

115TH CONGRESS
2D SESSION

S. 2730

To amend the Public Health Service Act to establish a pilot program to help individuals in recovery from a substance use disorder transition from treatment to independent living and the workforce, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 23, 2018

Mr. McCONNELL introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to establish a pilot program to help individuals in recovery from a substance use disorder transition from treatment to independent living and the workforce, and for other purposes.

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 “Comprehensive Addic-
5 tion Recovery through Effective Employment and Reentry
6 Act” or the “CAREER Act”.

1 **SEC. 2. PILOT PROGRAM TO HELP INDIVIDUALS IN RECOV-**
 2 **ERY FROM A SUBSTANCE USE DISORDER**
 3 **TRANSITION TO INDEPENDENT LIVING AND**
 4 **THE WORKFORCE.**

5 Part B of title III of the Public Health Service Act
 6 (42 U.S.C. 243 et seq.) is amended by adding at the end
 7 the following:

8 **“SEC. 320B. PILOT PROGRAM TO HELP INDIVIDUALS IN RE-**
 9 **COVERY FROM A SUBSTANCE USE DISORDER**
 10 **TRANSITION TO INDEPENDENT LIVING AND**
 11 **THE WORKFORCE.**

12 “(a) IN GENERAL.—The Secretary shall establish a
 13 pilot program to award 5-year grants under subsection
 14 (b)(1) to States, and 1-year grants under subsection
 15 (b)(2) to States or Indian tribes, for the purpose of mak-
 16 ing subgrants to entities under subsection (c) to help indi-
 17 viduals in recovery from a substance use disorder transi-
 18 tion from treatment to independent living and the work-
 19 force.

20 “(b) GRANTS.—

21 “(1) 5-YEAR GRANTS.—

22 “(A) IN GENERAL.—The Secretary shall
 23 award 5-year grants under this paragraph to 5
 24 States that submit an application under para-
 25 graph (3). Such States shall be selected—

1 “(i) from among the 10 States with
2 the highest rate of death due to drug over-
3 dose per 100,000 people, based on data
4 from the Centers for Disease Control and
5 Prevention for calendar years 2013
6 through 2017; and

7 “(ii) based on the merits of the pro-
8 posal included in such application and the
9 preferences described in subparagraph (B).

10 “(B) PREFERENCES.—The Secretary, in
11 selecting States for a grant under this para-
12 graph, shall give priority to States from among
13 the States described in subparagraph (A) with
14 the combination of—

15 “(i) the highest average rates of un-
16 employment based on data provided by the
17 Bureau of Labor Statistics for calendar
18 years 2013 through 2017;

19 “(ii) the lowest average labor force
20 participation rates based on data provided
21 by the Bureau of Labor Statistics for cal-
22 endar years 2013 through 2017; and

23 “(iii) the highest prevalence of opioid
24 use disorder based on data provided by the
25 Substance Abuse and Mental Health Serv-

ices Administration for calendar years
2013 through 2017 as may be available.

“(C) GRANT FUNDS.—

“(i) IN GENERAL.—The funds from a
5-year grant awarded under this paragraph
shall be provided to each of the 5 selected
States on an annual basis for each of fiscal
years 2019 through 2023.

“(ii) CARRY OVER.—

“(I) IN GENERAL.—The funds
awarded under clause (i) for a fiscal
year shall remain available for the
State to make subgrants under sub-
section (c) for such fiscal year, except
a State may carry over (subject to
subclause (II)) not more than 10 per-
cent of such funds for the following
fiscal year for such purpose.

“(II) REQUEST.—A State may
make a request to the Secretary to
carry over more than 10 percent of
the funds awarded under clause (i) for
a fiscal year for the following fiscal
year for such purpose, and the Sec-

1 retary may grant such request as the
2 Secretary determines appropriate.

3 “(III) AMOUNT FOR FOLLOWING
4 FISCAL YEAR.—Any amount carried
5 over under this clause shall not im-
6 pact the amount of the funds the Sec-
7 retary awards the State for such fol-
8 lowing fiscal year.

