

Union Calendar No. 466

116TH CONGRESS
2^D SESSION

H. R. 2466

[Report No. 116–568]

To extend the State Opioid Response Grants program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2019

Mr. TRONE (for himself, Mr. ARMSTRONG, Ms. SHERRILL, and Mr. RIGGLEMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

NOVEMBER 12, 2020

Additional sponsors: Mr. BROWN of Maryland, Mr. BURCHETT, Mr. CLAY, Ms. DEAN, Ms. GARCIA of Texas, Ms. JAYAPAL, Ms. KUSTER of New Hampshire, Mrs. LEE of Nevada, Mr. LEWIS, Mrs. MCBATH, Mr. PRICE of North Carolina, Mr. ROUDA, Mr. VEASEY, Mrs. AXNE, Ms. CRAIG, Mr. FOSTER, Mr. HAGEDORN, Mr. KRISHNAMOORTHY, Mr. LAWSON of Florida, Mrs. LURIA, Mr. MORELLE, Ms. NORTON, Mr. RASKIN, Mr. RESCHENTHALER, Ms. STEVENS, Mrs. TRAHAN, Mr. WATKINS, Ms. WILD, Ms. MUCARSEL-POWELL, Mr. COX of California, Ms. HOULAHAN, Mr. LEVIN of Michigan, Mr. CASE, Mr. MOONEY of West Virginia, Mr. PAPPAS, Ms. SCANLON, Ms. BASS, Ms. SLOTKIN, Mr. MCGOVERN, Mr. RUPPERSBERGER, Mr. HARDER of California, Ms. HILL of California, Mr. ROSE of New York, Mr. YARMUTH, Ms. KENDRA S. HORN of Oklahoma, Ms. SPANBERGER, Mrs. DAVIS of California, Mr. DOGGETT, Mr. MALINOWSKI, Mr. RYAN, Ms. TLAIB, Mr. NEGUSE, Mr. CROW, Mr. MCADAMS, Mr. KIM, Mr. BAIRD, Mrs. HAYES, Ms. SHALALA, Ms. BROWNLEY of California, Mr. SARBANES, Mr. ALLRED, Ms. SCHRIER, Ms. FINKENAUER, Mr. DAVID SCOTT of Georgia, Mr. LUJÁN, and Mr. JOHNSON of Georgia

NOVEMBER 12, 2020

Reported with amendments; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 1, 2019]

A BILL

To extend the State Opioid Response Grants program, 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 “State Opioid Response*
5 *Grant Authorization Act of 2020”.*

6 **SEC. 2. GRANT PROGRAM FOR STATE AND TRIBAL RE-**
7 **SPONSE TO SUBSTANCE USE DISORDERS OF**
8 **SIGNIFICANCE.**

9 *(a) IN GENERAL.—Section 1003 of the 21st Century*
10 *Cures Act (42 U.S.C. 290ee–3 note) is amended to read as*
11 *follows:*

12 **“SEC. 1003. GRANT PROGRAM FOR STATE AND TRIBAL RE-**
13 **SPONSE TO SUBSTANCE USE DISORDERS OF**
14 **SIGNIFICANCE.**

15 *“(a) IN GENERAL.—The Secretary of Health and*
16 *Human Services (referred to in this section as the ‘Sec-*
17 *retary’) shall carry out the grant program described in sub-*
18 *section (b) for purposes of addressing substance use dis-*
19 *orders of significance, including opioid and stimulant use*
20 *disorders, within States, Indian Tribes, and populations*
21 *served by Tribal organizations.*

22 *“(b) GRANTS PROGRAM.—*

23 *“(1) IN GENERAL.—Subject to the availability of*
24 *appropriations, the Secretary shall award grants to*
25 *States, Indian Tribes, and Tribal organizations for*

1 *the purpose of addressing substance use disorders of*
2 *significance, including opioid and stimulant use dis-*
3 *orders, within such States, such Indian Tribes, and*
4 *populations served by such Tribal organizations, in*
5 *accordance with paragraph (2).*

