



May 9, 2016

15 Bipartisan “Opioid-Related” Bills Being Considered Under Suspension

Key Points:

- On Tuesday and Wednesday, the House is scheduled to consider a total of 15 bipartisan “opioid-related” bills under suspension of the rules. It is anticipated that the House GOP Leadership will then package these 15 bills with two other opioid-related bills (H.R. 5046 and H.R. 4641) that will be considered under a rule this week and send this package to a House-Senate conference. The Senate passed its opioid legislation – S. 524, Comprehensive Addiction and Recovery Act (CARA) – back on March 10. Following are summaries of the 15 bipartisan “opioid-related” bills.
- Democrats are pleased that the House will be considering opioid legislation this week, including these 15 bipartisan suspension bills as well as two bipartisan opioid bills to be considered under a rule. However, Democrats are very concerned that Republicans are not proposing the new funding that is necessary to meaningfully address the opioid crisis. In addition to passing these bipartisan authorization bills on the Floor this week, we must also be providing real new resources to ensure that the initiatives in these bipartisan bills can be fully implemented.

“Opioid-Related” Bills To Be Considered Under Suspension on Tuesday

Veterans’ Affairs Committee Bill

- **H.R. 4063, Jason Simcakoski PROMISE Act, Sponsored by Rep. Gus Bilirakis (R-FL):** This bill is designed to cut the risk of opioid addiction among veterans managing chronic pain. It requires the VA to implement changes designed to better monitor opioid use by patients, including expanding its opioid safety initiative to include all of its medical facilities. It also requires the VA and DOD to convene an advisory committee to review the current guidelines on the use of opioids in treating veterans. The bill is named for a Marine Corporal who died from an opioid overdose while in a VA hospital.

Foreign Affairs Committee Bill

- **H.R. 4985, Kingpin Designation Improvement Act, Sponsored by Reps. John Katko (R-NY) and Kathleen Rice (D-NY):** Under the Foreign Narcotics Kingpin Designation Act, the Treasury Department is able to designate international drug traffickers as kingpins, and thereby block them from using the U.S. financial system. Designees are able to challenge their listing in federal court. This bill amends the Act to ensure that the U.S. government can use classified information in court to defend the designation without the classified information being publicly disclosed.

Judiciary Committee Bills

- **H.R. 5048, Good Samaritan Assessment Act, Sponsored by Rep. Frank Guinta (R-NH):** This bill requires the GAO to submit to Congress a report on state Good Samaritan laws that protect caregivers, law enforcement, and first responders who administer opioid overdose reversal drugs from criminal liability.

- **H.R. 5052, Opioid Program Evaluation (OPEN) Act, Sponsored by Reps. Kevin McCarthy (D-CA) and Steny Hoyer (D-MD):** This bill is designed to increase the transparency and accountability of the competitive grant program that would be created by H.R. 5046, Comprehensive Opioid Abuse Reduction (COARA) Act. Specifically, the bill requires grantees to report on the use of grant funds and requires a publicly available analysis of whether or not the grants have achieved their intended purposes.

“Opioid-Related” Bills To Be Considered Under Suspension on Wednesday

Education & Workforce Committee Bill

- **H.R. 4843, Improving Safe Care for the Prevention of Infant Abuse and Neglect Act, Sponsored by Rep. Lou Barletta (R-PA):** This bill requires HHS to review and confirm that states have put in place policies required under the Child Abuse Prevention and Treatment Act (CAPTA) for infants born suffering from drug dependency. Such policies include requiring health care providers to notify state child protective service agencies when a child is born drug-dependent, as well as requiring the development of a “safe care plan” to protect these newborns and keep them and their caregivers healthy. It also provides for the sharing of best practices for developing state plans to keep infants and their caregivers healthy and safe.

