

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Subcommittee on Health Ranking Member Anna Eshoo**

***Hearing on “Lives Worth Living: Addressing the Fentanyl Crisis, Protecting Critical Lifelines, and Combatting Discrimination Against Those with Disabilities”***

**February 1, 2023**

Good morning everyone and thank you Mr. Chairman. First of all, my warmest congratulations to you on becoming the Chairman of what I think is an extraordinary Health Subcommittee, and welcome to the new members of this Subcommittee. You are going to love serving here, and I know from this side of the aisle that we look forward to working with you for the benefit of the American people.

Our hearing today focuses on an issue this Subcommittee has been struggling with for nearly 25 years – the opioid crisis. Over 900,000 Americans have died from opioids since 1999, including more than 107,000 deaths in just the last year. The country has had three waves of opioid deaths – prescription opioids, heroin, opioids, and now fentanyl. Fentanyl is a synthetic opioid that is up to 50 times stronger than heroin and 100 times stronger than morphine. According to the CDC, over 66% of the overdose deaths in 2021 were caused by fentanyl.

Today, our Subcommittee considers H.R. 467, the *HALT Fentanyl Act* to address this epidemic. What’s unfortunate is that the *HALT Fentanyl Act* does nothing to change the status quo. For the past five years, all fentanyl-related substances have been considered schedule 1 drugs. The *HALT Fentanyl Act* would continue that scheduling. Scheduling doesn’t stop deaths. Since 2018, when fentanyl-related substances first became Schedule 1, fentanyl deaths have risen by over 50 percent. So we have to do much more to save lives. First, I think we need to stop the supply of illicit fentanyl. We are making progress through record-breaking DEA seizures. For example, last year, the DEA seized 10,000 pounds of illicit fentanyl powder. 10,000 pounds, I mean it’s so difficult to get your head wrapped around these figures. There’s another part of this though and it isn’t very often spoken about. I believe that we have broken gun laws, in this case Mexican cartels are trading illicit fentanyl for readily-available American guns. We need to stop this so-called iron river of death between our two countries. Another major contributing factor to overdoses is the difficulty finding treatment. According to SAMHSA, only 11% of people, only 11%, so 89% of people with opioid addiction do not receive medication-assisted treatment. Importantly, in December, Rep. Tonko’s MAT Act became law. The new law eliminates bureaucratic guardrails that limit the availability of medication-assisted treatment. Medication-assisted treatment is proven to reduce overdose deaths and curb illicit drug use.

Naloxone is another miracle medicine that saves lives. Anyone can use it to rapidly reverse opioid overdose, and I commend the FDA’s recent work to make naloxone available over the counter, and I urge all naloxone makers, including Emergent and Kaleo, to begin switching their products’ labels from prescription to over the counter. I look forward to hearing from

January 31, 2023

Page 2

ONDCP, SAMHSA, and the DEA today about what else Congress should do to change the status quo and save lives. We will also hear two other bills unrelated to fentanyl.

H.R. 498, the *9-8-8 Lifeline Cybersecurity Responsibility Act* is a commonsense bill that requires the 9-8-8 network administrator to report potential cybersecurity threats to SAMHSA immediately upon discovery. I support that bill. H.R. 485, is focused on ending the federal government's use of Quality Adjusted Life Years metrics also known as "QALYs." I support ending the use of discriminatory QALYs because the metric devalues the lives of people with disabilities. So I look forward to learning more about the bill and its impact Mr. Chairman during today's hearing.

So congratulations once again, it's your opening day and again I look forward to working with you

I yield back.