9 “(iii) RETURN OF FUNDS.—Any funds
10 awarded under clause (i) that are not ex-
11 pended during the fiscal year for which the
12 funds are awarded and that are not carried
13 over for the following fiscal year under
14 clause (ii) shall be returned to the Sec-
15 retary to carry out this section. Any funds
16 returned to the Secretary after fiscal year
17 2023 shall be returned to the general fund
18 of the Treasury.

19 “(2) 1-YEAR GRANTS.—

20 “(A) IN GENERAL.—The Secretary shall,
21 for each of fiscal years 2019 through 2023,
22 award 1-year grants to States or Indian tribes
23 under this paragraph that submit an applica-
24 tion in accordance with paragraph (3). Such
25 States or Indian tribes shall be selected for a

1 grant under this paragraph based on criteria
2 established by the Secretary.

3 “(B) GRANT FUNDS.—

4 “(i) IN GENERAL.—The funds award-
5 ed through a grant under subparagraph
6 (A) for a fiscal year shall remain available
7 for the State or Indian tribe to make sub-
8 grants under subsection (c) for such fiscal
9 year and may not be carried over for such
10 following fiscal year.

11 “(ii) RETURN OF FUNDS.—Any funds
12 awarded through a grant under subpara-
13 graph (A) that are not expended during
14 the fiscal year of the grant shall be re-
15 turned to the Secretary to carry out this
16 section. Any funds returned to the Sec-
17 retary after fiscal year 2023 shall be re-
18 turned to the general fund of the Treas-
19 ury.

20 “(3) APPLICATIONS.—

21 “(A) IN GENERAL.—Each State desiring a
22 grant under paragraph (1) and each State or
23 Indian tribe desiring a grant under paragraph
24 (2) shall submit an application to the Secretary

1 at such time and in such manner as the Sec-
2 retary may reasonably require for such grant.

3 “(B) CONTENTS.—

4 “(i) IN GENERAL.—An application
5 submitted under subparagraph (A) shall
6 contain such information as the Secretary
7 may reasonably require, including a pro-
8 posal for awarding subgrants under sub-
9 section (c) and a method for evaluating
10 such subgrants.

11 “(ii) 5-YEAR GRANTS.—An application
12 submitted under subparagraph (A) for a
13 grant awarded under subsection (b)(1)
14 shall include an assurance that not less
15 than 50 percent of the funds awarded
16 through the grant will be used towards
17 making subgrants under subsection (c) to
18 the entities applying for such subgrants
19 that serve the areas in the State with the
20 highest prevalence of substance use dis-
21 order, based on data determined appro-
22 priate by the Secretary.

23 “(c) SUBGRANTS.—

24 “(1) IN GENERAL.—Each State that receives a
25 grant under subsection (b)(1) and each State or In-

dian tribe that receives a grant under subsection (b)(2) shall award subgrants on a competitive basis to entities that meet the requirements under paragraphs (2) and (3).

“(2) SUBGRANT REQUIREMENTS.—

“(A) APPLICATION.—An entity that desires a subgrant under this subsection shall submit an application to the State or Indian tribe at such time and in such manner as the State or Indian tribe may reasonably require.

“(B) CONTENTS.—An application submitted under subparagraph (A) by an entity shall contain such information as the State or Indian tribe may reasonably require, including a demonstration that the entity has one or more of the following abilities:

“(i) The ability to partner with local stakeholders, which may include local employers, community stakeholders, and local and State governments, to identify gaps in the workforce due to the prevalence of substance use disorders.

“(ii) The ability to partner with local stakeholders, which may include local employers, community stakeholders, and local

1 and State governments, to offer transi-
2 tional services, including employment and
3 career counseling or job placement, to help
4 individuals in recovery from a substance
5 use disorder transition into the workforce.

6 “(iii) The ability to partner with local
7 stakeholders, which may include local em-
8 ployers, community stakeholders, and local
9 and State governments, to assist employers
10 with informing their employees of the re-
11 sources, such as treatment options for a
12 substance use disorder, that are available
13 to them.

14 “(3) USE OF FUNDS.—An entity receiving a
15 subgrant under this subsection shall use the
16 subgrant funds for more than one of the following:

17 “(A) To hire specialists with an expertise
18 in treating substance use disorders, including
19 through residential treatment, to assist with the
20 treatment provided through a subgrant under
21 this subsection, which may include the use of
22 medication-assisted treatment.

