

115TH CONGRESS
2D SESSION

S. 2646

To establish a pilot program administered by the Secretary of Labor, in collaboration with the Secretary of Health and Human Services, to award competitive grants to counties (or other equivalent entities) and Tribal entities to administer combined workforce training and drug addiction treatment and recovery programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2018

Mr. BROWN (for himself and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a pilot program administered by the Secretary of Labor, in collaboration with the Secretary of Health and Human Services, to award competitive grants to counties (or other equivalent entities) and Tribal entities to administer combined workforce training and drug addiction treatment and recovery programs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Collectively Achieving
3 Recovery and Employment Act of 2018” or the “CARE
4 Act”.

5 **SEC. 2. PILOT PROGRAM FOR COMBINED WORKFORCE**
6 **TRAINING AND DRUG ADDICTION TREAT-**
7 **MENT AND RECOVERY.**

8 (a) DEFINITIONS.—In this section:

9 (1) COVERED ENTITY.—The term “covered en-
10 tity” means a county (or other equivalent entity as
11 determined by the Secretary) or a Tribal entity.

12 (2) ELIGIBLE DRUG ADDICTION TREATMENT
13 PARTICIPANT.—The term “eligible drug addiction
14 treatment participant” means a nonprofit or public
15 health care entity that meets the requirements under
16 subsection (d).

17 (3) ELIGIBLE WORKFORCE TRAINING PARTICI-
18 PANT.—The term “eligible workforce training partici-
19 pant” means a nonprofit or public workforce train-
20 ing entity that meets the requirements under sub-
21 section (e).

22 (4) FULL RANGE OF DRUG ADDICTION TREAT-
23 MENT AND RECOVERY SERVICES.—The term “full
24 range of drug addiction treatment and recovery serv-
25 ices” includes—

1 (A) providing medication-assisted treat-
2 ment to treat addiction involving opioids, in-
3 cluding—

4 (i) not less than 1 opioid antagonist
5 medication approved by the Food and
6 Drug Administration; and

7 (ii) not less than 1 opioid agonist (or
8 partial agonist) medication approved by
9 the Food and Drug Administration;

10 (B) providing counseling with respect to
11 such treatment, which shall include discussing
12 with patients the risks of, benefits of, and alter-
13 natives to such treatment;

14 (C) recovery support services, including
15 peer recovery support services; and

16 (D) referral services and case management
17 programs.

18 (5) LOCAL BOARD.—The term “local board”
19 has the meaning given such term in section 3 of the
20 Workforce Innovation and Opportunity Act (29
21 U.S.C. 3102).

22 (6) SECRETARY.—Except as otherwise provided,
23 the term “Secretary” means the Secretary of Labor,
24 in collaboration with the Assistant Secretary for

1 Mental Health and Substance Use of the Depart-
2 ment of Health and Human Services.

3 (7) TRIBAL ENTITY.—The term “Tribal entity”
4 includes Indian tribes, Tribal organizations, Alaska
5 Native entities, Indian-controlled organizations serv-
6 ing Indians, and Native Hawaiian organizations,
7 within the meaning of such terms in section 166 of
8 the Workforce Innovation and Opportunity Act (29
9 U.S.C. 3221).

10 (b) ESTABLISHMENT.—The Secretary shall establish
11 a pilot program to award competitive grants during each
12 of fiscal years 2019 through 2024 to covered entities to
13 administer combined workforce training and drug addic-
14 tion treatment and recovery programs.

15 (c) APPLICATIONS.—

16 (1) IN GENERAL.—A covered entity desiring a
17 grant under this section shall submit an application
18 to the Secretary in such form, in such manner, and
19 containing such information as the Secretary may
20 reasonably require.

21 (2) PARTNERSHIP.—

22 (A) IN GENERAL.—Each application shall,
23 in addition to the contents required under para-
24 graph (3), demonstrate that the covered entity
25 will partner with—

1 (i) at least one eligible drug addiction
2 treatment participant that meets the re-
3 quirements under subsection (d), to pro-
4 vide drug addiction treatment services for
5 individuals through the workforce training
6 and drug addiction treatment and recovery
7 program; and

8 (ii) at least one eligible workforce
9 training participant that meets the require-
10 ments under subsection (e), which shall in-
11 clude at least one local board, to provide
12 training services for individuals through
13 such program.

