Act, requires an in-person evaluation by the prescriber before these drugs are prescribed online, unless an exception applies.

03 **Federal flexibilities can change.**
Starting in 2020, temporary federal flexibilities allowed treatment to begin by video. Current federal rules decide if treatment can start by video.

Before starting treatment by video, ask your prescriber which federal rules apply.

Both sides of the question

Fewer trips for patients

Supporters

Governor Sherrill and a Senate sponsor said the law helps patients who find travel hard keep receiving care, such as students away at school and patients in cancer treatment.

Harder to document

Critics

Two members of each chamber voted no. No position from a New Jersey medical, pharmacy, or hospital group was found. Debates cite federal records that, the report notes, do not measure telehealth in general.

Evidence is limited

Research record

Studies of telehealth stimulant starts found no overall rise in substance use disorder; one found an uncertain higher risk of stimulant use disorder. No study of the effects of rules like New Jersey's was found.

ARA presents both sides and takes no position on the law.



What patients and families can do

01 **Ask about in-person exams.** Find out whether your prescriber has ever examined you in person.

02 **Keep visits on schedule.** Adults who start a stimulant by video need an in-person visit within 30 days, a visit or telehealth contact every three months, and a yearly in-person visit.

03 **Use video, not the phone.** Telehealth prescriptions for these drugs require a live video visit.

04 **Get official answers.** The state's Drug Control Unit posts guidance at njconsumeraffairs.gov/dcu and takes questions at CDS@dca.njoag.gov.



In-person care is still the rule, with a new path for adults on stimulants and exemptions for some patient groups.

Federal law also applies, so check current federal rules before starting treatment by video.

Agard Research Associates Inc. is a nonpartisan, nonprofit research institute in New Jersey.
This presentation summarizes ARA's October 2026 policy analysis, Telehealth Prescribing of Schedule II Substances in New Jersey. It does not support or oppose any party, candidate, or legislation, and it is general information, not legal or medical advice. English edition; also available in Spanish. Version 1.0, October 2026.

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