

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4531
OFFERED BY M . _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Support for Patients
3 and Communities Reauthorization Act”.

4 SEC. 2. TABLE OF CONTENTS.

5 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—PUBLIC HEALTH

- Sec. 101. Monitoring and education regarding infections associated with illicit drug use and other risk factors.
- Sec. 102. Preventing overdoses of controlled substances.
- Sec. 103. Residential treatment programs for pregnant and postpartum women.
- Sec. 104. First responder training.
- Sec. 105. Building communities of recovery.
- Sec. 106. National Peer-Run Training and Technical Assistance Center for Addiction Recovery Support.
- Sec. 107. Comprehensive opioid recovery centers.
- Sec. 108. Grants to address the problems of persons who experience violence related stress.
- Sec. 109. Mental and behavioral health education and training grants.
- Sec. 110. Loan repayment program for the substance use disorder treatment workforce.
- Sec. 111. Pilot program for public health laboratories to detect fentanyl and other synthetic opioids.
- Sec. 112. Monitoring and reporting of child, youth, and adult trauma.
- Sec. 113. Task force to develop best practices for trauma-informed identification, referral, and support.
- Sec. 114. Treatment, recovery, and workforce support grants.
- Sec. 115. Grant program for State and Tribal response to opioid use disorders.
- Sec. 116. References to opioid overdose reversal agents in HHS grant programs.

- Sec. 117. Addressing other concurrent substance use disorders through grant program for State and Tribal response to opioid use disorders.
- Sec. 118. Providing for a study on the effects of remote monitoring on individuals who are prescribed opioids.

TITLE II—CONTROLLED SUBSTANCES

- Sec. 201. Delivery of certain substances by a pharmacy to an administering practitioner.
- Sec. 202. Reviewing the scheduling of approved products containing a combination of buprenorphine and naloxone.
- Sec. 203. Combating illicit xylazine.
- Sec. 204. Technical corrections.

TITLE III—MEDICAID

- Sec. 301. Extending requirement for State Medicaid plans to provide coverage for medication-assisted treatment.
- Sec. 302. Expanding required reports on T-MSIS substance use disorder data to include mental health condition data.
- Sec. 303. Monitoring prescribing of antipsychotic medications.

1 **TITLE I—PUBLIC HEALTH**

2 **SEC. 101. MONITORING AND EDUCATION REGARDING IN-**
3 **FECTIONS ASSOCIATED WITH ILLICIT DRUG**
4 **USE AND OTHER RISK FACTORS.**

5 Section 317N of the Public Health Service Act (42
6 U.S.C. 247b–15) is amended—

7 (1) in the section heading, by striking “**SUR-**
8 **VEILLANCE AND**” and inserting “**MONITORING**
9 **AND**”; and

10 (2) in subsection (d), by striking “fiscal years
11 2019 through 2023” and inserting “fiscal years
12 2024 through 2028”.

13 **SEC. 102. PREVENTING OVERDOSES OF CONTROLLED SUB-**
14 **STANCES.**

15 (a) **EVIDENCE-BASED PREVENTION GRANTS.**—Sec-
16 tion 392A(a)(2)(D) of the Public Health Service Act (42

1 U.S.C. 280b–1(a)(2)(D)) is amended by inserting after
2 “new and emerging public health crises” the following: “,
3 such as the fentanyl crisis,”.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
5 392A(e) of the Public Health Service Act (42 U.S.C.
6 280b–1(e)) is amended by striking “\$496,000,000 for
7 each of fiscal years 2019 through 2023” and inserting
8 “\$505,579,000 for each of fiscal years 2024 through
9 2028”.

10 **SEC. 103. RESIDENTIAL TREATMENT PROGRAMS FOR**
11 **PREGNANT AND POSTPARTUM WOMEN.**

12 Section 508(s) of the Public Health Service Act (42
13 U.S.C. 290bb–1(s)) is amended by striking “\$29,931,000
14 for each of fiscal years 2019 through 2023” and inserting
15 “\$38,931,000 for each of fiscal years 2024 through
16 2028”.

17 **SEC. 104. FIRST RESPONDER TRAINING.**

18 Section 546(h) of the Public Health Service Act (42
19 U.S.C. 290ee–1(h)) is amending by striking “\$36,000,000
20 for each of fiscal years 2019 through 2023” and inserting
21 “\$56,000,000 for each of fiscal years 2024 through
22 2028”.

23 **SEC. 105. BUILDING COMMUNITIES OF RECOVERY.**

24 Section 547(f) of the Public Health Service Act (42
25 U.S.C. 290ee–2(f)) is amended by striking “\$5,000,000

1 for each of fiscal years 2019 through 2023” and inserting
2 “\$16,000,000 for each of fiscal years 2024 through
3 2028”.

