

115TH CONGRESS  
2D SESSION

# H. R. 5582

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## AN ACT

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited at the “Abuse Deterrent Ac-  
3 cess Act of 2018”.

4 **SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-**  
5 **TIONS ACCESS BARRIERS UNDER MEDICARE.**

6       (a) IN GENERAL.—Not later than one year after the  
7 date of the enactment of this Act, the Secretary of Health  
8 and Human Services shall conduct a study and submit to  
9 Congress a report on the adequacy of access to abuse-de-  
10 terrent opioid formulations for individuals with chronic  
11 pain enrolled in an MA–PD plan under part C of title  
12 XVIII of the Social Security Act or a prescription drug  
13 plan under part D of such title of such Act, taking into  
14 account any barriers preventing such individuals from ac-  
15 cessing such formulations under such MA–PD or part D  
16 plans, such as cost-sharing tiers, fail-first requirements,  
17 the price of such formulations, and prior authorization re-  
18 quirements.

19       (b) DEFINITION OF ABUSE-DETERRENT OPIOID  
20 FORMULATION.—In this section, the term “abuse-deter-  
21 rent opioid formulation” means an opioid that is a  
22 prodrug or that has certain abuse-deterrent properties,  
23 such as physical or chemical barriers, agonist or antago-  
24 nist combinations, aversion properties, delivery system

- 1 mechanisms, or other features designed to prevent abuse
- 2 of such opioid.

Passed the House of Representatives June 12, 2018.

Attest:

*Clerk.*

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