



MEMORANDUM

To: Subcommittee on Health Members and Staff
From: Committee on Energy and Commerce Majority Staff
Re: Health Subcommittee Field Hearing on June 9, 2023

The Subcommittee on Health will hold a hearing on Friday, June 9, 2023, at 9:30 a.m. (ET) in Gettysburg, Pennsylvania. The hearing is entitled “Addressing the Opioid Crisis: Examining the SUPPORT Act Five Years Later.”

I. Witnesses

- **Ms. Emily Keller**, Special Secretary of Opioid Response, Opioid Operational Command Center, Office of Governor Wes Moore
- **Mr. Mike Straley**, Founder, Leah’s Legacy Foundation
- **Dr. Mitchell Crawford, D.O.**, Medical Director, Specialized Treatment and Recovery, WellSpan Health, Director, Addiction Services, WellSpan Health
- **Chief William Ceravola**, Reading Township Police Department

II. Background

The Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act, or the SUPPORT Act, was signed into law in 2018 by President Trump and many of its provisions are set to expire at the end of Fiscal Year 2023.¹ The goal of this law was to increase prevention, treatment, and recovery opportunities to individuals suffering from substance use disorder (SUD) and opioid use disorder (OUD).

The law created several public health programs through the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Centers for Disease Control and Prevention (CDC) intended to increase education on substance use disorders, train health care providers to treat patients diagnosed with an SUD and/or OUD, and help provide wraparound services for patients in treatment and recovery.²

The law also extended access to treatment for SUD in Medicaid. As the largest payer for behavioral health services in the country with as many as 14 million beneficiaries alone needing mental or behavioral health care services, Medicaid is uniquely situated to reach a significant number of those in need of substance use disorder

¹ Public Law: 115-251, Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act), October 24, 2018.

² Ibid.

care.³ Among the key Medicaid provisions in the SUPPORT Act were policies to lift Medicaid’s restrictions on residential care (commonly referred to as the IMD Exclusion) and requiring coverage for all forms of medication-assisted treatments.

III. Discussion

The opioid epidemic is ongoing and overdose deaths have been increasing, especially given the insurgence of fentanyl and fentanyl related substances across the United States. Approximately 71,000 people died from a synthetic opioid overdose in 2021, according to data from the CDC, compared to approximately 31,000 in 2018 when the SUPPORT Act was signed into law.^{4 5}

Results from the 2021 National Survey on Drug Use and Health (NSDUH), which is released annually by SAMHSA, indicate that 46.3 million people met the applicable criteria for having a substance use disorder and 94% of these individuals did not receive treatment.⁶ Examining the SUPPORT Act presents an opportunity for Congress to better understand the policy solutions that have proven to work and address any gaps within the substance use disorder treatment and recovery landscape.

IV. Staff Contacts

If you have questions regarding this hearing, please contact Kristin Flukey or Seth Gold of the Committee staff at 202-225-3641.

³ Kaiser Family Foundation, “Medicaid Coverage of Behavioral Health Services in 2022: Findings from a Survey of State Medicaid Programs”, <https://www.kff.org/medicaid/issue-brief/medicaid-coverage-of-behavioral-health-services-in-2022-findings-from-a-survey-of-state-medicaid-programs/>

⁴ Centers for Disease Control and Prevention (CDC), “Synthetic Opioid Overdose Data”, <https://www.cdc.gov/drugoverdose/deaths/synthetic/index.html>

⁵ Centers for Disease Control and Prevention (CDC), “Drug and Opioid-Involved Overdose Deaths – United States, 2017-2018”, [Drug and Opioid-Involved Overdose Deaths — United States, 2017–2018 | MMWR \(cdc.gov\)](https://www.cdc.gov/mmwr/preview/mmwrhtml/drugandopioidinvolvedoverdosedeaths-unitedstates-2017-2018-w04a01.htm)

⁶ Substance Abuse and Mental Health Services Administration (SAMHSA), “Highlights for the 2021 National Survey on Drug Use and Health”, <https://www.samhsa.gov/data/sites/default/files/2022-12/2021NSDUHFFRHighlights092722.pdf>