4 **SEC. 106. NATIONAL PEER-RUN TRAINING AND TECHNICAL**
5 **ASSISTANCE CENTER FOR ADDICTION RE-**
6 **COVERY SUPPORT.**

7 Section 547A(e) of the Public Health Service Act (42
8 U.S.C. 290ee–2a(e)) is amended by striking “\$1,000,000
9 for each of fiscal years 2019 through 2023” and inserting
10 “\$2,000,000 for each of fiscal years 2024 through 2028”.

11 **SEC. 107. COMPREHENSIVE OPIOID RECOVERY CENTERS.**

12 (a) REAUTHORIZATION.—Section 552(j) of the Public
13 Health Service Act (42 U.S.C. 290ee–7(j)) is amended by
14 striking “2019 through 2023” and inserting “2024
15 through 2028”.

16 (b) DOCUMENTATION FOR EVIDENCE OF CAPACITY
17 TO CARRY OUT REQUIRED ACTIVITIES.—Section 552(d)
18 of the Public Health Service Act (42 U.S.C. 290ee–7(d))
19 is amended by adding at the end the following:

20 “(3) DOCUMENTATION.—

21 “(A) IN GENERAL.—Evidence required to
22 be provided under paragraph (1) may be pro-
23 vided through a letter of intent from partner
24 agencies or other relevant documentation (as
25 defined by the Secretary).

1 “(B) PARTNER AGENCY DEFINED.—In this
2 paragraph, the term ‘partner agency’ means a
3 non-governmental organization or other public
4 or private entity—

5 “(i) the primary purpose of which is
6 the delivery of mental health or substance
7 use disorder treatment services; and

8 “(ii) with which the applicant coordi-
9 nates to provide the full continuum of
10 treatment services (as specified in sub-
11 section (g)(1)(B)) that the applicant is un-
12 able to offer on site.”.

13 (c) CENTER ACTIVITIES CARRIED OUT THROUGH
14 THIRD PARTIES.—Section 552(g) of the Public Health
15 Service Act (42 U.S.C. 290ee–7(g)) is amended in the
16 matter preceding paragraph (1) by striking “Each Center
17 shall” and all that follows through “subsection (f):” and
18 inserting the following: “Each Center shall, at a minimum,
19 carry out the activities specified in this subsection directly,
20 through referral, or through contractual arrangements. If
21 a Center elects to carry out such activities through con-
22 tractual arrangements, the Secretary may issue guidance
23 on best practices to ensure that the Center is capable of
24 carrying out such activities, including carrying out such
25 activities through technology-enabled collaborative learn-

1 ing and capacity building models described in subsection
2 (f) and coordinating the full continuum of treatment serv-
3 ices specified in subparagraph (B). Such activities include
4 the following:”.

5 **SEC. 108. GRANTS TO ADDRESS THE PROBLEMS OF PER-**
6 **SONS WHO EXPERIENCE VIOLENCE RELATED**
7 **STRESS.**

8 Section 582(j) of the Public Health Service Act (42
9 U.S.C. 290hh–1(j)) is amended by striking “\$63,887,000
10 for each of fiscal years 2019 through 2023” and inserting
11 “\$93,887,000 for each of fiscal years 2024 through
12 2028”.

13 **SEC. 109. MENTAL AND BEHAVIORAL HEALTH EDUCATION**
14 **AND TRAINING GRANTS.**

15 Section 756(f) of the Public Health Service Act (42
16 U.S.C. 294e–1(f)) is amended by striking “fiscal years
17 2023 through 2027” and inserting “fiscal years 2024
18 through 2028”.

19 **SEC. 110. LOAN REPAYMENT PROGRAM FOR THE SUB-**
20 **STANCE USE DISORDER TREATMENT WORK-**
21 **FORCE.**

22 Section 781(j) of the Public Health Service Act (42
23 U.S.C. 295h(j)) is amended by striking “\$25,000,000 for
24 each of fiscal years 2019 through 2023” and inserting

1 “\$40,000,000 for each of fiscal years 2024 through
2 2028”.

3 **SEC. 111. PILOT PROGRAM FOR PUBLIC HEALTH LABORA-**
4 **TORIES TO DETECT FENTANYL AND OTHER**
5 **SYNTHETIC OPIOIDS.**

6 Section 7011(d) of the SUPPORT for Patients and
7 Communities Act (42 U.S.C. 247d–10(d)) is amended by
8 striking “fiscal years 2019 through 2023” and inserting
9 “fiscal years 2024 through 2028”.

