

Union Calendar No.

114TH CONGRESS
2^D SESSION

H. R. 4586

[Report No. 114-]

To amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2016

Mr. DOLD (for himself and Ms. CLARK of Massachusetts) 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 *italie*]

[For text of introduced bill, see copy of bill as introduced on February 23, 2016]

A BILL

To amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes.

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 “Lali’s Law”.*

5 **SEC. 2. OPIOID OVERDOSE REVERSAL MEDICATION ACCESS**
6 **AND EDUCATION GRANT PROGRAMS.**

7 *(a) TECHNICAL CLARIFICATION.—Effective as if in-*
8 *cluded in the enactment of the Children’s Health Act of*
9 *2000 (Public Law 106–310), section 3405(a) of such Act*
10 *(114 Stat. 1221) is amended by striking “Part E of title*
11 *III” and inserting “Part E of title III of the Public Health*
12 *Service Act”.*

13 *(b) AMENDMENT.—Title III of the Public Health Serv-*
14 *ice Act is amended by inserting after part D of such title*
15 *(42 U.S.C. 254b et seq.) the following new part E:*

16 **“PART E—OPIOID USE DISORDER**
17 **“SEC. 341. OPIOID OVERDOSE REVERSAL MEDICATION AC-**
18 **CESS AND EDUCATION GRANT PROGRAMS.**

19 *“(a) GRANTS TO STATES.—The Secretary may make*
20 *grants to States for—*

21 *“(1) developing standing orders for pharmacies*
22 *regarding opioid overdose reversal medication;*

23 *“(2) encouraging pharmacies to dispense opioid*
24 *overdose reversal medication pursuant to a standing*
25 *order;*

1 “(3) *implementing best practices for persons au-*
2 *thorized to prescribe medication regarding—*

3 “(A) *prescribing opioids for the treatment of*
4 *chronic pain;*

5 “(B) *co-prescribing opioid overdose reversal*
6 *medication with opioids; and*

7 “(C) *discussing the purpose and adminis-*
8 *tration of opioid overdose reversal medication*
9 *with patients;*

10 “(4) *developing or adapting training materials*
11 *and methods for persons authorized to prescribe or*
12 *dispense medication to use in educating the public re-*
13 *garding—*

14 “(A) *when and how to administer opioid*
15 *overdose reversal medication; and*

16 “(B) *steps to be taken after administering*
17 *opioid overdose reversal medication; and*

18 “(5) *educating the public regarding—*

19 “(A) *the public health benefits of opioid*
20 *overdose reversal medication; and*

21 “(B) *the availability of opioid overdose re-*
22 *versal medication without a person-specific pre-*
23 *scription.*

24 “(b) *CERTAIN REQUIREMENT.—A grant may be made*
25 *under this section only if the State involved has authorized*

1 *standing orders regarding opioid overdose reversal medica-*
2 *tion.*

3 “(c) *PREFERENCE IN MAKING GRANTS.*—*In making*
4 *grants under this section, the Secretary shall give preference*
5 *to States that—*

6 “(1) *have not issued standing orders regarding*
7 *opioid overdose reversal medication;*

8 “(2) *authorize standing orders that permit com-*
9 *munity-based organizations, substance abuse pro-*
10 *grams, or other nonprofit entities to acquire, dispense,*
11 *or administer opioid overdose reversal medication;*

12 “(3) *authorize standing orders that permit po-*
13 *lice, fire, or emergency medical services agencies to*
14 *acquire and administer opioid overdose reversal medi-*
15 *cation;*

16 “(4) *have a higher per capita rate of opioid*
17 *overdoses than other applicant States; or*

18 “(5) *meet any other criteria deemed appropriate*
19 *by the Secretary.*

20 “(d) *GRANT TERMS.*—

21 “(1) *NUMBER.*—*A State may not receive more*
22 *than 1 grant under this section.*

23 “(2) *PERIOD.*—*A grant under this section shall*
24 *be for a period of 3 years.*

1 “(3) *AMOUNT.*—A grant under this section may
2 not exceed \$500,000.

3 “(4) *LIMITATION.*—A State may use not more
4 than 20 percent of a grant under this section for edu-
5 cating the public pursuant to subsection (a)(5).

6 “(e) *APPLICATIONS.*—To be eligible to receive a grant
7 under this section, a State shall submit an application to
8 the Secretary in such form and manner and containing
9 such information as the Secretary may require, including
10 detailed proposed expenditures of grant funds.

11 “(f) *REPORTING.*—Not later than 3 months after the
12 Secretary disburses the first grant payment to any State
13 under this section and every 6 months thereafter for 3 years,
14 such State shall submit a report to the Secretary that in-
15 cludes the following:

16 “(1) *The name and ZIP Code of each pharmacy*
17 *in the State that dispenses opioid overdose reversal*
18 *medication under a standing order.*

19 “(2) *The total number of opioid overdose reversal*
20 *medication doses dispensed by each such pharmacy,*
21 *specifying how many were dispensed with or without*
22 *a person-specific prescription.*

23 “(3) *The number of pharmacists in the State*
24 *who have participated in training pursuant to sub-*
25 *section (a)(4).*

1 “(g) *DEFINITIONS.—In this section:*

2 “(1) *OPIOID OVERDOSE REVERSAL MEDICA-*
3 *TION.—The term ‘opioid overdose reversal medication’*
4 *means any drug, including naloxone, that—*

5 “(A) *blocks opioids from attaching to, but*
6 *does not itself activate, opioid receptors; or*

7 “(B) *inhibits the effects of opioids on opioid*
8 *receptors.*

9 “(2) *STANDING ORDER.—The term ‘standing*
10 *order’ means a document prepared by a person au-*
11 *thorized to prescribe medication that permits another*
12 *person to acquire, dispense, or administer medication*
13 *without a person-specific prescription.*

14 “(h) *AUTHORIZATION OF APPROPRIATIONS.—*

15 “(1) *IN GENERAL.—To carry out this section,*
16 *there is authorized to be appropriated \$5,000,000 for*
17 *the period of fiscal years 2017 through 2019.*

18 “(2) *ADMINISTRATIVE COSTS.—Not more than 3*
19 *percent of the amounts made available to carry out*
20 *this section may be used by the Secretary for admin-*
21 *istrative expenses of carrying out this section.”.*

22 **SEC. 3. CUT-GO COMPLIANCE.**

23 *Subsection (f) of section 319D of the Public Health*
24 *Service Act (42 U.S.C. 247d–4) is amended by inserting*
25 *before the period at the end the following: “(except such dol-*

1 *lar amount shall be reduced by \$5,000,000 for fiscal year*
2 *2017)*".