

115TH CONGRESS 2D SESSION

H. R. 5582

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2018

Mr. Carter of Georgia (for himself, Mr. Loebsack, and Mr. Reed) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited at the "Abuse Deterrent Ac-
- 5 cess Act of 2018".

SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-

- 2 TIONS ACCESS BARRIERS UNDER MEDICARE.
- 3 (a) IN GENERAL.—Not later than 180 days after the
- 4 date of the enactment of this Act, the Secretary of Health
- 5 and Human Services shall conduct a study and submit to
- 6 Congress a report on the adequacy of access to abuse-de-
- 7 terrent opioid formulations for individuals with chronic
- 8 pain enrolled in an MA-PD plan under part C of title
- 9 XVIII of the Social Security Act or a prescription drug
- 10 plan under part D of such title of such Act, taking into
- 11 account any barriers preventing such individuals from ac-
- 12 cessing such formulations under such MA-PD or part D
- 13 plans, such as cost-sharing tiers, fail-first requirements,
- 14 and prior authorization requirements.
- 15 (b) Definition of Abuse-Deterrent Opioid For-
- 16 MULATION.—In this section, the term "abuse-deterrent
- 17 opioid formulation" means an opioid with certain abuse-
- 18 deterrent properties, such as physical or chemical barriers,
- 19 agonist or antagonist combinations, aversion properties,
- 20 delivery system mechanisms, or other features designed to
- 21 prevent abuse of such opioid.

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