14 (B) FISCAL AGENT.—The covered entity
15 shall, for purposes of carrying out the grant,
16 serve as the fiscal agent of the partnership de-
17 scribed in subparagraph (A).

18 (3) CONTENTS.—In order to be selected for a
19 grant under this section, an application submitted
20 under this subsection shall—

21 (A) identify any eligible drug addiction
22 treatment participant that is partnering with
23 the covered entity as described in paragraph
24 (2)(A)(i);

1 (B) identify any eligible workforce training
 2 participant, including at least one local board,
 3 that is partnering with the covered entity as de-
 4 scribed in paragraph (2)(A)(ii); and

5 (C) provide a detailed description of the
 6 services under subsection (f) that will be pro-
 7 vided under the workforce training and drug
 8 addiction treatment and recovery program to
 9 individuals with varying drug addictions and
 10 varying workforce skills, and demonstrate that
 11 the applicant, and any partners identified under
 12 subparagraphs (A) and (B), will use the grant
 13 to provide such services.

14 (d) ELIGIBLE DRUG ADDICTION TREATMENT PAR-
 15 TICIPANTS.—

16 (1) IN GENERAL.—To meet the requirements
 17 under this subsection to be an eligible drug addiction
 18 treatment participant, an entity shall be a nonprofit
 19 or public health care entity and—

20 (A) comply with all licensing and certifi-
 21 cation requirements of the State department of
 22 health;

23 (B) demonstrate that it has strong commu-
 24 nity partnerships, including a partnership with
 25 State and local public health authorities;

1 (C) subject to paragraph (2)—

2 (i) provide the full range of drug ad-
3 diction treatment and recovery services;

4 (ii) demonstrate the ability to provide
5 such services on an ongoing basis, includ-
6 ing after the workforce training has start-
7 ed; and

8 (iii) demonstrate the ability to provide
9 such services concurrent with job training
10 services; and

11 (D) accept health insurance for such serv-
12 ices, including coverage under title XIX of the
13 Social Security Act (42 U.S.C. 1396 et seq.),
14 and have established policies to ensure non-
15 discrimination based on the ability of a patient
16 to pay.

17 (2) CONTRACTING PROVIDERS.—An eligible
18 drug addiction treatment participant may contract
19 with or refer to another health care provider (or
20 health care providers) to meet the requirements
21 under paragraph (1)(C) if such provider (or pro-
22 viders) is a nonprofit or public health care entity
23 that meets the requirements described in subpara-
24 graphs (A), (B), and (D) of paragraph (1).

1 (e) ELIGIBLE WORKFORCE TRAINING PARTICI-
2 PANTS.—To meet the requirements under this subsection
3 to be an eligible workforce training participant, a non-
4 profit or public workforce training entity shall—

5 (1) demonstrate that it has a relationship with
6 employers in the area and has provided training that
7 reflects the skill needs of such employers;

8 (2) have experience providing workforce train-
9 ing for individuals of all workforce skill levels;

10 (3) if such entity is not a local board, dem-
11 onstrate that it has a relationship with a local board
12 included in the partnership under subsection
13 (c)(2)(A)(ii); and

14 (4) demonstrate the ability to provide ongoing
15 workforce training concurrent with drug addiction
16 treatment.

17 (f) PERMISSIBLE USES OF FUNDS.—A covered entity
18 that receives a grant under this section shall use the grant
19 funds for one or more of the following:

20 (1) Drug addiction treatment services identified
21 by the American Society of Addiction Medicine as
22 best practices, including health (including mental
23 health) services, drug addiction and recovery serv-
24 ices, or any other forms of outpatient treatment that

1 may impact addiction and related, underlying, or
2 complicating conditions.

3 (2) Services to provide drug referrals to other
4 providers of relevant health care services that are
5 not provided through the drug addiction treatment
6 and recovery program.

7 (3) Career services that provide workers with a
8 range of services, including training and job place-
9 ment assistant, including soft skills training, in-
10 depth interviewing practice and evaluation, and ca-
11 reer planning, job coaching, and job matching serv-
12 ices.

13 (4) Providing ongoing job training services that
14 are concurrent with drug addiction treatment serv-
15 ices, including work-based training strategies, tradi-
16 tional classroom training, and services to connect
17 employers and workers on-the-job or customized
18 training programs and apprenticeships.

