

Union Calendar No.

114TH CONGRESS
2^D SESSION

H. R. 3691

[Report No. 114-]

To amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2015

Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. TONKO, Ms. CLARKE of New York, Ms. MATSUI, and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Energy and Commerce

MAY --, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on October 6, 2015]

A BILL

To amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Improving Treatment*
5 *for Pregnant and Postpartum Women Act of 2016”.*

6 **SEC. 2. REAUTHORIZATION OF RESIDENTIAL TREATMENT**
7 **PROGRAMS FOR PREGNANT AND**
8 **POSTPARTUM WOMEN.**

9 *Section 508 of the Public Health Service Act (42*
10 *U.S.C. 290bb–1) is amended—*

11 *(1) in subsection (p), in the first sentence, by in-*
12 *serting “(other than subsection (r))” after “section”;*
13 *and*

14 *(2) in subsection (r), by striking “such sums”*
15 *and all that follows through “2003” and inserting*
16 *“\$16,900,000 for each of fiscal years 2017 through*
17 *2021”.*

18 **SEC. 3. PILOT PROGRAM GRANTS FOR STATE SUBSTANCE**
19 **ABUSE AGENCIES.**

20 *(a) IN GENERAL.—Section 508 of the Public Health*
21 *Service Act (42 U.S.C. 290bb–1) is amended—*

22 *(1) by redesignating subsection (r), as amended*
23 *by section 2, as subsection (s); and*

24 *(2) by inserting after subsection (q) the following*
25 *new subsection:*

1 “(r) *PILOT PROGRAM FOR STATE SUBSTANCE ABUSE*
2 *AGENCIES.*—

3 “(1) *IN GENERAL.*—*From amounts made avail-*
4 *able under subsection (s), the Director of the Center*
5 *for Substance Abuse Treatment shall carry out a pilot*
6 *program under which competitive grants are made by*
7 *the Director to State substance abuse agencies to—*

8 “(A) *enhance flexibility in the use of funds*
9 *designed to support family-based services for*
10 *pregnant and postpartum women with a pri-*
11 *mary diagnosis of a substance use disorder, in-*
12 *cluding opioid use disorders;*

13 “(B) *help State substance abuse agencies*
14 *address identified gaps in services furnished to*
15 *such women along the continuum of care, includ-*
16 *ing services provided to women in nonresidential*
17 *based settings; and*

18 “(C) *promote a coordinated, effective, and*
19 *efficient State system managed by State sub-*
20 *stance abuse agencies by encouraging new ap-*
21 *proaches and models of service delivery.*

22 “(2) *REQUIREMENTS.*—*In carrying out the pilot*
23 *program under this subsection, the Director shall—*

24 “(A) *require State substance abuse agencies*
25 *to submit to the Director applications, in such*

1 *form and manner and containing such informa-*
2 *tion as specified by the Director, to be eligible to*
3 *receive a grant under the program;*

4 *“(B) identify, based on such submitted ap-*
5 *plications, State substance abuse agencies that*
6 *are eligible for such grants;*

7 *“(C) require services proposed to be fur-*
8 *nished through such a grant to support family-*
9 *based treatment and other services for pregnant*
10 *and postpartum women with a primary diag-*
11 *nosis of a substance use disorder, including*
12 *opioid use disorders;*

13 *“(D) not require that services furnished*
14 *through such a grant be provided solely to*
15 *women that reside in facilities;*

16 *“(E) not require that grant recipients under*
17 *the program make available through use of the*
18 *grant all services described in subsection (d); and*

19 *“(F) consider not applying requirements de-*
20 *scribed in paragraphs (1) and (2) of subsection*
21 *(f) to applicants, depending on the circumstances*
22 *of the applicant.*

23 *“(3) REQUIRED SERVICES.—*

24 *“(A) IN GENERAL.—The Director shall*
25 *specify a minimum set of services required to be*

1 *made available to eligible women through a*
2 *grant awarded under the pilot program under*
3 *this subsection. Such minimum set—*

4 *“(i) shall include requirements de-*
5 *scribed in subsection (c) and be based on the*
6 *recommendations submitted under subpara-*
7 *graph (B); and*

8 *“(ii) may be selected from among the*
9 *services described in subsection (d) and in-*
10 *clude other services as appropriate.*

11 *“(B) STAKEHOLDER INPUT.—The Director*
12 *shall convene and solicit recommendations from*
13 *stakeholders, including State substance abuse*
14 *agencies, health care providers, persons in recov-*
15 *ery from substance abuse, and other appropriate*
16 *individuals, for the minimum set of services de-*
17 *scribed in subparagraph (A).*

18 *“(4) DURATION.—The pilot program under this*
19 *subsection shall not exceed 5 years.*

20 *“(5) EVALUATION AND REPORT TO CONGRESS.—*
21 *The Director of the Center for Behavioral Health Sta-*
22 *tistics and Quality shall fund an evaluation of the*
23 *pilot program at the conclusion of the first grant*
24 *cycle funded by the pilot program. The Director of the*
25 *Center for Behavioral Health Statistics and Quality,*

1 *in coordination with the Director of the Center for*
2 *Substance Abuse Treatment shall submit to the rel-*
3 *evant committees of jurisdiction of the House of Rep-*
4 *resentatives and the Senate a report on such evalua-*
5 *tion. The report shall include at a minimum out-*
6 *comes information from the pilot program, including*
7 *any resulting reductions in the use of alcohol and*
8 *other drugs; engagement in treatment services; reten-*
9 *tion in the appropriate level and duration of services;*
10 *increased access to the use of medications approved by*
11 *the Food and Drug Administration for the treatment*
12 *of substance use disorders in combination with coun-*
13 *seling; and other appropriate measures.*

14 *“(6) STATE SUBSTANCE ABUSE AGENCIES DE-*
15 *FINED.—For purposes of this subsection, the term*
16 *‘State substance abuse agency’ means, with respect to*
17 *a State, the agency in such State that manages the*
18 *Substance Abuse Prevention and Treatment Block*
19 *Grant under part B of title XIX.”.*

20 *(b) FUNDING.—Subsection (s) of section 508 of the*
21 *Public Health Service Act (42 U.S.C. 290bb–1), as amended*
22 *by section 2 and redesignated by subsection (a), is further*
23 *amended by adding at the end the following new sentence:*
24 *“Of the amounts made available for a year pursuant to the*
25 *previous sentence to carry out this section, not more than*

1 25 percent of such amounts shall be made available for such
2 year to carry out subsection (r), other than paragraph (5)
3 of such subsection. Notwithstanding the preceding sentence,
4 no funds shall be made available to carry out subsection
5 (r) for a fiscal year unless the amount made available to
6 carry out this section for such fiscal year is more than the
7 amount made available to carry out this section for fiscal
8 year 2016.”.

9 **SEC. 4. CUT-GO COMPLIANCE.**

10 Subsection (f) of section 319D of the Public Health
11 Service Act (42 U.S.C. 247d-4) is amended by striking
12 “through 2018” and inserting “through 2016, \$133,300,000
13 for fiscal year 2017, and \$138,300,000 for fiscal year 2018”.