

115TH CONGRESS  
2D SESSION

# H. R. 5492

To amend the Public Health Service Act to address the use of opioids and substance use disorders with respect to pregnant women and babies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2018

Mr. GUTHRIE (for himself and Mr. BEN RAY LUJÁN of New Mexico) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to address the use of opioids and substance use disorders with respect to pregnant women and babies, 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 “Maternal Opioid Treat-  
5 ment, Health, Education, and Recovery Act of 2018”.

6 **SEC. 2. EARLY INTERVENTION.**

7 (a) DEVELOPMENT OF EDUCATIONAL MATERIALS BY  
8 CENTER FOR SUBSTANCE ABUSE PREVENTION.—Section

1 515(b) of the Public Health Service Act (42 U.S.C.  
2 290bb–21(b)) is amended—

3 (1) in paragraph (13), by striking “and” at the  
4 end;

5 (2) in paragraph (14), by striking the period at  
6 the end and inserting “; and”; and

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

8 “(15) in cooperation with relevant stakeholders  
9 and the Director of the Centers for Disease Control  
10 and Prevention, develop educational materials for  
11 clinicians to use with pregnant women for shared de-  
12 cision-making regarding pain management during  
13 pregnancy.”.

14 (b) GUIDELINES AND RECOMMENDATIONS BY CEN-  
15 TER FOR SUBSTANCE ABUSE TREATMENT.—Section  
16 507(b) of the Public Health Service Act (42 U.S.C.  
17 290bb(b)) is amended—

18 (1) in paragraph (13), by striking “and” at the  
19 end;

20 (2) in paragraph (14), by striking the period at  
21 the end and inserting a semicolon; and

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

23 “(15) in cooperation with the Secretary, imple-  
24 ment and disseminate the recommendations in the  
25 report entitled ‘Protecting Our Infants Act: Final

1 Strategy’ issued by the Department of Health and  
 2 Human Services in 2017; and”.

3 (c) SUPPORT OF PARTNERSHIPS BY CENTER FOR  
 4 SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the  
 5 Public Health Service Act (42 U.S.C. 290bb(b)), as  
 6 amended by subsection (b), is further amended by adding  
 7 at the end the following:

8 “(16) in cooperation with relevant stakeholders  
 9 such as BABYCENTER, March of Dimes, the  
 10 American College of Obstetricians and Gyne-  
 11 cologists, and the American Academy of Pediatrics,  
 12 support public-private partnerships to assist with  
 13 education and support of pregnant women and  
 14 health care providers who treat pregnant women and  
 15 babies.”.

16 **SEC. 3. EXPANDED TREATMENT OPTIONS FOR MOMS AND**  
 17 **BABIES.**

18 (a) TREATMENT SERVICES INCLUDING REFER-  
 19 RALS.—Section 508 of the Public Health Service Act (42  
 20 U.S.C. 290bb–1) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (1), by striking “and” at  
 23 the end;

24 (B) in paragraph (2), by striking the pe-  
 25 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(3) the services will be administered consistent  
3 with appropriate guidelines, including the clinical  
4 guide entitled ‘Clinical Guidance for Treating Preg-  
5 nant and Parenting Women with Opioid Use Dis-  
6 order and Their Infants’ (or any successor guide).”;  
7 and

8 (2) in subsection (d), by amending paragraph  
9 (10) to read as follows:

10 “(10) Planning for, and counseling to assist  
11 with, care outside of the clinical and in-person set-  
12 ting, both before and after discharge, including re-  
13 ferrals to any public or nonprofit private entities in  
14 the community involved that provide services appro-  
15 priate for the woman and the children of the  
16 woman.”.

17 (b) REPORT.—Not later than 180 days after the date  
18 of enactment of this Act, the Secretary of Health and  
19 Human Services shall submit to the appropriate commit-  
20 tees of the Congress and post on a publicly available  
21 website a report regarding the implementation of the  
22 strategy relating to prenatal opioid use, including neonatal  
23 abstinence syndrome, developed pursuant to section 2 of  
24 the Protecting Our Infants Act of 2015 (Public Law 114–  
25 91). Such report shall include—

1           (1) updates on the implementation of the strat-  
2           egy, including information regarding the agencies in-  
3           volved in the implementation;

4           (2) any additional funding required to fully im-  
5           plement the strategy; and

6           (3) processes by which to coordinate the out-  
7           lined activities across the Department of Health and  
8           Human Services.

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