23 “(B) To provide wrap-around services to
24 encourage substance use disorder prevention,
25 treatment, recovery, and rehabilitation, with a

1 focus on ensuring long-term recovery and symp-
2 tom remission.

3 “(C) To help individuals transition from
4 inpatient treatment for a substance use dis-
5 order to the workforce by providing—

6 “(i) career services described in para-
7 graph (2), and training services described
8 in paragraph (3), of section 134(c) of the
9 Workforce Innovation and Opportunity Act
10 (29 U.S.C. 3174(c)); and

11 “(ii) related services described in sec-
12 tion 134(a)(4)(D) of such Act (42 U.S.C.
13 3174(a)(4)(D)).

14 “(D) To implement innovative technologies
15 to make substance use disorder treatment more
16 affordable and accessible, which may include
17 the use of telemedicine, and may assist individ-
18 uals in finding and maintaining employment
19 throughout recovery.

20 “(E) To provide ongoing outpatient sub-
21 stance use disorder treatment programs, includ-
22 ing peer support meetings, for individuals who
23 have recovered or are in recovery from a sub-
24 stance use disorder while they transition from

1 receiving treatment for such disorder to enter-
2 ing the workforce and maintaining employment.

3 “(F) To assist patients, including through
4 hiring case managers, care coordinators, or
5 trained peer recovery coaches, in recovery from
6 a substance use disorder, including through
7 programs to provide services to develop daily
8 living skills, provide counseling, and provide
9 housing assistance, and through other appro-
10 priate Federal Government assistance pro-
11 grams.

12 “(G) With respect to an entity that pro-
13 vides the full continuum of substance use dis-
14 order treatment services, which may include de-
15 toxification, residential rehabilitation, recovery
16 housing, evidence-based treatments (which may
17 include the use of medication-assisted treat-
18 ment), counseling, and recovery supports, to ex-
19 pand such services to include services that may
20 include—

21 “(i) short-term prevocational training
22 services, such as the development of learn-
23 ing skills, communication skills, inter-
24 viewing skills, punctuality, personal main-
25 tenance skills, and professional conduct;

1 “(ii) vocational training, which shall
 2 emphasize the skills or knowledge nec-
 3 essary for a particular job function or
 4 trade; and

5 “(iii) care coordination throughout the
 6 short- and long-term substance use dis-
 7 order recovery process.

8 “(H) Any other service determined by the
 9 Secretary as necessary for achieving the goal of
 10 transitioning individuals from treatment for
 11 substance use disorders to independent living
 12 and the workforce or to encouraging substance
 13 use disorder prevention in the workforce.

14 “(d) CONSULTATION.—The Secretary may, in car-
 15 rying out the pilot program under this section, consult
 16 with the Assistant Secretary for Substance Use and Men-
 17 tal Health, the Administrator of the Health Resources and
 18 Services Administration, the Secretary of Labor, the Sec-
 19 retary of Housing and Urban Development, and the Sec-
 20 retary of Education.

21 “(e) REPORTING REQUIREMENTS.—

22 “(1) REPORTS TO THE SECRETARY.—

23 “(A) 5-YEAR GRANTS.—Not later than De-
 24 cember 31, 2021, each State that has received
 25 a grant under subsection (b)(1) shall report to

1 the Secretary on its progress and effectiveness
2 in meeting the objectives of the pilot program
3 under this section, including the progress and
4 effectiveness of the entities receiving subgrants
5 under subsection (c) as demonstrated through
6 reports of such progress and effectiveness sub-
7 mitted to the State by such entities.

8 “(B) 1-YEAR GRANTS.—Not later than De-
9 cember 31 of the fiscal year following the fiscal
10 year for which a grant is awarded under sub-
11 section (b)(2), the State or Indian tribe receiv-
12 ing such grant shall report to the Secretary on
13 its progress and effectiveness in meeting the ob-
14 jectives of the pilot program under this section,
15 including the progress and effectiveness of the
16 entities receiving subgrants under subsection
17 (c) which may be demonstrated through reports
18 of such progress and effectiveness submitted to
19 the State or Indian tribe by such entities.