10 **SEC. 112. MONITORING AND REPORTING OF CHILD, YOUTH,**
11 **AND ADULT TRAUMA.**

12 Section 7131(e) of the SUPPORT for Patients and
13 Communities Act (42 U.S.C. 242t(e)) is amended by strik-
14 ing “\$2,000,000 for each of fiscal years 2019 through
15 2023” and inserting “\$9,000,000 for each of fiscal years
16 2024 through 2028”.

17 **SEC. 113. TASK FORCE TO DEVELOP BEST PRACTICES FOR**
18 **TRAUMA-INFORMED IDENTIFICATION, RE-**
19 **FERRAL, AND SUPPORT.**

20 Section 7132 of the SUPPORT for Patients and
21 Communities Act (Public Law 115–271) is amended—

22 (1) in subsection (g)—

23 (A) in paragraph (1), by striking “and” at
24 the end;

1 (B) in paragraph (2), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(3) additional reports and updates to existing
5 reports, as necessary.”; and

6 (2) by striking subsection (i).

7 **SEC. 114. TREATMENT, RECOVERY, AND WORKFORCE SUP-**
8 **PORT GRANTS.**

9 Section 7183 of the SUPPORT for Patients and
10 Communities Act (42 U.S.C. 290ee–8) is amended—

11 (1) in subsection (b), by inserting “each” before
12 “for a period”;

13 (2) by amending subsection (c)(2) to read as
14 follows:

15 “(2) RATES.—The rates described in this para-
16 graph are the following:

17 “(A) The amount by which the average
18 rate of drug overdose deaths in the State, ad-
19 justed for age, for the period of 5 calendar
20 years for which there is available data, includ-
21 ing if necessary provisional data, immediately
22 preceding the grant cycle (which shall be the
23 period of calendar years 2018 through 2022 for
24 the first grant cycle following the enactment of
25 the Support for Patients and Communities Re-

1 authorization Act) is above the average national
2 overdose mortality rate, as determined by the
3 Director of the Centers for Disease Control and
4 Prevention, for the same period.

5 “(B) The amount by which the average
6 rate of unemployment for the State, based on
7 data provided by the Bureau of Labor Statis-
8 tics, for the period of 5 calendar years for
9 which there is available data, including if nec-
10 essary provisional data, immediately preceding
11 the grant cycle (which shall be the period of cal-
12 endar years 2018 through 2022 for the first
13 grant cycle following the enactment of the Sup-
14 port for Patients and Communities Reauthor-
15 ization Act) is above the national average for
16 the same period.

17 “(C) The amount by which the average
18 rate of labor force participation in the State,
19 based on data provided by the Bureau of Labor
20 Statistics, for the period of 5 calendar years for
21 which there is available data, including if nec-
22 essary provisional data, immediately preceding
23 the grant cycle (which shall be the period of cal-
24 endar years 2018 through 2022 for the first
25 grant cycle following the enactment of the Sup-

1 port for Patients and Communities Reauthor-
2 ization Act) is below the national average for
3 the same period.”;

4 (3) in subsection (g)—

5 (A) in paragraphs (1) and (3), by redesign-
6 nating subparagraphs (A) and (B) as clauses
7 (i) and (ii), respectively, and adjusting the mar-
8 gins accordingly;

9 (B) by redesignating paragraphs (1)
10 through (3) as subparagraphs (A) through (C),
11 respectively, and adjusting the margins accord-
12 ingly;

13 (C) by striking “An entity” and inserting
14 the following:

15 “(1) IN GENERAL.—An entity”; and

16 (D) by adding at the end the following:

17 “(2) TRANSPORTATION SERVICES.—An entity
18 receiving a grant under this section may use the
19 funds for providing transportation for individuals to
20 participate in an activity supported by a grant under
21 this section, which transportation shall be to or from
22 a place of work or a place where the individual is re-
23 ceiving vocational education or job training services
24 or receiving services directly linked to treatment of
25 or recovery from a substance use disorder.”;

1 (4) in subsection (j)—

2 (A) in paragraph (1), by inserting “for
3 each grant cycle” after “grant period”; and

4 (B) in paragraph (2)—

5 (i) in the matter preceding subpara-
6 graph (A)—

7 (I) by striking “the preliminary
8 report” and inserting “each prelimi-
9 nary report”; and

10 (II) by inserting “for the grant
11 cycle” after “final report”; and

12 (ii) in subparagraph (A), by striking
13 “(g)(3)” and inserting “(g)(1)(C)”; and

14 (5) in subsection (k), by striking “\$5,000,000
15 for each of fiscal years 2019 through 2023” and in-
16 serting “\$12,000,000 for each of fiscal years 2024
17 through 2028”.

