

115TH CONGRESS 2D SESSION

# H.R.5582

## AN ACT

- 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-
  - ${\it 2\ tives\ of\ the\ United\ States\ of\ America\ in\ Congress\ assembled},$

### SECTION 1. SHORT TITLE.

- This Act may be cited at the "Abuse Deterrent Ac-
- 3 cess Act of 2018".
- 4 SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-
- 5 TIONS ACCESS BARRIERS UNDER MEDICARE.
- 6 (a) IN GENERAL.—Not later than on 1e year after the
- 7 date of the enactment of this Act, the Secretary of Health
- 8 and Human Services shall conduct a study and submit to
- 9 Congress a report on the adequacy of access to abuse-de-
- 10 terrent opioid formulations for individuals with chronic
- 11 pain enrolled in an MA-PD plan under part C of title
- 12 XVIII of the Social Security Act or a prescription drug
- 13 plan under part D of such title of such Act, taking into
- 14 account any barriers preventing such individuals from ac-
- 15 cessing such formulations under such MA-PD or part D
- 16 plans, such as cost-sharing tiers, fail-first requirements,
- 17 the price of such formulations, and prior authorization re-
- 18 quirements.
- 19 (b) Definition of Abuse-Deterrent Opioid
- 20 FORMULATION.—In this section, the term "abuse-deter-
- 21 rent opioid formulation" means an opioid that is a
- 22 prodrug or that has certain abuse-deterrent properties,
- 23 such as physical or chemical barriers, agonist or antago-
- 24 nist combinations, aversion properties, delivery system

- 1 mechanisms, or other features designed to prevent abuse
- 2 of such opioid.

Passed the House of Representatives June 12, 2018. Attest:

Clerk.

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