



House Amendment to S. 524, as amended – Comprehensive Addiction and Recovery Act of 2016 (Sen. Whitehouse, D-RI)

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FLOOR SCHEDULE:

Expected to be considered on May 13, under a under a closed [rule](#). The rule providing for consideration would also make in order a motion to go to conference with the Senate on the bill.

TOPLINE SUMMARY:

[S. 524, as amended](#), would authorize various programs and initiatives aimed at combatting substance abuse and overdose deaths, with an emphasis on heroin and prescription opioid abuse.

COST:

A Congressional Budget Office (CBO) estimate for S. 524, as amended, is currently not available, nor is a cost estimate for the House amendment to S. 524. Cost estimates for the individual House-passed measures are available in each respective bulletin linked below.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, the legislation authorizes several new opioid abuse programs.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

America is currently experiencing an epidemic of opioid and heroin use, with roughly 47,000 Americans dying from a drug overdose in 2014. [Roughly](#) 21.5 million Americans ages 12 and older suffered from a substance abuse problem in 2014, of which 1.9 million individuals had a substance use disorder involving prescription pain medicine, and 586,000 had a disorder involving the abuse of heroin.

S. 524, as amended

S. 524 would establish a number of programs and initiatives targeted at reducing drug abuse, particularly of heroin and prescription opioids. Programs created include:

- An interagency task force to review best practices for pain management and prescription pain medicine.
- Educational awareness campaigns conducted by the Secretary of Health and Human Services.
- Community-based coalition enhancement grants for local drug crises.

- Grant programs targeted at providing alternatives to incarceration.
- Grant programs for State law enforcement agencies to examine illegal trafficking of heroin, fentanyl, and prescription opioids.
- Grant allocation to state, local, and tribal nonprofits to increase drug treatment.
- Grant allocation to state, local, and tribal governments to provide opioid treatment through criminal justice agencies.
- Grant allocation for addiction recovery programs for high school and college youths.
- Grant allocation for general education programs for inmates.
- A task force to examine collateral consequences experienced by those convicted of drug offenses who are in recovery programs.
- Grant programs aimed at addiction and treatment services for women, families, and veterans. This would include a reauthorization of an existing grant program for pregnant and postpartum women with substance abuse disorders, and additional funds for a pilot program for the same class of women through the Center for Substance Abuse Treatment.
- Reports to Congress on the status of implementing family-based substance abuse treatment programs as alternatives to incarceration.
- Grant allocation to states to create and implement integrated opioid abuse response initiatives.
- A GAO report to Congress on the impact on access to treatment for individuals with substance abuse disorders due to Medicaid Institutions for Mental Disease Exclusion.

The bill would provide \$62 million annually for grant programs that do not have a specific funding level delineated. Several of the grant recipients would be audited each year. This legislation would allow Medicare prescription drug plans to create drug management programs for beneficiaries who are at risk. Finally, this legislation would make it illegal to manufacture or distribute drugs or precursor chemicals outside of the United States if there is reasonable cause to believe they will be imported into the United States. It would also be illegal to sell precursor chemicals if there is intent or knowledge that they will be used to manufacture illegal drugs to be imported into the United States.

House amendment to S. 524

This week and over the last year, the House has considered a number of bills addressing the opioid epidemic in the United States. The House amendment to S. 524 is comprised of these House-passed bills, packaged into a single amendment. Brief summaries and links to their full legislative bulletins follow:

- **H.R. 5048—Good Samaritan Assessment Act of 2016 (Rep. Guinta, R-NH)**
 - [H.R. 5048](#) would direct the Government Accountability Office (GAO) to issue a report to Congress on how the National Drug Control Policy (ONDCP) has reviewed Good Samaritan laws, efforts to encourage the usage of Good Samaritan laws, and which states, territories, or districts have Good Samaritan laws in effect.
 - Legislative Bulletin found [here](#).
- **H.R. 5052—OPEN Act, as amended (Rep. McCarthy, R-CA)**
 - [H.R. 5052](#) would require the Attorney General and the Secretary of Health and Human Services to work with the National Academy of Sciences to evaluate the effectiveness of programs that provide grants aimed at addressing problems pertaining to opioid abuse.
 - Legislative Bulletin found [here](#).
- **H.R. 4063 — Jason Simcakoski PROMISE Act (Rep. Bilirakis, R-FL)**
 - [H.R. 4063](#) would require the Department of Veterans Affairs (VA) to improve its safety measures for use of opioids in treating veterans and update clinical practice guidelines for the management of chronic pain.
 - Legislative Bulletin found [here](#).
- **H.R. 4843: Improving Safe Care for the Prevention of Infant Abuse and Neglect Act (Barletta, R-PA)**
 - [H.R. 4843](#) would amend the Child Abuse Prevention and Treatment Act to strengthen safeguards and state abuse programs by requiring interventions for babies born with opioid