18 **SEC. 115. GRANT PROGRAM FOR STATE AND TRIBAL RE-**

19 **SPONSE TO OPIOID USE DISORDERS.**

20 Section 1003(b)(4)(A) of the 21st Century Cures Act
21 (42 U.S.C. 290ee–3a(b)(4)(A)) is amended after “which
22 may include drugs or devices approved, cleared, or other-
23 wise legally marketed under the Federal Food, Drug, and
24 Cosmetic Act” by inserting “or fentanyl or xylazine test
25 strips”.

1 **SEC. 116. REFERENCES TO OPIOID OVERDOSE REVERSAL**
2 **AGENTS IN HHS GRANT PROGRAMS.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services shall ensure that, whenever the Depart-
5 ment of Health and Human Services issues a regulation,
6 guidance, or other document for any grant program ad-
7 dressing opioid misuse and use disorders, any reference
8 to an opioid overdose reversal agent (such as a reference
9 to naloxone) is inclusive of any opioid overdose reversal
10 agent that has been approved or otherwise authorized for
11 use by the Food and Drug Administration.

12 (b) EXISTING REFERENCES.—

13 (1) UPDATE.—Not later than the end of cal-
14 endar year 2023, the Secretary of Health and
15 Human Services shall update all references described
16 in paragraph (2) to be inclusive of any opioid over-
17 dose reversal agent that has been approved or other-
18 wise authorized for use by the Food and Drug Ad-
19 ministration.

20 (2) REFERENCES.—A reference described in
21 this paragraph is any reference to an opioid overdose
22 reversal agent (such as naloxone) in any regulation,
23 guidance, or other document of the Department of
24 Health and Human Services that—

25 (A) was issued before the date of enact-
26 ment of this Act; and

1 (B) is for—

2 (i) the grant program for State and
3 Tribal response to opioid use disorders
4 under section 1003 of the 21st Century
5 Cures Act (42 U.S.C. 290ee–3 note; com-
6 monly referred to as “State Opioid Re-
7 sponse Grants” and “Tribal Opioid Re-
8 sponse Grants”); or

9 (ii) the grant program for priority
10 substance use disorder prevention needs of
11 regional and national significance under
12 section 516 of the Public Health Service
13 Act (42 U.S.C. 290bb–22).

14 **SEC. 117. ADDRESSING OTHER CONCURRENT SUBSTANCE**
15 **USE DISORDERS THROUGH GRANT PROGRAM**
16 **FOR STATE AND TRIBAL RESPONSE TO**
17 **OPIOID USE DISORDERS.**

18 (a) **ADDITIONAL USE OF FUNDS.**—Section 1003(b)
19 of the 21st Century Cures Act (42 U.S.C. 290ee–3 note)
20 is amended by adding at the end the following:

21 “(5) **OTHER CONCURRENT SUBSTANCE USE**
22 **DISORDERS.**—The Secretary may authorize the re-
23 cipient of a grant under this subsection, in addition
24 to using the grant for activities described in para-
25 graph (4) with respect to opioid misuse and use dis-

1 orders and stimulant misuse and use disorders, to
2 use the grant to for similar activities with respect to
3 other concurrent substance use disorders.”.

4 (b) ANNUAL REPORT TO CONGRESS.—Section
5 1003(f) of the 21st Century Cures Act (42 U.S.C. 290ee–
6 3 note) is amended—

7 (1) in paragraph (2), strike “and” at the end;

8 (2) in paragraph (3), strike the period at the
9 end and insert a semicolon; and

10 (3) by adding at the end the following:

11 “(4) the amount of funds each State that re-
12 ceiving a grant under subsection (b) received for the
13 12-month grant cycle covered by the report;

14 “(5) the amount of grant funds each such State
15 spent for such grant cycle, disaggregated by the uses
16 for which such funds were spent, including each al-
17 lowable use under paragraphs (4) and (5) of sub-
18 section (b);

19 “(6) how many such States for such grant cycle
20 did not spend the all of the grant funds before such
21 grant cycle expired;

22 “(7) how many such States for such grant cycle
23 requested waivers to extend the grant cycle; and

24 “(8) challenges for such States to spend all of
25 the funds allocated and the reason for such chal-

1 lenges, including to what extent reporting require-
2 ments or other requirements placed an increased
3 burden on the ability of such States to spend all of
4 the funds.”.

