

National Association of State Mental Health Program Directors

Weekly Update

House of Representatives to Begin Voting on Opioid-Related Legislation Next Week

House Majority Leader Kevin McCarthy (R-CA) announced June 6 that the chamber will begin voting on a long list of opioid-related bills next week.

Rep. McCarthy said the House will vote on dozens of bills over a period of two weeks. "It will take us two weeks to finish this process, but at the end of the day, we'll continue to make America safer and more secure and more prosperous," he said when announcing the schedule.

Rep. McCarthy did not indicate which of the [57 bills voted out of the Energy and Commerce Committee](#) or the [7 bills voted out of the Ways and Means Committee](#) will be considered on the House floor. However, of special note are:

- [H.R. 3331](#), sponsored by Rep. Doris Matsui (D-CA), which would provide incentive payments for behavioral health providers for adoption and use of certified electronic health record technology;
- [H.R. 5795](#), the *Overdose Prevention and Patient Safety Act*, sponsored by Rep. Earl Blumenauer (D-OR) with Markwayne Mullin (R-OK) and 18 other bipartisan cosponsors, which would align the treatment referral disclosure restrictions under 42 CFR Part 2 with the treatment and payment disclosure restrictions under the Health Insurance Portability and Accountability Act, while increasing penalties for unauthorized disclosures, prohibiting disclosures in civil and criminal legal proceedings, imposing a duty to notify where unauthorized disclosures occur, and reiterating existing prohibitions against discrimination against individuals with substance use disorders who are in treatment;
- [H.R. 5102](#), the *Substance Use Disorder Workforce Loan Repayment Act of 2018*, which would authorize a education/training loan (up to \$250,000) repayment program for substance use disorder treatment workers who work six years in Mental Health Professional Shortage areas or localities with a high overdose death rate;
- [H.R. 5327](#), the *Comprehensive Opioid Recovery Centers Act 2018*, bipartisan legislation sponsored by Reps. Brett Guthrie (R-KY) Gene Green (D-TX), Larry Buschon (R-IN), and Ben Ray Lujan (D-NM), which would establish a grant program to create at least 10 comprehensive opioid recovery centers across the United States to provide the full continuum of treatment services for substance use disorder, including medication-assisted treatment, withdrawal management, counseling and case management, residential rehabilitation, recovery housing, community-based and peer-supported recovery services, and job training and placement assistance;
- [H.R. 5797](#), the *IMD Care Act*, sponsored by Rep. Mimi Walters (R-CA), which would create an exception to the Medicaid Institution for Mental Disease (IMD) exclusion of Medicaid reimbursement for inpatient care to allow for 30 days of inpatient treatment for opioid use disorders (only) under a State Plan Amendment, in addition to the [§ 1115 waivers for a continuum of care for all substance use disorders](#) currently allowed by the Centers for Medicare and Medicaid Services;
- [H.R. 5684](#), the *Protecting Seniors from Opioid Abuse Act*, sponsored by Rep. Mike Kelly (R-PA), which would expand eligibility for medication therapy management programs established under Medicare Part D to include enrollees who are at risk for prescription drug abuse in addition to those enrollees with multiple chronic conditions currently eligible;
- [H.R. 5197](#), the *Alternatives to Opioids in the Emergency Department (ALTO) Act*, bipartisan legislation sponsored by Reps. Bill Pascrell (D-NJ), David McKinley (R-WV), Diana DeGette (D-CO), and Scott Tipton (R-CO), which would require the Secretary of Health and Human Services to conduct a demonstration program to test alternative pain management protocols to limit the use of opioids in emergency departments; and
- [H.R. 4841](#), the *Standardizing Electronic Prior Authorization for Safe Prescribing Act of 2018*, sponsored by Rep. David Schweikert (R-AZ) and a bipartisan list of 24 co-sponsors, which would require, beginning in 2020, electronic prior authorization for Medicare Part D drugs.

Still to be scheduled is a vote in the Senate on the omnibus [Opioid Crisis Response Act](#) legislation voted out by the Senate Health Education Labor and Pensions (HELP) Committee on April 24 or the [22 bills posted by the leaders of the Senate Finance Committee](#) on the committee website on May 23.

Insiders on Capitol Hill are suggesting that Democrats are trying to delay a Senate vote until after the November elections to prevent Republicans from heralding passage while campaigning of the Republican-led initiative to battle the opioid abuse epidemic.

A [report issued March 30](#) by the Centers for Disease Control and Prevention (CDC) said that opioid addiction took the lives of 115 Americans each day in 2015-2016.