

Union Calendar No. 294

117TH CONGRESS
2^D SESSION

H. R. 6493

[Report No. 117–384]

To amend the Higher Education Act of 1965 to prevent certain alcohol
and substance misuse.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2022

Ms. LEGER FERNANDEZ (for herself, Mr. JOHNSON of South Dakota, Mr. TRONE, Mr. GUEST, Mr. PAPPAS, Mr. JOYCE of Pennsylvania, and Mrs. MCBATH) introduced the following bill; which was referred to the Committee on Education and Labor

JUNE 23, 2022

Additional sponsors: Mr. SABLAN, Mr. CASTEN, and Mrs. CHERFILUS-McCORMICK

JUNE 23, 2022

Reported with an amendment, 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 *italic*]

[For text of introduced bill, see copy of bill as introduced on January 25, 2022]

A BILL

To amend the Higher Education Act of 1965 to prevent
certain alcohol and substance misuse.

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 “Campus Prevention and*
 5 *Recovery Services for Students Act of 2022”.*

6 **SEC. 2. ALCOHOL AND SUBSTANCE MISUSE PREVENTION.**

7 *Section 120 of the Higher Education Act of 1965 (20*
 8 *U.S.C. 1011i) is amended—*

9 *(1) in the section heading, by striking “**DRUG***
 10 ***AND ALCOHOL ABUSE”*** and inserting “**ALCOHOL**
 11 ***AND SUBSTANCE MISUSE”***;

12 *(2) in subsection (a)—*

13 *(A) in the matter preceding paragraph (1),*
 14 *by striking “a program to prevent the use of il-*
 15 *licit drugs and the abuse of alcohol by students*
 16 *and employees that,”* and inserting “an evi-
 17 *dence-based program to prevent alcohol and sub-*
 18 *stance misuse by students and employees that,”;*

19 *(B) by amending paragraph (1)(D) to read*
 20 *as follows:*

21 *“(D) a description of any alcohol or sub-*
 22 *stance misuse counseling, treatment, rehabilita-*
 23 *tion, recovery, re-entry, or recovery support pro-*
 24 *grams provided by the institution (including in*
 25 *partnership with a community-based organiza-*

1 tion) that are available to employees or students;
2 and”; and

3 (C) in paragraph (1)(E), by striking “that
4 the institution will impose” and inserting “of
5 the policies of the institution regarding”;

6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) by striking “and” at the end of sub-
9 paragraph (A);

10 (ii) in subparagraph (B), by striking
11 the period and inserting “; and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(C) compliance assistance to assist institu-
15 tions in complying with the requirements of this
16 section.”;

17 (B) by redesignating paragraph (2) as
18 paragraph (4); and

19 (C) by inserting after paragraph (1) the fol-
20 lowing:

21 “(2) INTERAGENCY AGREEMENT.—Not later than
22 180 days after the date of enactment of this para-
23 graph, the Secretary shall enter into an interagency
24 agreement with the Secretary of Health and Human
25 Services to—

1 “(A) develop best practices that inform cri-
 2 teria which satisfy the requirement under sub-
 3 section (a) that an institution of higher edu-
 4 cation has adopted and has implemented an evi-
 5 dence-based program described in such sub-
 6 section;

7 “(B) establish a process for disseminating
 8 the best practices for adopting and implementing
 9 such an evidence-based program; and

10 “(C) establish a process that promotes co-
 11 ordination and collaboration between institu-
 12 tions of higher education and the respective State
 13 agencies that administer the Substance Abuse
 14 Prevention and Treatment Block Grants pursu-
 15 ant to subpart II of part B of title XIX of the
 16 Public Health Service Act (42 U.S.C. 300x–21).

17 “(3) GUIDANCE.—Not later than 1 year after the
 18 date of the enactment of this paragraph, the Secretary
 19 shall, in coordination with the Secretary of Health
 20 and Human Services, issue guidance with respect to
 21 the criteria described in paragraph (2)(A).”; and

22 (4) in subsection (e)—

23 (A) in the subsection heading, by striking
 24 “**DRUG ABUSE**” in the heading and inserting
 25 “**SUBSTANCE MISUSE**”;

1 (B) in paragraph (1)—

2 (i) by striking “other organizations”
3 and inserting “community-based organiza-
4 tions that partner with institutions of high-
5 er education”;

