

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3832
OFFERED BY MR. DUNN OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Opioid Abuse
3 Prevention Act”.

4 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PARTICIPA-**
5 **TION IN NATIONAL NETWORK OF STATE-**
6 **BASED PRESCRIPTION DRUG MONITORING**
7 **PROGRAMS.**

8 (a) IN GENERAL.—Chapter 17 of title 38, United
9 States Code, is amended by inserting after section 1730A
10 the following new section:

11 **“§ 1730B. Access to State prescription drug moni-**
12 **toring programs**

13 “(a) ACCESS TO PROGRAMS.—(1) Any licensed health
14 care provider or delegate of such a provider shall be con-
15 sidered an authorized recipient or user for the purpose of
16 querying and receiving data from the national network of
17 State-based prescription drug monitoring programs to

1 support the safe and effective prescribing of controlled
2 substances to covered patients.

3 “(2) Under the authority granted by paragraph (1)—

4 “(A) licensed health care providers or delegates
5 of such providers shall query such network in ac-
6 cordance with applicable regulations and policies of
7 the Veterans Health Administration; and

8 “(B) notwithstanding any general or specific
9 provision of law, rule, or regulation of a State, no
10 State may restrict the access of licensed health care
11 providers or delegates of such providers from access-
12 ing that State’s prescription drug monitoring pro-
13 grams.

14 “(3) No State shall deny or revoke the license, reg-
15 istration, or certification of a licensed health care provider
16 or delegate who otherwise meets that State’s qualifications
17 for holding the license, registration, or certification on the
18 basis that the licensed health care provider or delegate has
19 queried or received data, or attempt to query or receive
20 data, from the national network of State-based prescrip-
21 tion drug monitoring programs under this section.

22 “(b) COVERED PATIENTS.—For purposes of this sec-
23 tion, a covered patient is a patient who—

24 “(1) receives a prescription for a controlled sub-
25 stance; and

1 “(2) is not receiving palliative care or enrolled
2 in hospice care.

3 “(c) DEFINITIONS.—In this section:

4 “(1) The term ‘controlled substance’ has the
5 meaning given such term in section 102(6) of the
6 Controlled Substances Act (21 U.S.C. 802(6)).

7 “(2) The term ‘delegate’ means a person or
8 automated system accessing the national network of
9 State-based prescription monitoring programs at the
10 direction or under the supervision of a licensed
11 health care provider.

12 “(3) The term ‘licensed health care provider’
13 means a health care provider employed by the De-
14 partment who is licensed, certified, or registered
15 within any State to fill or prescribe medications
16 within the scope of his or her practice as a Depart-
17 ment employee.

18 “(4) The term ‘national network of State-based
19 prescription monitoring programs’ means an inter-
20 connected nation-wide system that facilitates the
21 transfer to State prescription drug monitoring pro-
22 gram data across State lines.

23 “(5) The term ‘State’ means a State, as defined
24 in section 101(20) of this title, or a political subdivi-
25 sion of a State.

1 ”.”.

2 (b) CLERICAL AMENDMENT.—The table of sections
3 at the beginning of chapter 17 of such title is amended
4 by inserting after the item relating to section 1730A the
5 following new item:

“1730B. Access to State prescription drug monitoring programs.”.

Amend the title so as to read: “A bill to amend title 38, United States Code, to provide for access by Department of Veterans Affairs health care providers to State prescription drug monitoring programs.”.