5 (c) OTHER CONCURRENT SUBSTANCE USE DIS-
6 ORDERS DEFINED.—Section 1003(h) of the 21st Century
7 Cures Act (42 U.S.C. 290ee–3 note) is amended—

8 (1) by redesignating paragraphs (2) through
9 (4) as paragraphs (3) through (5); and

10 (2) by inserting before paragraph (3), as redesi-
11 gnated, the following:

12 “(2) OTHER CONCURRENT SUBSTANCE USE
13 DISORDERS.—The term ‘other substance use dis-
14 orders’ includes alcohol use disorders co-occurring
15 with opioid misuse and use disorders and alcohol use
16 disorders co-occurring with stimulant misuse and
17 use disorders, including polydrug use and alcohol use
18 disorder.”.

19 (d) RULE OF CONSTRUCTION.—Nothing in this Act
20 or the amendments made by this Act shall be construed
21 to change the allocation of funds among grantees pursuant
22 to the minimum allocations and formula methodology
23 under section 1003 of the 21st Century Cures Act (42
24 U.S.C. 290ee–3 note).

1 **SEC. 118. PROVIDING FOR A STUDY ON THE EFFECTS OF**
2 **REMOTE MONITORING ON INDIVIDUALS WHO**
3 **ARE PRESCRIBED OPIOIDS.**

4 (a) IN GENERAL.—Not later than 18 months after
5 the date of enactment of this Act, the Comptroller General
6 of the United States shall conduct a study and submit to
7 the Committee on Energy and Commerce of the House
8 of Representatives and the Committee on Health, Edu-
9 cation, Labor, and Pensions and the Committee on Fi-
10 nance of the Senate a report on the use of remote moni-
11 toring with respect to individuals who are prescribed
12 opioids.

13 (b) REPORT.—The report described in subsection (a)
14 shall include—

15 (1) an assessment of scientific evidence related
16 to the efficacy, individual outcomes, and potential
17 cost savings associated with remote monitoring for
18 individuals who are prescribed opioids compared to
19 such individuals who are not so monitored;

20 (2) an assessment of the current prevalence of
21 remote monitoring for individuals who are prescribed
22 opioids, including the use of such monitoring for
23 such individuals in other countries; and

24 (3) recommendations to improve availability, ac-
25 cess, and coverage for remote monitoring for individ-
26 uals who are prescribed opioids, including through

1 changes to Federal health care programs (as defined
2 in section 1128B of the Social Security Act (42
3 U.S.C. 1320a–7b)) and, if determined appropriate
4 by the Comptroller General, an identification of co-
5 horts of individuals who stand to benefit the most
6 from remote monitoring when prescribed opioids.

7 **TITLE II—CONTROLLED** 8 **SUBSTANCES**

9 **SEC. 201. DELIVERY OF CERTAIN SUBSTANCES BY A PHAR-** 10 **MACY TO AN ADMINISTERING PRACTI-** 11 **TIONER.**

12 Paragraph (2) of section 309A(a) of the Controlled
13 Substances Act (21 U.S.C. 829a(a)) is amended to read
14 as follows:

15 “(2) the controlled substance is a drug in
16 schedule III, IV, or V that is, pursuant to the ap-
17 proval or licensure of such drug under the Federal
18 Food, Drug, and Cosmetic Act or section 351 of the
19 Public Health Service Act, to be administered by, or
20 under the supervision of, the practitioner;”.

21 **SEC. 202. REVIEWING THE SCHEDULING OF APPROVED** 22 **PRODUCTS CONTAINING A COMBINATION OF** 23 **BUPRENORPHINE AND NALOXONE.**

24 (a) SECRETARY OF HHS.—The Secretary of Health
25 and Human Services shall, consistent with the require-

1 ments and procedures set forth in sections 201 and 202
2 of the Controlled Substances Act (21 U.S.C. 811; 812)—

3 (1) review the relevant data pertaining to the
4 scheduling of products containing a combination of
5 buprenorphine and naloxone that have been ap-
6 proved under section 505 of the Federal Food,
7 Drug, and Cosmetic Act (21 U.S.C. 355); and

8 (2) if appropriate, request that the Attorney
9 General initiate rulemaking proceedings to revise the
10 schedules accordingly with respect to such products.

11 (b) ATTORNEY GENERAL.—The Attorney General
12 shall review any request made by the Secretary of Health
13 and Human Services under subsection (a)(2) and deter-
14 mine whether to initiate proceedings to revise the sched-
15 ules in accordance with the criteria set forth in sections
16 201 and 202 of the Controlled Substances Act (21 U.S.C.
17 811; 812).