6 “(2) *MINIMUM ALLOCATIONS; PREFERENCE.—In*
7 *awarding grants under paragraph (1), the Secretary*
8 *shall—*

9 “(A) *ensure that each State and the District*
10 *of Columbia receives not less than \$4,000,000;*
11 *and*

12 “(B) *give preference to States, Indian*
13 *Tribes, and Tribal organizations with an inci-*
14 *dence or prevalence of opioid use disorders that*
15 *is substantially higher relative to other States,*
16 *other Indian Tribes, or other Tribal organiza-*
17 *tions, as applicable.*

18 “(3) *FORMULA METHODOLOGY.—Not less than 15*
19 *days before publishing a funding opportunity an-*
20 *nouncement with respect to grants under this section,*
21 *the Secretary shall—*

22 “(A) *develop a formula methodology to be*
23 *followed in allocating grant funds awarded*
24 *under this section among grantees; and*

25 “(B) *submit the formula methodology to—*

1 “(I) the Committee on Energy and
2 Commerce and the Committee on Appro-
3 priations of the House of Representatives;
4 and

5 “(ii) the Committee on Health, Edu-
6 cation, Labor and Pensions and the Com-
7 mittee on Appropriations of the Senate.

8 “(4) USE OF FUNDS.—Grants awarded under
9 this subsection shall be used for carrying out activi-
10 ties that supplement activities pertaining to substance
11 use disorders of significance, including opioid and
12 stimulant use disorders, undertaken by the State
13 agency responsible for administering the substance
14 abuse prevention and treatment block grant under
15 subpart II of part B of title XIX of the Public Health
16 Service Act (42 U.S.C. 300x–21 et seq.), which may
17 include public health-related activities such as the fol-
18 lowing:

19 “(A) Implementing prevention activities,
20 and evaluating such activities to identify effec-
21 tive strategies to prevent substance use disorders.

22 “(B) Establishing or improving prescrip-
23 tion drug monitoring programs.

24 “(C) Training for health care practitioners,
25 such as best practices for prescribing opioids,

1 *pain management, recognizing potential cases of*
2 *substance abuse, referral of patients to treatment*
3 *programs, preventing diversion of controlled sub-*
4 *stances, and overdose prevention.*

5 “(D) *Supporting access to health care serv-*
6 *ices, including—*

7 “(i) *services provided by federally cer-*
8 *tified opioid treatment programs;*

9 “(ii) *outpatient and residential sub-*
10 *stance use disorder treatment services that*
11 *utilize medication-assisted treatment, as ap-*
12 *propriate; or*

13 “(iii) *other appropriate health care*
14 *providers to treat substance use disorders.*

15 “(E) *Other public health-related activities,*
16 *as the State, Indian Tribe, or Tribal organiza-*
17 *tion determines appropriate, related to address-*
18 *ing substance use disorders within the State, In-*
19 *dian Tribe, or Tribal organization, including di-*
20 *recting resources in accordance with local needs*
21 *related to substance use disorders.*

22 “(c) *ACCOUNTABILITY AND OVERSIGHT.—A State re-*
23 *ceiving a grant under subsection (b) shall include in report-*
24 *ing related to substance abuse submitted to the Secretary*

1 pursuant to section 1942 of the Public Health Service Act
2 (42 U.S.C. 300x-52), a description of—

3 “(1) the purposes for which the grant funds re-
4 ceived by the State under such subsection for the pre-
5 ceding fiscal year were expended and a description of
6 the activities of the State under the grant; and

7 “(2) the ultimate recipients of amounts provided
8 to the State through the grant.

9 “(d) *LIMITATIONS.*—Any funds made available pursu-
10 ant to subsection (i)—

11 “(1) notwithstanding any transfer authority in
12 any appropriations Act, shall not be used for any
13 purpose other than the grant program in subsection
14 (b); and

15 “(2) shall be subject to the same requirements as
16 substance abuse prevention and treatment programs
17 under titles V and XIX of the Public Health Service
18 Act (42 U.S.C. 290aa et seq., 300w et seq.).

