

114TH CONGRESS
2D SESSION

H. R. 5052

To direct the Attorney General and the Secretary of Health and Human Services to evaluate the effectiveness of grant programs that provide grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Mr. MCCARTHY (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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 Attorney General and the Secretary of Health and Human Services to evaluate the effectiveness of grant programs that provide grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse, 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 “Opioid Program Eval-
5 uation Act” or the “OPEN Act”.

1 **SEC. 2. EVALUATION OF PERFORMANCE OF DEPARTMENT**
2 **OF JUSTICE PROGRAM.**

3 (a) **EVALUATION OF JUSTICE DEPARTMENT COM-**
4 **PREHENSIVE OPIOID ABUSE GRANT PROGRAM.**—Not
5 later than 5 years after the date of enactment of this Act,
6 the Attorney General shall complete an evaluation of the
7 effectiveness of the Comprehensive Opioid Abuse Grant
8 Program under part LL of the Omnibus Crime Control
9 and Safe Streets Act of 1968 administered by the Depart-
10 ment of Justice based upon the information reported
11 under subsection (d) of this section.

12 (b) **INTERIM EVALUATION.**—Not later than 3 years
13 after the date of enactment of this Act, the Attorney Gen-
14 eral shall complete an interim evaluation assessing the na-
15 ture and extent of the incidence of opioid abuse and illegal
16 opioid distribution in the United States.

17 (c) **METRICS AND OUTCOMES FOR EVALUATION.**—
18 Not later than 180 days after the date of enactment of
19 this Act, the Attorney General shall identify outcomes that
20 are to be achieved by activities funded by the Comprehen-
21 sive Opioid Grant Abuse Program and the metrics by
22 which the achievement of such outcomes shall be deter-
23 mined.

24 (d) **METRICS DATA COLLECTION.**—The Attorney
25 General shall require grantees under the Comprehensive
26 Opioid Abuse Grant Program (and those receiving sub-

1 awards under section 3021(b) of part LL of the Omnibus
2 Crime Control and Safe Streets Act of 1968) to collect
3 and annually report to the Department of Justice data
4 based upon the metrics identified under subsection (c).

5 (e) PUBLICATION OF DATA AND FINDINGS.—

6 (1) PUBLICATION OF OUTCOMES AND
7 METRICS.—The Attorney General shall, not later
8 than 30 days after completion of the requirement
9 under subsection (c), publish the outcomes and
10 metrics identified under that subsection.

11 (2) PUBLICATION OF EVALUATION.—In the
12 case of the interim evaluation under subsection (b),
13 and the final evaluation under subsection (a), the
14 National Academy of Sciences shall, not later than
15 90 days after such an evaluation is completed, pub-
16 lish the results of such evaluation and issue a report
17 on such evaluation to the Committee on the Judici-
18 ary of the House of Representatives and the Com-
19 mittee on the Judiciary of the Senate. Such report
20 shall also be published along with the data used to
21 make such evaluation.

22 (f) ARRANGEMENT WITH THE NATIONAL ACADEMY
23 OF SCIENCES.—For purposes of subsections (a), (b), and
24 (c), the Attorney General shall enter into an arrangement
25 with the National Academy of Sciences.

1 **SEC. 3. EVALUATION OF PERFORMANCE OF DEPARTMENT**
2 **OF HEALTH AND HUMAN SERVICES PRO-**
3 **GRAM.**

4 (a) **EVALUATION OF JUSTICE DEPARTMENT COM-**
5 **PREHENSIVE OPIOID ABUSE GRANT PROGRAM.**—Not
6 later than 5 years after the date of enactment of this Act,
7 the Secretary of Health and Human Services shall com-
8 plete an evaluation of any program administered by the
9 Secretary that provides grants for the primary purpose of
10 providing assistance in addressing problems pertaining to
11 opioid abuse based upon the information reported under
12 subsection (d) of this section.

13 (b) **INTERIM EVALUATION.**—Not later than 3 years
14 after the date of enactment of this Act, the Secretary shall
15 complete an interim evaluation assessing the nature and
16 extent of the incidence of opioid abuse and illegal opioid
17 distribution in the United States.

18 (c) **METRICS AND OUTCOMES FOR EVALUATION.**—
19 Not later than 180 days after the date of enactment of
20 this Act, the Secretary shall identify outcomes that are
21 to be achieved by activities funded by the programs de-
22 scribed in subsection (a) and the metrics by which the
23 achievement of such outcomes shall be determined.

24 (d) **METRICS DATA COLLECTION.**—The Secretary
25 shall require grantees under the programs described in
26 subsection (a) to collect and annually report to the De-

1 partment of Health and Human Services data based upon
2 the metrics identified under subsection (c).

3 (e) PUBLICATION OF DATA AND FINDINGS.—

4 (1) PUBLICATION OF OUTCOMES AND
5 METRICS.—The Secretary shall, not later than 30
6 days after completion of the requirement under sub-
7 section (c), publish the outcomes and metrics identi-
8 fied under that subsection.

9 (2) PUBLICATION OF EVALUATION.—In the
10 case of the interim evaluation under subsection (b),
11 and each final evaluation under subsection (a), the
12 National Academy of Sciences shall, not later than
13 90 days after such an evaluation is completed, pub-
14 lish the results of such evaluation and issue a report
15 on such evaluation to the Committee on Energy and
16 Commerce of the House of Representatives and the
17 Committee on Health, Education, Labor, and Pen-
18 sions of the Senate. Such report shall also be pub-
19 lished along with the data used to make such evalua-
20 tion.

21 (f) ARRANGEMENT WITH THE NATIONAL ACADEMY
22 OF SCIENCES.—For purposes of subsections (a), (b), and
23 (c), the Secretary shall enter into an arrangement with
24 the National Academy of Sciences.

1 **SEC. 4. DEFINITION.**

2 In this Act, the term “opioid” has the meaning given
3 the term “opiate” in section 102 of the Controlled Sub-
4 stances Act (21 U.S.C. 802).

5 **SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.**

6 No additional funds are authorized to be appro-
7 priated to carry out this Act.

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