20 “(2) REPORT TO CONGRESS.—Not later than
21 December 31, 2024, the Secretary shall submit a re-
22 port to Congress, including any applicable author-
23 izing committee of the Senate or House of Rep-
24 resentatives, evaluating the grants awarded under
25 this section.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated \$200,000,000, for each
 3 of fiscal years 2019 through 2023, to carry out this sec-
 4 tion. Out of such amount appropriated for each such fiscal
 5 year—

6 “(1) 75 percent shall be used to make grants
 7 under subsection (b)(1); and

8 “(2) 25 percent shall be used to make grants
 9 under subsection (b)(2).”.

10 **SEC. 3. TRANSITIONAL HOUSING SERVICES.**

11 (a) IN GENERAL.—Section 105(a) of the Housing
 12 and Community Development Act of 1974 (42 U.S.C.
 13 5305(a)) is amended—

14 (1) in paragraph (25)(D), by striking “and” at
 15 the end;

16 (2) in paragraph (26), by striking the period at
 17 the end and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(27) providing temporary housing services to
 20 individuals who are transitioning out of substance
 21 abuse treatment programs for—

22 “(A) a period of not more than 24 months
 23 or until the individual secures permanent hous-
 24 ing, whichever is earlier; or

1 “(B) such longer period as the Secretary
2 determines necessary.”.

3 (b) ADDITIONAL CDBG AUTHORIZATION OF APPRO-
4 PRIATIONS.—

5 (1) DEFINITION OF COVERED ENTITY.—In this
6 subsection, the term “covered entity” means—

7 (A) a State (as defined in section 102(a)
8 of the Housing and Community Development
9 Act of 1974 (42 U.S.C. 5302(a))) that is
10 among the 10 States with the highest rate of
11 death due to drug overdose per 100,000 people,
12 based on data from the Centers for Disease
13 Control and Prevention for calendar years 2013
14 through 2017; and

15 (B) any entitlement community located in
16 a State described in subparagraph (A).

17 (2) AUTHORIZATION OF APPROPRIATIONS.—In
18 addition to any amounts appropriated for the com-
19 munity development block grant program under title
20 I of the Housing and Community Development Act
21 of 1974 (42 U.S.C. 5301 et seq.), there are author-
22 ized to be appropriated \$25,000,000 for each of fis-
23 cal years 2019 through 2023, to be allocated by the
24 Secretary of Housing and Urban Development on a
25 competitive basis to covered entities to carry out the

1 activity described in paragraph (27) of section
2 105(a) of such Act (42 U.S.C. 5305(a)), as added
3 by subsection (a).

4 (3) PREFERENCES.—In allocating amounts au-
5 thorized to be appropriated under paragraph (2), the
6 Secretary of Housing and Urban Development shall
7 give priority to—

8 (A) States from among the States de-
9 scribed in paragraph (1)(A) with a combination
10 of—

11 (i) the highest average rates of unem-
12 ployment based on data provided by the
13 Bureau of Labor Statistics for calendar
14 years 2013 through 2017;

15 (ii) the lowest average labor force par-
16 ticipation rates based on data provided by
17 the Bureau of Labor Statistics for cal-
18 endar years 2013 through 2017; and

19 (iii) the highest prevalence of opioid
20 use disorder based on data provided by the
21 Substance Abuse and Mental Health Serv-
22 ices Administration for calendar years
23 2013 through 2017 as may be available;
24 and

1 (B) entitlement communities located in a
 2 State described in clause (i), (ii), or (iii) of sub-
 3 paragraph (A).

4 **SEC. 4. SUBSTANCE USE DISORDER TRANSITION ACTIVI-**
 5 **TIES.**

6 (a) RESERVATIONS FOR STATE ACTIVITIES.—Section
 7 133(a)(1) of the Workforce Innovation and Opportunity
 8 Act (29 U.S.C. 3173(a)(1)) is amended—

9 (1) by striking “The Governor” and inserting
 10 the following:

11 “(A) IN GENERAL.—The Governor”; and

12 (2) by adding at the end the following:

13 “(B) SUBSTANCE USE DISORDER TRANSI-
 14 TION ACTIVITIES.—

15 “(i) ADULT AND DISLOCATED
 16 FUNDS.—Of the funds reserved as required
 17 under section 128(a)(1) and subparagraph
 18 (A), the Governor of a State with an appli-
 19 cation approved under section 134(a)(4)
 20 may reserve a sum of not more than 5 per-
 21 cent of each of the amounts allotted to the
 22 State under paragraphs (1)(B) and (2)(B)
 23 of section 132(b) for a fiscal year for sub-
 24 stance use disorder transition activities de-
 25 scribed in section 134(a)(4). Notwith-

standing sections 128(a)(2), 129(b), and 134(a), the Governor may not use an amount allotted under section 127(b)(1)(C) for those activities.