18 **SEC. 203. COMBATING ILLICIT XYLAZINE.**

19 (a) DEFINITIONS.—

20 (1) IN GENERAL.—In this section, the term
21 “xylazine” has the meaning given the term in para-
22 graph (60) of section 102 of the Controlled Sub-
23 stances Act, as added by paragraph (2).

1 (2) CONTROLLED SUBSTANCES ACT.—Section
2 102 of the Controlled Substances Act (21 U.S.C.
3 802) is amended—

4 (A) by redesignating the second paragraph
5 (57) (relating to serious drug felony) and para-
6 graph (58) as paragraphs (58) and (59), re-
7 spectively;

8 (B) by moving the margin of paragraph
9 (57) 2 ems to the left;

10 (C) by moving the margins of paragraphs
11 (58) and (59), as redesignated, 2 ems to the
12 left; and

13 (D) by adding at the end the following:

14 “(60)(A) The term ‘xylazine’ means the substance
15 xylazine as well as its salts, isomers, and salts of isomers
16 whenever the existence of such salts, isomers, and salts
17 of isomers is possible.

18 “(B) Except as provided in subparagraph (E), such
19 term does not include a substance described in subpara-
20 graph (A) to the extent—

21 “(i) such substance is used or intended for use
22 in animals other than humans and is an animal drug
23 that has been approved by the Secretary of Health
24 and Human Services under section 512 of the Fed-
25 eral Food, Drug, and Cosmetic Act, conditionally ap-

1 proved under section 571 of such Act, index listed
2 under section 573 of such Act, or subject to an ex-
3 emption for investigational use under section 512(j)
4 of such Act, and such use or intended use conforms
5 to the approved application or index listing, includ-
6 ing the manufacturing, importation, holding, or dis-
7 tribution for such use;

8 “(ii) such substance is used or intended for use
9 in animals other than humans as permitted under
10 section 512(a)(4) of the Federal Food, Drug, and
11 Cosmetic Act;

12 “(iii) such substance is manufactured, im-
13 ported, held, distributed, or used—

14 “(I) as an active pharmaceutical ingredient
15 for manufacturing an animal drug approved
16 under section 512 of the Federal Food, Drug,
17 and Cosmetic Act, conditionally approved under
18 section 571 of such Act, index listed under sec-
19 tion 573 of the such Act, or subject to an ex-
20 emption for investigational use under section
21 512(j) of such Act; or

22 “(II) as a bulk chemical for pharma-
23 ceutical compounding of a new animal drug (as
24 defined in section 201 of the Federal Food,
25 Drug, and Cosmetic Act) by or under the direct

1 supervision of a licensed pharmacist or by or on
2 the lawful written or oral order of a licensed
3 veterinarian within the context of a veteri-
4 narian-client-patient relationship, as defined by
5 the Secretary of Health and Human Services;

6 “(iv) such substance is held or used as a com-
7 pounded new animal drug described in clause
8 (iii)(II);

9 “(v) such substance is otherwise used or in-
10 tended for use in animals other than humans, and
11 such use is approved or otherwise authorized under
12 the Federal Food, Drug, and Cosmetic Act provided
13 any such use conforms to such approval or author-
14 ization;

15 “(vi) such substance is subject to an exemption
16 for investigational use under section 505(i) or
17 520(g) of the Federal Food, Drug, and Cosmetic
18 Act;

19 “(vii) such substance is imported, held, distrib-
20 uted, or used for the development, manufacturing, or
21 performance of tests for detection of xylazine (in-
22 cluding xylazine used as a control or calibration
23 standard) by persons who are professionally, regu-
24 larly, and lawfully engaged in such activities; or

1 “(viii) such substance is held, distributed, or
2 used in a commercially manufactured test for the de-
3 tection of xylazine, provided such test does not con-
4 tain xylazine in a form that can be extracted.

5 “(C) Notwithstanding subparagraph (B), the Attor-
6 ney General may place any substance listed in such sub-
7 paragraph on a schedule under section 202 in accordance
8 with subsections (a) through (c) of section 201.

9 “(D) Nothing in this paragraph shall be construed
10 as a basis for inferring that a compounded animal drug
11 is not a new animal drug subject to the requirements of
12 section 512(a) of the Federal Food, Drug, and Cosmetic
13 Act.

14 “(E) If any person prescribes, dispenses, distributes,
15 manufactures, or imports xylazine for human use, such
16 person shall be considered to have prescribed, dispensed,
17 distributed, manufactured, or imported xylazine not sub-
18 ject to an exclusion under subparagraph (B).”.