Energy & Commerce Committee Bills

- **H.R. 4978, Nurturing and Supporting Healthy Babies Act, Sponsored by Reps. Evan Jenkins (R-WV) and Cheri Bustos (D-IL):** This bill is designed to improve the treatment and care of babies who are born addicted to opioids (known as neonatal abstinence syndrome or NAS), by requiring GAO to complete a one-year report on the prevalence of NAS in the Medicaid program, available treatments for NAS, and the cost of treatments. It also requires the report to include recommendations to Congress on ensuring the access to treatment for infants with NAS under state Medicaid programs.
- **H.R. 3680, Co-Prescribing to Reduce Overdoses Act, Sponsored by Rep. John Sarbanes (D-MD):** This bill creates a demonstration grant program for entities to establish programs for prescribing naloxone (an opioid overdose reversal drug) to patients at an elevated risk of opioid overdose, as well as to a close relative of such patient. It authorizes \$1 million a year for the grant for the next five years.
- **H.R. 3691, Improving Treatment for Pregnant and Postpartum Women Act, Sponsored by Rep. Ben Ray Lujan (D-NM):** This bill reauthorizes the Pregnant and Postpartum Women program, which funds residential treatment for pregnant women and women with small children who struggle with addiction, and creates a pilot program to allow for up to 25 percent of grant funding to be used for outpatient treatment services. It authorizes \$16.9 million a year for the program over the next five years.
- **H.R. 1818, Veteran Emergency Medical Technician Support Act, Sponsored by Reps. Adam Kinzinger (R-IL) and Lois Capps (D-CA):** This bill is designed to make it easier for veterans with military medical training to continue their careers as Emergency Medical Technicians (EMTs) in the civilian workforce. It authorizes a demonstration grant program to states to assist states in streamlining EMT certification requirements for veterans with military medical training.
- **H.R. 4969, John Thomas Decker Act, Sponsored by Rep. Patrick Meehan (R-PA):** This bill requires HHS to study what information and resources are available to youth athletes and their families regarding the dangers of opioid use and abuse, non-opioid treatment options, and how to seek addiction treatment. HHS is then to publicly report its findings and work with stakeholder groups to get these resources into the hands of students, parents, and others. The bill is named for a young athlete who had suffered an injury, became addicted to painkillers, and died of a drug overdose earlier this year.
- **H.R. 4586, Lali’s Law, Sponsored by Reps. Robert Dold (R-IL) and Katherine Clark (D-MA):** This bill

creates a competitive grant program to help states increase access to naloxone, a lifesaving opioid overdose reversal drug. The primary purpose of the grant is to fund state programs that allow pharmacists to distribute naloxone without a prescription. Many states use these programs to allow local law enforcement officers to carry and use naloxone. The bill authorizes a total of \$5 million over the next three fiscal years. It is named for Alex Laliberte, who was an athlete who became addicted to painkillers and died of a drug overdose at the age of 20.

- **H.R. 4599, Reducing Unused Medications Act, Sponsored by Reps. Katherine Clark (D-MA) and Steve Stivers (R-OH):** This bill would allow prescriptions for Schedule II drugs, including opioids, to be partially filled by pharmacists at the request of patients or doctors, thereby reducing the number of unused painkillers in kitchen cabinets, as long as the prescription is written and dispensed in accordance with all other applicable federal and state laws. More than 70 percent of adults who misuse prescription opioids get them from friends or relatives, according to the National Institute of Drug Abuse. The bill would help prevent unused prescriptions from ending up in the wrong hands.
- **H.R. 4976, Opioid Review Modernization Act, Sponsored by Reps. Sean Patrick Murphy (D-NY) and Leonard Lance (R-NJ):** This bill would require the Food and Drug Administration (FDA) to consult with expert advisory committees regarding approval of new opioids that do not utilize abuse-deterrent properties, such as extended-release capsules, and obtain recommendations regarding labeling of opioids intended for pediatric use. Additionally, the legislation would encourage the development of generic opioids with abuse-deterrent properties. Importantly, FDA would also be required to evaluate and make recommendations on education programs for prescribers of certain opioids.
- **H.R. 4982, Examining Opioid Treatment Infrastructure Act, Sponsored by Rep. Bill Foster (D-IL):** This bill requires GAO to complete a report within 24 months on the in-patient and outpatient opioid treatment capacity in the U.S., including the capacity of acute residential or inpatient detoxification programs, the capacity of residential rehabilitation programs, and an assessment of the need for residential and outpatient treatment for substance use disorders across the continuum of care.
- **H.R. 4981, Opioid Use Disorder Treatment Expansion and Modernization Act, Sponsored by Reps. Larry Buschon (R-IN) and Paul Tonko (D-NY):** This bill amends the Controlled Substances Act to expand access to buprenorphine, an effective medication-assisted treatment for opioid addiction. Buprenorphine helps people reduce and then quit their use of opioids. The bill expands access to buprenorphine by allowing nurse practitioners and physician assistants to treat patients with buprenorphine for three years.