

115TH CONGRESS
2D SESSION

S. 2901

To amend title XVIII of the Social Security Act to expand the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2018

Mr. THUNE (for himself, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. GRASSLEY, Mr. SCHATZ, Mr. WICKER, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to expand the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.

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 “Expanding Telehealth
5 Response to Ensure Addiction Treatment Act” or the
6 “eTREAT Act”.

1 **SEC. 2. EXPANDING THE USE OF TELEHEALTH SERVICES**
2 **FOR THE TREATMENT OF OPIOID USE DIS-**
3 **ORDER AND OTHER SUBSTANCE USE DIS-**
4 **ORDERS.**

5 Section 1834(m) of the Social Security Act (42
6 U.S.C. 1395m(m)) is amended—

7 (1) in paragraph (4)(C)(i), by striking “para-
8 graph (6)” and inserting “paragraphs (6) and (7)”;
9 and

10 (2) by adding at the end the following new
11 paragraph:

12 “(7) TREATMENT OF SUBSTANCE USE DIS-
13 ORDER SERVICES FURNISHED THROUGH TELE-
14 HEALTH.—

15 “(A) NON-APPLICATION OF ORIGINATING
16 SITE REQUIREMENTS.—The requirements de-
17 scribed in paragraph (4)(C) shall not apply with
18 respect to telehealth services furnished on or
19 after January 1, 2019, for purposes of treat-
20 ment of substance use disorder, as determined
21 by the Secretary.

22 “(B) NO ORIGINATING SITE FACILITY FEE
23 FOR NEW SITES.—No facility fee shall be paid
24 under paragraph (2)(B) to an originating site
25 with respect to a telehealth service described in
26 subparagraph (A) if the originating site does

1 not otherwise meet the requirements for an
2 originating site under paragraph (4)(C).

3 “(C) REPORT.—Not later than 5 years
4 after the date of the enactment of this para-
5 graph, the Secretary shall submit to Congress a
6 report on the impact of this paragraph with re-
7 spect to telehealth services on—

8 “(i) the utilization of health care
9 items and services related to substance use
10 disorders, including emergency department
11 visits; and

12 “(ii) health outcomes related to sub-
13 stance use disorders, such as opioid over-
14 dose deaths.”.

○