

115TH CONGRESS  
2D SESSION

# H. R. 5109

To amend the 21st Century Cures Act to ensure the equitable distribution of resources to address the opioid epidemic, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2018

Ms. KUSTER of New Hampshire (for herself, Mr. JENKINS of West Virginia, Mr. MCKINLEY, Ms. BLUNT ROCHESTER, Mr. POLIQUIN, and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the 21st Century Cures Act to ensure the equitable distribution of resources to address the opioid epidemic, 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 “Federal Opioid Re-  
5 sponse Fairness Act of 2018”.

6 **SEC. 2. EQUITABLE DISTRIBUTION OF RESOURCES TO AD-**  
7 **DRESS THE OPIOID EPIDEMIC.**

8 (a) IN GENERAL.—The second sentence in paragraph  
9 (1) of section 1003(c) of the 21st Century Cures Act

1 (Public Law 114–255; 42 U.S.C. 290ee–3 note) is amend-  
2 ed by striking “States with an incidence or prevalence of  
3 opioid use disorders that is substantially higher relative  
4 to other States.” and inserting “States—”

5 “(A) with a prevalence of opioid use dis-  
6 orders and associated adverse health effects, in-  
7 cluding neonatal abstinence syndrome, that is  
8 substantially higher relative to other States;  
9 and

10 “(B) with a per capita prescription opioid,  
11 heroin, or synthetic opioid overdose mortality  
12 rate that is substantially higher relative to  
13 other States.”.

14 (b) MINIMUM AMOUNT OF GRANTS.—Section  
15 1003(e) of the 21st Century Cures Act (Public Law 114–  
16 255; 42 U.S.C. 290ee–3 note) is amended by adding at  
17 the end the following new paragraph:

18 “(3) MINIMUM AMOUNT OF GRANTS.—Subject  
19 to the availability of appropriations, the amount of  
20 a grant awarded under this subsection shall not be  
21 less than \$5,000,000.”.

22 (c) TECHNICAL AMENDMENT.—The first sentence in  
23 paragraph (1) of section 1003(e) of the 21st Century  
24 Cures Act (Public Law 114–255; 42 U.S.C. 290ee–3 note)

1 is amended by striking “in accordance with subparagraph  
2 (B)” and inserting “in accordance with paragraph (2)”.

3 (d) EFFECTIVE DATE.—The amendments made by  
4 subsections (a) and (b) shall take effect on October 1,  
5 2018.

○