

115TH CONGRESS
2D SESSION

S. 2437

To reauthorize and improve the 21st Century Cures opioid grant program.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2018

Ms. BALDWIN (for herself, Mrs. SHAHEEN, Ms. SMITH, Ms. HEITKAMP, Mr. BROWN, Ms. HASSAN, Mr. MANCHIN, Ms. WARREN, Ms. KLOBUCHAR, Ms. STABENOW, Mr. NELSON, Mr. KING, Mr. CARDIN, Mr. TESTER, Mr. KAINE, and Mr. UDALL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To reauthorize and improve the 21st Century Cures opioid grant program.

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 Response En-
5 hancement Act”.

6 **SEC. 2. OPIOID GRANT PROGRAM REAUTHORIZATION.**

7 (a) IN GENERAL.—Section 1003 of the 21st Century
8 Cures Act (42 U.S.C. 290ee–3 note) is amended—

9 (1) in subsection (b)—

1 (A) in paragraph (2)(A), by adding at the
2 end the following:

3 “(iii) For each of fiscal years 2019
4 through 2023, \$2,000,000,000.”; and

5 (B) in paragraph (3)—

6 (i) in subparagraph (A)—

7 (I) by striking “2017 and 2018”
8 and inserting “2019 through 2023”;
9 and

10 (II) by inserting after “para-
11 graph (2)(A),” the following: “and in
12 each of the fiscal years 2019 through
13 2023, there is authorized to be appro-
14 priated from the Account to the Sec-
15 retary, for the grant program de-
16 scribed in subsection (c)(3),
17 \$400,000,000,”; and

18 (ii) in subparagraph (B), by striking
19 “2017 and 2018” and inserting “2019
20 through 2023”;

21 (2) in subsection (c)—

22 (A) in paragraph (1)—

23 (i) by inserting “and Tribal entities”
24 after “grants to States”;

1 (ii) by inserting “and Tribal entities”
2 after “preference to States”; and

3 (iii) by inserting “or Tribal entities”
4 before the period at the end;

5 (B) in paragraph (2)—

6 (i) in the matter preceding subpara-
7 graph (A)—

8 (I) by inserting “, including ac-
9 tivities supported by community-based
10 organizations and counties,” after
11 “carrying out activities”; and

12 (II) by striking “to a State”;

13 (ii) in subparagraph (E), by inserting
14 “or Tribal entity” after “State” each place
15 that such term appears; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(F) In addition to carrying out activities
19 related to addressing the opioid epidemic, a
20 State or Tribal entity may use grants awarded
21 under this section for carrying out public-health
22 activities related to addressing other substance
23 abuse, as determined appropriate and as deter-
24 mined to be a substantial or similar public

1 health threat as the opioid epidemic by the
2 State or Tribal entity.”; and

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

4 “(3) TARGETED RESPONSE ENHANCEMENT
5 GRANTS.—

6 “(A) IN GENERAL.—Subject to the avail-
7 ability of appropriations, the Secretary shall use
8 50 percent of the amount transferred under
9 subsection (b)(2)(A)(iii) in each fiscal year to
10 award supplemental funding grants to at least
11 10 States and Tribal entities, to expand and en-
12 hance grant activities required under this sub-
13 section. In awarding such grants, the Secretary
14 shall give preference to areas of greatest need,
15 including as indicated by higher mortality rates
16 associated with opioid overdoses.

17 “(B) USE OF FUNDS.—Grants awarded to
18 a State or Tribal entity under this paragraph
19 shall be used for carrying out activities to sup-
20 plement activities otherwise carried out under
21 this subsection to expand and enhance preven-
22 tion, treatment, and recovery support efforts in
23 States and Tribal entities hardest hit by the
24 opioid epidemic, which may include public
25 health-related activities such as the following:

1 “(i) Expansion of evidence-based
2 strategies for the provision of prevention,
3 treatment, and recovery support services
4 for individuals with opioid use disorders.

5 “(ii) Expansion and enhancement of
6 integrated systems of care, including the
7 co-location of services to address the pri-
8 mary and behavioral healthcare needs of
9 individuals with opioid use disorders.

10 “(iii) Expansion of efforts to dis-
11 tribute overdose reversal drugs and edu-
12 cate first responders and other relevant
13 community members on the use of such
14 drugs to prevent overdose-related deaths.

15 “(iv) Expansion of any activity au-
16 thorized under the State or Tribal entity
17 grant under paragraph (1) to address the
18 State’s or Tribal entity’s specific needs re-
19 lated to combatting the opioid crisis.

20 “(4) SET ASIDE.—Of the amount made avail-
21 able for each fiscal year to award grants under para-
22 graph (1), not less than 10 percent of such amount
23 in each such fiscal year shall be provided to Tribal
24 entities.”;

1 (3) by redesignating subsections (d) through (f)
2 as subsections (e) through (g), respectively;

3 (4) by inserting after subsection (c), the fol-
4 lowing:

5 “(d) TECHNICAL ASSISTANCE.—The Secretary shall
6 provide State agencies and Tribal entities, as applicable
7 through the Tribal Training and Technical Assistance
8 Center, with technical assistance concerning—

9 “(1) application and submission procedures and
10 award management activities;

11 “(2) enhancing outreach and direct support to
12 rural and underserved communities and providers in
13 addressing the opioid crisis; and

14 “(3) strengthening data collection data sharing
15 activities to help improve surveillance.”;

16 (5) in subsection (e) (as so redesignated), by in-
17 sserting “shall prioritize providing such funds directly
18 to local communities and counties to address the
19 opioid crisis in areas of unmet need and” after “sub-
20 section (c)”;

21 (6) by adding at the end the following:

22 “(h) TRIBAL ENTITY.—In this section, the term
23 ‘Tribal entity’ means an Indian tribe (as defined in section
24 4 of the Indian Self-Determination and Education Assist-
25 ance Act (25 U.S.C. 5304)), a tribal organization (as de-

1 fined in such section), or a consortium of such a tribe and
2 organization.”.

3 (b) ADDITIONAL AMOUNTS FOR FISCAL YEAR
4 2018.—In addition to amounts otherwise made available
5 for grants under section 1003(c) of the 21st Century
6 Cures Act (42 U.S.C. 290ee–3 note) for fiscal year 2018,
7 there are appropriated \$1,500,000,000 for such grants in
8 such fiscal year, of which, \$500,000,000 shall be used for
9 grants under section 1003(c)(3) of such Act.

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