19 (5) Payments and fees for employment and
20 training-related applications, tests, and certifi-
21 cations.

22 (6) Linkages to community services, including
23 services offered by organizations partnering with the
24 covered entity that are designed to support individ-

1 uals participating in the workforce training and drug
2 addiction treatment and recovery program.

3 (7) Individual wraparound services to provide
4 maximum support for such individuals.

5 (8) Individual case management services for
6 such individuals, including—

7 (A) assessing the extent to which services
8 provided through the drug addiction treatment
9 and recovery program are appropriate for the
10 individual;

11 (B) ensuring that any services provided
12 through such program are provided in a coordi-
13 nated manner; and

14 (C) assistance in establishing eligibility for
15 assistance under Federal, State, or local pro-
16 grams providing health services (including men-
17 tal health services), housing services, employ-
18 ment services, educational services, transpor-
19 tation services, or social services.

20 (g) GRANT PERIOD.—Each grant awarded under this
21 section shall be for a period of 3 years. Any funds awarded
22 through such grant that are not expended by the end of
23 the grant period shall be returned to the fund established
24 under subsection (h).

25 (h) FUNDING.—

1 (1) FUND.—There is established in the Treas-
2 ury a fund, consisting of the amounts transferred
3 under paragraph (2) and any unused funds returned
4 to the fund under subsection (g), to be used, without
5 further appropriation, by the Secretary to carry out
6 the pilot program under this section.

7 (2) TRANSFERS.—

8 (A) WORKFORCE DEVELOPMENT FUNDS.—

9 (i) AMOUNT.—Out of any unobligated
10 amounts made available for the programs
11 described in clause (ii), the Secretary of
12 Labor shall, not later than 30 days after
13 the date of enactment of this Act, transfer
14 \$50,000,000 to the fund established under
15 paragraph (1).

16 (ii) PROGRAMS.—The programs de-
17 scribed in this clause are each of the fol-
18 lowing:

19 (I) The reentry employment op-
20 portunities program under section 169
21 of the Workforce Innovation and Op-
22 portunity Act (29 U.S.C. 3224).

23 (II) The national dislocated
24 worker grants under section 170 of
25 such Act (29 U.S.C. 3225).

1 (B) SUBSTANCE ABUSE AND MENTAL
2 HEALTH SERVICES ADMINISTRATION FUNDS.—
3 Out of any unobligated amounts made available
4 for the programs authorized under section 509
5 of the Public Health Service Act (42 U.S.C.
6 290bb–2), the Secretary of Health and Human
7 Services shall, not later than 30 days after the
8 date of enactment of this Act, transfer
9 \$50,000,000 to the fund established under
10 paragraph (1).

11 (3) AVAILABILITY.—Amounts transferred under
12 paragraph (2) to the fund shall remain available for
13 the Secretary to make grants under this section
14 through September 30, 2024. Any amounts remain-
15 ing in the fund, or returned under subsection (g) to
16 the fund, after such date shall be returned to the
17 general fund of the Treasury.

18 (i) REPORTING.—The Secretary shall establish re-
19 porting requirements for covered entities receiving grants
20 under this section to report to the Secretary on how such
21 entities used their grant funds. Such requirements shall
22 include reporting on—

23 (1) the percentage of such funds used for addie-
24 tion treatment and recovery and the percentage of
25 such funds used for workforce training; and

1 (2) outcomes resulting from the use of the
2 grant funds, including data on job placement, reten-
3 tion, and addiction recovery.

4 **SEC. 3. AMENDMENT TO WORKFORCE INNOVATION AND**
5 **OPPORTUNITY ACT.**

6 Section 134(d) of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3174(d)) is amended by adding
8 at the end the following:

9 “(6) WORKFORCE TRAINING AND DRUG ADDIC-
10 TION TREATMENT AND RECOVERY PROGRAM.—
11 Funds allocated to a local area for adults under
12 paragraph (2)(A) or (3), as appropriate, of section
13 133(b), and funds allocated to the local area for dis-
14 located workers under section 133(b)(2)(B), may be
15 used to carry out a workforce training and drug ad-
16 diction treatment and recovery program under sec-
17 tion 2 of the Collectively Achieving Recovery and
18 Employment Act of 2018 if the local board is par-
19 ticipating in the program under that section.”.

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