“(ii) VOCATIONAL REHABILITATION FUNDS.—The Governor of a State with such an approved application may reserve funds as described in section 110(e) of the Rehabilitation Act of 1973 (29 U.S.C. 730(e)) for substance use disorder transition activities described in section 134(a)(4).”.

(b) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—Section 134(a)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)(1)) is amended—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), in the matter following clause (ii), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(C) as described in section 133(a)(1)(B), may be used for substance use disorder transi-

1 tion activities as described in paragraph (4), re-
 2 gardless of whether the funds were allotted to
 3 the State under paragraph (1) or (2) of section
 4 132(b).”.

5 (2) SUBSTANCE USE DISORDER TRANSITION AC-
 6 TIVITIES.—Section 134(a) of the Workforce Innova-
 7 tion and Opportunity Act (29 U.S.C. 3174(a)) is
 8 amended by adding at the end the following:

9 “(4) SUBSTANCE USE DISORDER TRANSITION
 10 ACTIVITIES.—

11 “(A) DEFINITIONS.—In this paragraph:

12 “(i) APPROPRIATE SECRETARY.—The
 13 term ‘appropriate Secretary’ means—

14 “(I) except as provided in sub-
 15 clause (II), the Secretary of Labor; or

16 “(II) if the application involves
 17 funds reserved under section 110(e) of
 18 the Rehabilitation Act of 1973 (29
 19 U.S.C. 730(e)), the Secretary of
 20 Labor and the Secretary of Edu-
 21 cation.

22 “(ii) SUBSTANCE USE DISORDER.—
 23 The term ‘substance use disorder’ means
 24 such a disorder within the meaning of the

1 term in title V of the Public Health Service
2 Act (42 U.S.C. 290aa et seq.).

3 “(iii) SUBSTANCE USE DISORDER
4 TRANSITION ACTIVITIES.—The term ‘sub-
5 stance use disorder transition activities’
6 means activities authorized under subpara-
7 graph (D) or (E).

8 “(B) ELIGIBLE STATES.—To be eligible to
9 use the funds reserved under clause (i) or (ii)
10 of section 133(a)(1)(B) for substance use dis-
11 order transition activities described in this
12 paragraph, a State shall—

13 “(i) submit to the appropriate Sec-
14 retary an application seeking flexibility to
15 use the reserved funds for such activities,
16 and submit the application at such time, in
17 such manner, and containing such infor-
18 mation as the appropriate Secretary may
19 require, including an assurance that the
20 State will award subgrants to entities on
21 the basis of the ability of the entities to
22 provide the substance use disorder transi-
23 tion activities involved, including any pro-
24 grams that the entities propose to provide

1 that lead to recognized postsecondary cre-
2 dentials; and

3 “(ii) obtain approval of the applica-
4 tion.

5 “(C) SUBGRANTS.—An eligible State may
6 use the funds reserved under clause (i) or (ii)
7 of section 133(a)(1)(B) to make subgrants to
8 one-stop operators and nonprofit organizations,
9 to provide services under subparagraph (D) and
10 (at the election of the State) subparagraph (E).

11 “(D) CAREER SERVICES.—An entity that
12 receives a subgrant under subparagraph (C)
13 shall use the subgrant funds to assist individ-
14 uals in recovery from a substance use disorder
15 in transitioning to the workforce, by providing
16 career services (such as the services described
17 in section 134(c)(2)) and related services, which
18 may include one or more of—

19 “(i) providing ongoing career coun-
20 seling, both before and after job placement,
21 with a focus on individual employment
22 preferences while weighing the skill needs
23 of industries in the local area;

24 “(ii) promoting systemic job develop-
25 ment, by facilitating voluntary programs

1 and relationships between participants and
2 local employers to create potential employ-
3 ment opportunities;