19 (b) PLACEMENT OF XYLAZINE ON SCHEDULE III.—
20 Schedule III in section 202(c) of the Controlled Sub-
21 stances Act (21 U.S.C. 812(c)) is amended by adding at
22 the end the following:

23 “(f) Xylazine.”.

24 (c) REPORT TO CONGRESS ON XYLAZINE.—

1 (1) INITIAL REPORT.—Not later than 1 year
2 after the date of enactment of this Act, the Attorney
3 General, acting through the Administrator of the
4 Drug Enforcement Administration and in coordina-
5 tion with the Commissioner of Food and Drugs,
6 shall submit to Congress a report on the prevalence
7 of illicit use of xylazine in the United States and the
8 impacts of such use, including—

9 (A) where the drug is being diverted;

10 (B) where the drug is originating;

11 (C) whether any analogues to such drug
12 present a substantial risk of abuse;

13 (D) whether and to what extent the illicit
14 supply of xylazine derives from the licit supply
15 chain; and

16 (E) recommendations for Congress with re-
17 spect to whether xylazine should be transferred
18 to another schedule under section 202 of the
19 Controlled Substances Act (21 U.S.C. 812).

20 (2) ADDITIONAL REPORT.—Not later than 3
21 years after the date of enactment of this Act, the
22 Attorney General, acting through the Administrator
23 of the Drug Enforcement Administration and in co-
24 ordination with the Commissioner of Food and
25 Drugs, shall submit to Congress a report updating

1 Congress on the prevalence of xylazine trafficking,
2 misuse, and proliferation in the United States, in-
3 cluding recommendations for Congress with respect
4 to whether xylazine should be transferred to another
5 schedule under section 202 of the Controlled Sub-
6 stances Act (21 U.S.C. 812) or removed from sched-
7 ule III of such part.

8 **SEC. 204. TECHNICAL CORRECTIONS.**

9 Effective as if included in the enactment of Public
10 Law 117–328—

11 (1) section 1252(a) of division FF of Public
12 Law 117–328 is amended, in the matter being in-
13 serted into section 302(e) of the Controlled Sub-
14 stances Act, by striking “303(g)” and inserting
15 “303(h)”;

16 (2) section 1262 of division FF of Public Law
17 117–328 is amended—

18 (A) in subsection (a)—

19 (i) in the matter preceding paragraph
20 (1), by striking “303(g)” and inserting
21 “303(h)”;

22 (ii) in the matter being stricken by
23 subsection (a)(2), by striking “(g)(1)” and
24 inserting “(h)(1)”; and

1 (iii) in the matter being inserted by
2 subsection (a)(2), by striking “(g) Practi-
3 tioners” and inserting “(h) Practitioners”;
4 and

5 (B) in subsection (b)—

6 (i) in the matter being stricken by
7 paragraph (1), by striking “303(g)(1)”
8 and inserting “303(h)(1)”;

9 (ii) in the matter being inserted by
10 paragraph (1), by striking “303(g)” and
11 inserting “303(h)”;

12 (iii) in the matter being stricken by
13 paragraph (2)(A), by striking “303(g)(2)”
14 and inserting “303(h)(2)”;

15 (iv) in the matter being stricken by
16 paragraph (3), by striking “303(g)(2)(B)”
17 and inserting “303(h)(2)(B)”;

18 (v) in the matter being stricken by
19 paragraph (5), by striking “303(g)” and
20 inserting “303(h)”;

21 (vi) in the matter being stricken by
22 paragraph (6), by striking “303(g)” and
23 inserting “303(h)”;

24 (3) section 1263(b) of division FF of Public
25 Law 117–328 is amended—

1 (A) by striking “303(g)(2)” and inserting
2 “303(h)(2)”; and

3 (B) by striking “(21 U.S.C. 823(g)(2))”
4 and inserting “(21 U.S.C. 823(h)(2))”.

5 **TITLE III—MEDICAID**

6 **SEC. 301. EXTENDING REQUIREMENT FOR STATE MEDICAID**

7 **PLANS TO PROVIDE COVERAGE FOR MEDICA-** 8 **TION-ASSISTED TREATMENT.**

9 (a) IN GENERAL.—Section 1905 of the Social Secu-
10 rity Act (42 U.S.C. 1396d) is amended—

11 (1) in subsection (a)(29), by striking “for the
12 period beginning October 1, 2020, and ending Sep-
13 tember 30, 2025,” and inserting “beginning on Oc-
14 tober 1, 2020,”; and

15 (2) in subsection (ee)(2), by striking “for the
16 period specified in such paragraph, if before the be-
17 ginning of such period the State certifies to the sat-
18 isfaction of the Secretary” and inserting “if such
19 State certifies, not less than every 5 years and to the
20 satisfaction of the Secretary,”.

