

Suspend the Rules and Pass the Bill, H.R. 5582, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2^D SESSION

H. R. 5582

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2018

Mr. CARTER of Georgia (for himself, Mr. LOEBSACK, and Mr. REED) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited at the “Abuse Deterrent Ac-
3 cess Act of 2018”.

4 **SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-**
5 **TIONS ACCESS BARRIERS UNDER MEDICARE.**

6 (a) IN GENERAL.—Not later than one year after the
7 date of the enactment of this Act, the Secretary of Health
8 and Human Services shall conduct a study and submit to
9 Congress a report on the adequacy of access to abuse-de-
10 terrent opioid formulations for individuals with chronic
11 pain enrolled in an MA–PD plan under part C of title
12 XVIII of the Social Security Act or a prescription drug
13 plan under part D of such title of such Act, taking into
14 account any barriers preventing such individuals from ac-
15 cessing such formulations under such MA–PD or part D
16 plans, such as cost-sharing tiers, fail-first requirements,
17 the price of such formulations, and prior authorization re-
18 quirements.

19 (b) DEFINITION OF ABUSE-DETERRENT OPIOID FOR-
20 MULATION.—In this section, the term “abuse-deterrent
21 opioid formulation” means an opioid that is a prodrug or
22 that has certain abuse-deterrent properties, such as phys-
23 ical or chemical barriers, agonist or antagonist combina-
24 tions, aversion properties, delivery system mechanisms, or
25 other features designed to prevent abuse of such opioid.