4 “(iii) providing benefits counseling—

5 “(I) to ensure participants re-
6 ceive accurate information regarding
7 how employment will affect access to
8 various Federal programs, such as the
9 Medicaid program established under
10 title XIX of the Social Security Act
11 (42 U.S.C. 1396 et seq.) and the sup-
12 plemental security income program es-
13 tablished under title XVI of that Act
14 (42 U.S.C. 1381 et seq.); and

15 “(II) to advise participants on
16 ways to transition away from the pro-
17 grams described in subclause (I)
18 through maintaining employment;

19 “(iv) creating voluntary programs
20 with employers to establish a work and
21 treatment arrangement, such as an Em-
22 ployee Assistance Program, for employees
23 in recovery from a substance use disorder;

24 “(v) providing educational materials
25 or training to employers to enable the em-

1 employers to inform their employees of the re-
 2 sources, such as treatment options for a
 3 substance use disorder, that are available
 4 to them; and

5 “(vi) any other career services that
 6 are determined to be necessary by the ap-
 7 propriate Secretary and that would assist
 8 individuals in recovery from a substance
 9 use disorder in transitioning to the work-
 10 force.

11 “(E) TRAINING SERVICES.—An entity that
 12 receives a subgrant under subparagraph (C)
 13 shall (at the election of the State) use the
 14 subgrant funds to assist individuals in recovery
 15 from a substance use disorder in transitioning
 16 to the workforce, by providing training serv-
 17 ices.”.

18 (c) ADMINISTRATION.—Section 181 of the Workforce
 19 Innovation and Opportunity Act (29 U.S.C. 3241) is
 20 amended—

21 (1) by redesignating subsection (g) as sub-
 22 section (h); and

23 (2) by inserting after subsection (f) the fol-
 24 lowing:

25 “(g) RELATIONSHIP TO OTHER LAWS.—

1 “(1) DISABILITY NONDISCRIMINATION LAW.—

2 Subject to paragraph (2), an employer that employs,
3 or considers for employment, any individual who re-
4 ceives services under this section or under section
5 320B of the Public Health Service Act shall have an
6 absolute defense to any claim (including a charge) of
7 unlawful discrimination on the basis of disability
8 under a covered law, that alleges that the employer
9 discriminated against that individual (which may in-
10 clude refusing to hire or terminating the employ-
11 ment of the individual) based on alcohol addiction or
12 past substance use disorder for which the individual
13 receives such services.

14 “(2) RULE OF CONSTRUCTION.—Nothing in
15 paragraph (1) shall be construed to eliminate the
16 duty of the employer, to an employee who is an indi-
17 vidual who receives such services, to provide a rea-
18 sonable accommodation for an alcohol disorder, or a
19 past substance use disorder, that is a disability
20 under a covered law.

21 “(3) DEFINITIONS.—In this subsection:

22 “(A) COVERED LAW.—The term ‘covered
23 law’ means title I of the Americans with Dis-
24 abilities Act of 1990 (42 U.S.C. 12111 et seq.),
25 title V of the Rehabilitation Act of 1973 (29

1 U.S.C. 791 et seq.), or a State law (including
 2 local law), that prohibits discrimination on the
 3 basis of disability in employment.

4 “(B) SUBSTANCE USE DISORDER.—The
 5 term ‘substance use disorder’ means such a dis-
 6 order within the meaning of the term in title V
 7 of the Public Health Service Act (42 U.S.C.
 8 290aa et seq.).”.

9 (d) OTHER CORE PROGRAMS.—Section 110 of the
 10 Rehabilitation Act of 1973 (29 U.S.C. 730) is amended
 11 by adding at the end the following:

12 “(e)(1) In the case of a transition State, from any
 13 State allotment under subsection (a) for a fiscal year, the
 14 State may reserve not more than 5 percent of the allotted
 15 funds for substance use disorder transition activities de-
 16 scribed in section 134(a)(4) of the Workforce Innovation
 17 and Opportunity Act (29 U.S.C. 3174(a)(4)).

18 “(2) In this section, the term ‘transition State’ means
 19 a State with an application approved under section
 20 134(a)(4) of the Workforce Innovation and Opportunity
 21 Act.”.

○