

114TH CONGRESS
2^D SESSION

H. R. 5052

[Report No. 114-]

To direct the Attorney General and the Secretary of Health and Human Services to evaluate the effectiveness of grant programs that provide grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Mr. MCCARTHY (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY --, 2016

Reported from the Committee on Judiciary

A BILL

To direct the Attorney General and the Secretary of Health and Human Services to evaluate the effectiveness of grant programs that provide grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse, 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 “Opioid Program Eval-
5 uation Act” or the “OPEN Act”.

6 **SEC. 2. EVALUATION OF PERFORMANCE OF DEPARTMENT**
7 **OF JUSTICE PROGRAM.**

8 (a) **EVALUATION OF JUSTICE DEPARTMENT COM-**
9 **PREHENSIVE OPIOID ABUSE GRANT PROGRAM.**—Not
10 later than 5 years after the date of enactment of this Act,
11 the Attorney General shall complete an evaluation of the
12 effectiveness of the Comprehensive Opioid Abuse Grant
13 Program under part LL of the Omnibus Crime Control
14 and Safe Streets Act of 1968 administered by the Depart-
15 ment of Justice based upon the information reported
16 under subsection (d) of this section.

17 (b) **INTERIM EVALUATION.**—Not later than 3 years
18 after the date of enactment of this Act, the Attorney Gen-
19 eral shall complete an interim evaluation assessing the na-
20 ture and extent of the incidence of opioid abuse and illegal
21 opioid distribution in the United States.

22 (c) **METRICS AND OUTCOMES FOR EVALUATION.**—
23 Not later than 180 days after the date of enactment of
24 this Act, the Attorney General shall identify outcomes that
25 are to be achieved by activities funded by the Comprehen-

1 sive Opioid Grant Abuse Program and the metrics by
2 which the achievement of such outcomes shall be deter-
3 mined.

4 (d) METRICS DATA COLLECTION.—The Attorney
5 General shall require grantees under the Comprehensive
6 Opioid Abuse Grant Program (and those receiving sub-
7 awards under section 3021(b) of part LL of the Omnibus
8 Crime Control and Safe Streets Act of 1968) to collect
9 and annually report to the Department of Justice data
10 based upon the metrics identified under subsection (c).

11 (e) PUBLICATION OF DATA AND FINDINGS.—

12 (1) PUBLICATION OF OUTCOMES AND
13 METRICS.—The Attorney General shall, not later
14 than 30 days after completion of the requirement
15 under subsection (c), publish the outcomes and
16 metrics identified under that subsection.

17 (2) PUBLICATION OF EVALUATION.—In the
18 case of the interim evaluation under subsection (b),
19 and the final evaluation under subsection (a), the
20 National Academy of Sciences shall, not later than
21 90 days after such an evaluation is completed, pub-
22 lish the results of such evaluation and issue a report
23 on such evaluation to the Committee on the Judici-
24 ary of the House of Representatives and the Com-
25 mittee on the Judiciary of the Senate. Such report

1 shall also be published along with the data used to
2 make such evaluation.

3 (f) ARRANGEMENT WITH THE NATIONAL ACADEMY
4 OF SCIENCES.—For purposes of subsections (a), (b), and
5 (c), the Attorney General shall enter into an arrangement
6 with the National Academy of Sciences.

7 **SEC. 3. EVALUATION OF PERFORMANCE OF DEPARTMENT**
8 **OF HEALTH AND HUMAN SERVICES PRO-**
9 **GRAM.**

10 (a) EVALUATION OF JUSTICE DEPARTMENT COM-
11 PREHENSIVE OPIOID ABUSE GRANT PROGRAM.—Not
12 later than 5 years after the date of enactment of this Act,
13 the Secretary of Health and Human Services shall com-
14 plete an evaluation of any program administered by the
15 Secretary that provides grants for the primary purpose of
16 providing assistance in addressing problems pertaining to
17 opioid abuse based upon the information reported under
18 subsection (d) of this section.

19 (b) INTERIM EVALUATION.—Not later than 3 years
20 after the date of enactment of this Act, the Secretary shall
21 complete an interim evaluation assessing the nature and
22 extent of the incidence of opioid abuse and illegal opioid
23 distribution in the United States.

24 (c) METRICS AND OUTCOMES FOR EVALUATION.—
25 Not later than 180 days after the date of enactment of

1 this Act, the Secretary shall identify outcomes that are
2 to be achieved by activities funded by the programs de-
3 scribed in subsection (a) and the metrics by which the
4 achievement of such outcomes shall be determined.

5 (d) METRICS DATA COLLECTION.—The Secretary
6 shall require grantees under the programs described in
7 subsection (a) to collect and annually report to the De-
8 partment of Health and Human Services data based upon
9 the metrics identified under subsection (c).

10 (e) PUBLICATION OF DATA AND FINDINGS.—

11 (1) PUBLICATION OF OUTCOMES AND
12 METRICS.—The Secretary shall, not later than 30
13 days after completion of the requirement under sub-
14 section (c), publish the outcomes and metrics identi-
15 fied under that subsection.

16 (2) PUBLICATION OF EVALUATION.—In the
17 case of the interim evaluation under subsection (b),
18 and each final evaluation under subsection (a), the
19 National Academy of Sciences shall, not later than
20 90 days after such an evaluation is completed, pub-
21 lish the results of such evaluation and issue a report
22 on such evaluation to the Committee on Energy and
23 Commerce of the House of Representatives and the
24 Committee on Health, Education, Labor, and Pen-
25 sions of the Senate. Such report shall also be pub-

1 lished along with the data used to make such evalua-
2 tion.

3 (f) ARRANGEMENT WITH THE NATIONAL ACADEMY
4 OF SCIENCES.—For purposes of subsections (a), (b), and
5 (c), the Secretary shall enter into an arrangement with
6 the National Academy of Sciences.

7 **SEC. 4. DEFINITION.**

8 In this Act, the term “opioid” has the meaning given
9 the term “opiate” in section 102 of the Controlled Sub-
10 stances Act (21 U.S.C. 802).

11 **SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.**

12 No additional funds are authorized to be appro-
13 priated to carry out this Act.