19 “(e) *INDIAN TRIBES AND TRIBAL ORGANIZATIONS.*—
20 The Secretary, in consultation with Indian Tribes and
21 Tribal organizations, shall identify and establish appro-
22 priate mechanisms for Indian Tribes and Tribal organiza-
23 tions to demonstrate or report the information as required
24 under subsections (b), (c), and (d).

1 “(f) *REPORT TO CONGRESS.*—Not later than Sep-
2 *tember 30, 2022, and biennially thereafter, the Secretary*
3 *shall submit to the Committee on Health, Education, Labor,*
4 *and Pensions of the Senate and the Committee on Energy*
5 *and Commerce of the House of Representatives, and the*
6 *Committees on Appropriations of the House of Representa-*
7 *tives and the Senate, a report summarizing the information*
8 *provided to the Secretary in reports made pursuant to sub-*
9 *sections (c) and (e), including the purposes for which grant*
10 *funds are awarded under this section and the activities of*
11 *such grant recipients.*

12 “(g) *TECHNICAL ASSISTANCE.*—The Secretary, includ-
13 *ing through the Tribal Training and Technical Assistance*
14 *Center of the Substance Abuse and Mental Health Services*
15 *Administration, shall provide States, Indian Tribes, and*
16 *Tribal organizations, as applicable, with technical assist-*
17 *ance concerning grant application and submission proce-*
18 *dures under this section, award management activities, and*
19 *enhancing outreach and direct support to rural and under-*
20 *served communities and providers in addressing substance*
21 *use disorders.*

22 “(h) *DEFINITIONS.*—In this section:

23 “(1) *INDIAN TRIBE.*—The term ‘Indian Tribe’
24 has the meaning given the term ‘Indian tribe’ in sec-

1 *tion 4 of the Indian Self-Determination and Edu-*
2 *cation Assistance Act (25 U.S.C. 5304).*

3 “(2) *TRIBAL ORGANIZATION.*—*The term ‘Tribal*
4 *organization’ has the meaning given the term ‘tribal*
5 *organization’ in such section 4.*

6 “(3) *STATE.*—*The term ‘State’ has the meaning*
7 *given such term in section 1954(b) of the Public*
8 *Health Service Act (42 U.S.C. 300x–64(b)).*

9 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—

10 “(1) *IN GENERAL.*—*For purposes of carrying out*
11 *the grant program under subsection (b), there is au-*
12 *thorized to be appropriated \$1,500,000,000 for each of*
13 *fiscal years 2020 through 2026, to remain available*
14 *until expended.*

15 “(2) *FEDERAL ADMINISTRATIVE EXPENSES.*—*Of*
16 *the amounts made available for each fiscal year to*
17 *award grants under subsection (b), the Secretary shall*
18 *not use more than 2 percent for Federal administra-*
19 *tive expenses, training, technical assistance, and eval-*
20 *uation.*

21 “(3) *SET ASIDE.*—*Of the amounts made avail-*
22 *able for each fiscal year to award grants under sub-*
23 *section (b) for a fiscal year, the Secretary shall—*

24 “(A) *award 5 percent to Indian Tribes and*
25 *Tribal organizations; and*

1 “(B) of the remaining amount, set aside up
2 to 15 percent for States with the highest age-ad-
3 justed rate of drug overdose death based on the
4 ordinal ranking of States according to the Direc-
5 tor of the Centers for Disease Control and Pre-
6 vention.”.

7 (b) CLERICAL AMENDMENT.—The table of sections in
8 section 1(b) of such Act is amended by striking the item
9 relating to section 1003 and inserting the following:

 “Sec. 1003. Grant program for State and Tribal response to substance use dis-
 orders of significance.”.

 Amend the title so as to read: “A bill to amend the
21st Century Cures Act to reauthorize and expand a
grant program for State response to the opioid abuse cri-
sis, and for other purposes.”.

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