6 (ii) by striking “programs of preven-
7 tion, and education (including treatment-
8 referral) to reduce and eliminate the illegal
9 use of drugs and alcohol and the violence
10 associated with such use” and inserting
11 “evidence-based programs of alcohol and
12 substance misuse prevention and education
13 (including programs to improve access to
14 treatment, referral for treatment services, or
15 crisis intervention services) to eliminate il-
16 legal substance use, decrease substance mis-
17 use, and improve public health and safety”;
18 and

19 (iii) by striking “alcohol and drug
20 abuse” and inserting “substance use dis-
21 order”;

22 (C) by redesignating paragraphs (2)
23 through (5) as paragraphs (3) through (6), re-
24 spectively; and

1 (D) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) *ADDITIONAL USES.*—In addition to the ac-
4 tivities described in paragraph (1), a grant or con-
5 tract awarded under paragraph (1) may be used to
6 carry out one or more of the following evidence-based
7 programs or activities:

8 “(A) *Providing programs for recovery sup-*
9 *port services, and peer-to-peer support services*
10 *and counseling for students with a substance use*
11 *disorder.*

12 “(B) *Promoting integration and collabora-*
13 *tion in campus-based health services between pri-*
14 *mary care, substance use disorder services, and*
15 *mental health services.*

16 “(C) *Promoting integrated care services for*
17 *students related to screening, diagnosis, preven-*
18 *tion, and treatment of mental, behavioral, and*
19 *substance use disorders.*

20 “(D) *Providing re-entry assistance for stu-*
21 *dents on academic probation due to their sub-*
22 *stance use disorder.*

23 “(E) *Preventing fatal and nonfatal*
24 *overdoses, including restoring existing mental*
25 *health and substance use disorder services after a*

1 *natural disaster or public health emergency de-*
2 *clared by the Secretary of Health and Human*
3 *Services under section 319 of the Public Health*
4 *Service Act (42 U.S.C. 247d).*

5 *“(F) Providing education to students, fac-*
6 *ulty, or other personnel on—*

7 *“(i) recognizing the signs and symp-*
8 *toms of substance use disorder, and how to*
9 *engage and support a person in a crisis sit-*
10 *uation;*

11 *“(ii) resources available in the commu-*
12 *nity, within the institution of higher edu-*
13 *cation, and other relevant resources for in-*
14 *dividuals with a substance use disorder;*
15 *and*

16 *“(iii) safely de-escalating crisis situa-*
17 *tions involving individuals with a substance*
18 *use disorder.”; and*

19 *(E) by amending paragraph (6), as redesign-*
20 *ated by subparagraph (C), to read as follows:*

21 *“(6) AUTHORIZATION OF APPROPRIATIONS.—*

22 *There are authorized to be appropriated to carry out*
23 *this section \$15,000,000 for fiscal year 2023 and each*
24 *of the 5 succeeding fiscal years.”.*

1 **SEC. 3. PROGRAM PARTICIPATION AGREEMENTS.**

2 *Section 487(a)(10) of the Higher Education Act of*
3 *1965 (20 U.S.C. 1094(a)(10)) is amended—*

4 *(1) by striking “(10)” and inserting “(10)(A)”;*

5 *(2) by striking “a drug abuse prevention pro-*
6 *gram” and inserting “an alcohol and substance mis-*
7 *use prevention program in accordance with section*
8 *120”; and*

9 *(3) by adding at the end the following:*

10 *“(B) The institution shall be considered in com-*
11 *pliance with the requirements of subparagraph (A)*
12 *unless there is a showing that the institution knowing*
13 *and willfully did not implement a prevention pro-*
14 *gram described in such subparagraph.”.*

15 **SEC. 4. REPORT.**

16 *The Secretary of Education shall report to the Com-*
17 *mittee on Education and Labor of the House of Representa-*
18 *tives and the Committee on Health, Education, Labor, and*
19 *Pensions of the Senate on the efforts of the Secretary carried*
20 *out under the amendments made by this Act, and best prac-*
21 *tices from institutions receiving a grant under section*
22 *120(e) of the Higher Education Act of 1965 (20 U.S.C.*
23 *1011i(e)), as amended by section 2 of this Act—*

24 *(1) not later than one year after the date of en-*
25 *actment of this Act; and*

1 (2) *three years after the date of enactment of this*
2 *Act.*

3 **SEC. 5. APPLICABILITY.**

4 *The amendments made by sections 2(2) and 3 shall*
5 *apply to institutions of higher education beginning on the*
6 *date that is 2 years after the date of the enactment of this*
7 *Act.*

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