- addition and their affected caregivers be in place as a condition of receiving a federal grant for child abuse or neglect prevention.
- Legislative Bulletin found [here](#).
 - **H.R. 4978: NAS Healthy Babies Act (Jenkins, R-WV)**
 - [H.R. 4978](#) would require the Government Accountability Office (GAO) to report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid. In addition, this bill would make unrelated changes to the rebates associated with abuse-deterrent formulations of medications and limit the disclosure of predictive modeling technologies for Medicare and Medicaid.
 - Legislative Bulletin found [here](#).
 - **H.R. 3680: Co-Prescribing to Reduce Overdoses Act of 2015 (Sarbanes, D-PA)**
 - [H.R. 3680](#) would allow the Secretary of Health and Human Services (HHS) to carry out a grant program for co-prescribing opioid overdose reversal drugs.
 - Legislative Bulletin found [here](#).
 - **H.R. 3691: Improving Treatment for Pregnant and Postpartum Women Act of 2015 (Lujan, D-NM)**
 - [H.R. 3691](#) would amend the Public Health Service Act to reauthorize residential treatment programs for pregnant and postpartum women. The bill would also establish a pilot program for states to develop models for treating women with substance abuse.
 - Legislative Bulletin found [here](#).
 - **H.R. 1818: Veteran Emergency Medical Technician Support Act of 2016 (Kinzinger, R-IL)**
 - [H.R. 1818](#) would amend the Public Health Service Act to provide grants to states to streamline requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.
 - Legislative Bulletin found [here](#).
 - **H.R. 4969: John Thomas Decker Act of 2016 (Meehan, R-PA)**
 - [H.R. 4969](#) would amend the Public Health Service Act to direct the Centers for Disease Control and Prevention (CDC) to provide informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing sports.
 - Legislative Bulletin found [here](#).
 - **H.R. 4586: Lali's Law (Dold, R-IL)**
 - [H.R. 4586](#) would authorize grants to states for opioid overdose reversal medication access and education programs.
 - Legislative Bulletin found [here](#).
 - **H.R. 4599: Reducing Unused Medications Act of 2016 (Clark, D-MA)**
 - [H.R. 4599](#) would amend the Controlled Substances Act to permit certain partial fillings of certain prescriptions.
 - Legislative Bulletin found [here](#).
 - **H.R. 4976: Opioid Review Modernization Act of 2016 (Maloney, D-NY)**
 - [H.R. 4976](#) would require new opioids to be referred to an advisory committee at the FDA prior to the approval. The bill would also seek recommendations on education programs for opioid prescribers.
 - Legislative Bulletin found [here](#).
 - **H.R. 4982: Examining Opioid Treatment Infrastructure Act of 2016 (Foster, D-IL)**
 - [H.R. 4982](#) would direct the comptroller general to evaluate and report on the inpatient and outpatient treatment capacity in the United States.
 - Legislative Bulletin found [here](#).
 - **H.R. 4981: Opioid Use Disorder Treatment Expansion and Modernization Act, as amended (Bucshon, R-IN)**
 - [H.R. 4981](#) would amend the Controlled Substances Act to increase the number of patients a qualified practitioner could treat for opioid use disorder. This bill would also require enhanced training for qualified practitioners administering these medications.

- Legislative Bulletin found [here](#).
- **H.R. 4641: To provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes (Brooks, R-IN)**
 - [H.R. 4641](#) would establish an inter-agency task force to review, modify, and update the best practices for pain management and prescribing pain medication.
 - Legislative Bulletin found [here](#).
- **H.R. 5046—Comprehensive Opioid Reduction Act of 2016 (Rep. Sensenbrenner, R-WI)**
 - [H.R. 5046](#) would establish a comprehensive opioid abuse grant program using both new and existing programs, including providing training to first responders, criminal investigation for the distribution of opioids, resident treatment centers, and drug courts.
 - Legislative Bulletin found [here](#).
- **H.R. 1725—National All Schedules Prescription Electronic Reporting Reauthorization Act of 2015 (Rep. Whitfield, R-KY)**
 - [H.R. 1725](#) would reauthorize funding and expand the eligible entities and uses for grants to states and territories to establish or maintain electronic database systems for monitoring and dispensing controlled substances. The program has been unauthorized since 2010.
 - Legislative bulletin found [here](#).
- **H.R. 4985—Kingpin Designation Improvement Act of 2016 (Rep. Katko, R-NY)**
 - [H.R. 4985](#) would allow classified information to be submitted to a reviewing court ex parte or in camera in any judicial review of a designation of a foreign person as a kingpin who is subject to sanctions as a significant foreign narcotics trafficker.
 - Legislative Bulletin found [here](#).

COMMITTEE ACTION:

S. 524 was introduced on February 12, 2016 and was referred to the Senate Committee on the Judiciary. It [passed](#) in the Senate, 94-1, on March 10, 2016.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Senate bills do not require Constitutional Authority statements.

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*