21 (b) CONFORMING AMENDMENT.—Section
22 1006(b)(4)(A) of the Substance Use-Disorder Prevention
23 that Promotes Opioid Recovery and Treatment for Pa-
24 tients and Communities Act (42 U.S.C. 1396a note) is
25 amended by striking “, and before October 1, 2025”.

1 **SEC. 302. EXPANDING REQUIRED REPORTS ON T-MSIS SUB-**
2 **STANCE USE DISORDER DATA TO INCLUDE**
3 **MENTAL HEALTH CONDITION DATA.**

4 (a) IN GENERAL.—Section 1015(a) of the SUP-
5 PORT for Patients and Communities Act (42 U.S.C.
6 1320d–2 note) is amended—

7 (1) in the heading, by striking “SUBSTANCE
8 USE DISORDER DATA BOOK” and inserting “BE-
9 HAVIORAL HEALTH DATA BOOK”;

10 (2) in paragraph (2)—

11 (A) in the matter preceding subparagraph
12 (A), by inserting “, including as updated in ac-
13 cordance with paragraph (3),” after “paragraph
14 (1)”;

15 (B) in subparagraph (A), by inserting “,
16 mental health condition, or a mental health con-
17 dition co-occurring with substance use disorder”
18 after “substance use disorder”;

19 (C) in subparagraph (B), by inserting
20 “and mental health treatment services” after
21 “substance use disorder treatment services”;

22 (D) in subparagraph (C)—

23 (i) by inserting “, mental health con-
24 dition, or a mental health condition co-oc-
25 ccurring with a substance use disorder diag-

1 nosis” after “substance use disorder diag-
2 nosis”; and

3 (ii) by inserting “or mental health
4 treatment services, respectively,” after
5 “substance use disorder treatment serv-
6 ices”;

7 (E) in subparagraph (D), by inserting “,
8 mental health condition, or a mental health con-
9 dition co-occurring with substance use disorder”
10 after “substance use disorder diagnosis”;

11 (F) in subparagraph (E), by inserting “or
12 mental health treatment” after “substance use
13 disorder treatment”; and

14 (G) in subparagraph (F), by inserting “,
15 individuals with a mental health condition who
16 receive mental health treatment services, and
17 individuals with a co-occurring mental health
18 condition and substance use disorder who re-
19 ceive substance use disorder treatment services
20 and mental health treatment services,” after
21 “substance use disorder treatment services”;
22 and

23 (3) in paragraph (3), by striking “through
24 2024”.

1 (b) APPLICATION.—The amendments made by sub-
2 section (a)(1) shall apply beginning with respect to the
3 first update made pursuant to section 1015(a)(3) of the
4 SUPPORT for Patients and Communities Act (42 U.S.C.
5 1320d–2 note) after the date that is 12 months after the
6 date of enactment of this Act.

7 **SEC. 303. MONITORING PRESCRIBING OF ANTIPSYCHOTIC**
8 **MEDICATIONS.**

9 Section 1902(o) of the Social Security Act (42
10 U.S.C. 1396a(o)) is amended—

11 (1) in paragraph (1)(B)—

12 (A) in the subparagraph heading, by strik-
13 ing “BY CHILDREN”; and

14 (B) by inserting “, and beginning on the
15 date that is 24 months after the date of enact-
16 ment of the Support for Patients and Commu-
17 nities Reauthorization Act, individuals over the
18 age of 18, individuals receiving home and com-
19 munity-based services (as defined in section
20 9817(a)(2)(B) of Public Law 117–2), and indi-
21 viduals residing in institutional care settings
22 (including nursing facilities and intermediate
23 care facilities for individuals with intellectual
24 disabilities) enrolled,” after “children enrolled”;
25 and

1 (2) in paragraph (3)—

2 (A) in subparagraph (A)(ii), by striking “is
3 a resident” and inserting “subject to subpara-
4 graph (C), is a resident”; and

5 (B) by adding at the end the following new
6 subparagraph:

7 “(C) APPLICATION IN CASE OF PROGRAM
8 TO MONITOR ANTIPSYCHOTIC MEDICATIONS.—
9 Subparagraph (A)(ii) shall not apply to the
10 drug review and utilization requirement de-
11 scribed in paragraph (1)(B) with respect to an
12 individual to whom such subparagraph applies
13 by reason of the amendments made by section
14 303(1) of the Support for Patients and Com-
15 munities Reauthorization Act.”.

