

Opening Statement of Republican Leader Michael C. Burgess, M.D.
Subcommittee on Health
“Combatting an Epidemic: Legislation to Help Patients with Substance Use Disorders”
March 3, 2020

As Prepared for Delivery

Thank you, Madam Chair. I appreciate that we are holding a hearing to continue this subcommittee’s important work on addressing the opioid epidemic in our nation. Last Congress, we conducted a Member-driven process that began with an Energy and Commerce Committee Member day and concluded with President Trump signing the SUPPORT for Patients and Communities Act into law. Throughout that process, we held four Health Subcommittee hearings, one subcommittee markup, and two full committee markups. This process allowed Members to hear from relevant stakeholders, ask questions, and offer amendments to improve the legislation under consideration.

While I am grateful we are continuing our work on opioids, I do still believe it is critical we have a standalone SUPPORT Act implementation hearing. Our job does not end at the signing ceremony. We must continue to ensure that the agencies are implementing our laws as Congress intended through oversight. We need to monitor what is or is not working or what deadlines the agencies have missed. I appreciate that we have some agency witnesses here today and will take advantage of that, but I hope we will have a separate implementation hearing soon.

I also hope that any future legislative hearings will include outstanding issues, such as aligning 42 CFR Part 2 with HIPAA – a bipartisan effort Reps. Mullin and Blumenauer have championed, and which passed the House by a vote of 357-57 last Congress.

The 14 bills before us today cover a broad range of ways to address substance use disorder, from solving problems with suspicious orders to requiring increased levels of education and training.

A number of these have the potential to provide quality assistance to individuals with substance use disorders and to prevent future addiction. As we look at these bills, we should be mindful of what we did include in the SUPPORT Act to ensure that there are not duplicative provisions or policies that will complicate implementation of SUPPORT Act.

I especially appreciate the inclusion of Rep. Griffith's H.R. 4812, the Ensuring Compliance Against Drug Diversion Act of 2019, and Rep. McKinley's H.R. 3878, the Block, Report, and Suspend Suspicious Shipments Act of 2019. H.R. 4812 requires that DEA registrants must obtain written consent from DEA to assign or transfer a registration. This is a commonsense step to prevent fraud and maintain up-to-date DEA records.

H.R. 3878 builds off the Oversight and Investigation's important work last Congress on opioid pill dumping, particularly in West Virginia. The sharing and reporting of suspicious order data is critical in ensuring we can prevent similar situations in the future. This bill will also hold manufacturers and distributors accountable in that effort.

While I appreciate the intention of H.R. 2483, the Mainstreaming Addiction Treatment Act of 2019, which is to increase the availability of medication assisted treatment, we still do not have the reports mandated by the SUPPORT Act as to whether expanding prescribing power under the DATA waivers has made a meaningful difference. I understand that access to buprenorphine is limited, especially in rural areas, but we should make sure that the policies for which we are advocating are effective and should allow our current laws to play out.

I do have concerns with H.R. 3414, the Opioid Workforce Act, as it would require the Secretary of the Department of Health and Human Services to establish an additional 1,000 residency positions, paid for by the Medicare program, for the purpose of combating the opioid epidemic. Ensuring an adequate workforce can certainly be part of this discussion, but we need to keep in mind the dangers of having the government dictate how many health care professionals we need

practicing certain specialties. We already have health care professional shortages and establishing this new requirement could create new shortages in other areas.

I am grateful we are having this conversation today because the opioid crisis continues to ravage communities across our nation. We have all heard from constituents who have been affected in one way or another by this epidemic, and it deserves our attention.

I hope that we will be able to have a standalone SUPPORT Act implementation hearing to do our due diligence in ensuring that the law is having a positive impact on communities, and to address any other issues as they evolve.

Thank you, Madam Chair – I yield back.