

115TH CONGRESS 1ST SESSION

H. R. 992

To authorize the Assistant Secretary for Mental Health and Substance Use, acting through the Director of the Center for Substance Abuse Treatment, to award grants to States to expand access to clinically appropriate services for opioid abuse, dependence, or addiction.

IN THE HOUSE OF REPRESENTATIVES

February 9, 2017

Mr. Foster (for himself, Mr. Sean Patrick Maloney of New York, and Mr. Norcross) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To authorize the Assistant Secretary for Mental Health and Substance Use, acting through the Director of the Center for Substance Abuse Treatment, to award grants to States to expand access to clinically appropriate services for opioid abuse, dependence, or addiction.

- 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 as the "Expanding Opportuni-
- 5 ties for Recovery Act of 2017".

SEC. 2. OPIOID ADDICTION TREATMENT.

- 2 (a) In General.—The Assistant Secretary for Men-
- 3 tal Health and Substance Use, acting through the Direc-
- 4 tor of the Center for Substance Abuse Treatment (in this
- 5 section referred to as the "Assistant Secretary") shall
- 6 award grants to States to expand access to clinically ap-
- 7 propriate services for opioid abuse, dependence, or addic-
- 8 tion.
- 9 (b) REQUIREMENTS.—As conditions on the receipt of
- 10 a grant under this section, a State shall agree to comply
- 11 with the following:
- 12 (1) The grant will be administered through the
- head of the State's primary agency responsible for
- programs and activities relating to the treatment of
- 15 substance abuse.
- 16 (2) The services through the grant will be evi-
- dence-based such as medication-assisted treatment
- 18 for substance use disorder.
- 19 (3) The services through the grant will be pro-
- vided according to a physician or a clinician's rec-
- ommendation to ensure that individuals receive the
- optimal level of substance use disorder treatment for
- 23 the amount of time that is deemed medically nec-
- essary.
- 25 (4) The services through the grant will be pro-
- vided exclusively to individuals—

1	(A) who lack health insurance; or
2	(B) whose health insurance—
3	(i) does not cover such services; or
4	(ii) places other barriers on the re-
5	ceipt of such services, such as—
6	(I) limiting coverage of such serv-
7	ices to a certain period of time; or
8	(II) imposing nonquantitative
9	treatment limitations that are more
10	stringent than treatment limitations
11	imposed on other medical conditions
12	(such as a requirement to use less ex-
13	pensive services, like outpatient treat-
14	ment, prior to more expensive, but
15	physician-recommended services, such
16	as inpatient or residential treatment).
17	(5) The grant will not be used to pay or sub-
18	sidize the cost of more than 60 consecutive days of
19	opioid abuse, dependence, or addiction treatment in
20	the case of any individual.
21	(c) Permissible Provision of Medications.—In
22	expanding access to clinically appropriate services for
23	opioid abuse, dependence, or addiction through a grant
24	under this section, a State may provide for the use of

1	medications, in conjunction with other treatment, so long
2	as the medications—
3	(1) are lawfully marketed under the Federal
4	Food, Drug, and Cosmetic Act (21 U.S.C. 301 et
5	seq.);
6	(2) are clinically indicated to address the abuse,
7	dependence, or addiction; and
8	(3) are offered consistent with consumer choice.
9	(d) COORDINATION.—The Assistant Secretary shall
10	coordinate the program under this section with the pro-
11	gram for prevention and treatment of substance abuse
12	under subpart II of part B of title XIX of the Public
13	Health Service Act (42 U.S.C. 300x–21 et seq.).
14	(e) Evaluation; Dissemination of Information;
15	TECHNICAL ASSISTANCE.—
16	(1) In General.—The Assistant Secretary
17	shall—
18	(A) require States receiving a grant under
19	this section to report appropriate outcome
20	measures associated with use of the grant, in-
21	cluding any—
22	(i) decreases in substance use;
23	(ii) changes in retention in care;
24	(iii) connections to the next appro-
25	priate level of care:

1	(iv) decreases in involvement with
2	criminal justice activities; and
3	(v) other outcome data as appropriate;
4	(B) require States receiving a grant under
5	this section to report data on individuals' length
6	of time under clinically appropriate addiction
7	treatment, and the use of medication-assisted
8	treatment;
9	(C) evaluate the activities supported by
10	grants under this section;
11	(D) submit to the Congress and the Sec-
12	retary, and make publicly available on the
13	Internet site of the Substance Abuse and Men-
14	tal Health Services Administration, information
15	about the results of such evaluation; and
16	(E) offer technical assistance to States re-
17	ceiving a grant under this section regarding ac-
18	tivities funded through the grant.
19	(2) Use of certain funds.—Of the funds ap-
20	propriated to carry out this section for any fiscal
21	year, 5 percent shall be available to carry out activi-
22	ties under this subsection.