AMENDMENT IN THE NATURE OF
A SUBSTITUTE TO H.R. 6493
OFFERED BY MS. LÉGER FERNÁNDEZ OF NEW
MEXICO

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.
2 This Act may be cited as the “Campus Prevention
3 and Recovery Services for Students Act of 2022”.

4 SEC. 2. ALCOHOL AND SUBSTANCE MISUSE PREVENTION.
5 Section 120 of the Higher Education Act of 1965 (20
6 U.S.C. 1011) is amended—
7 (1) in the section heading, by striking “DRUG
8 AND ALCOHOL ABUSE” and inserting “ALCOHOL
9 AND SUBSTANCE MISUSE”;
10 (2) in subsection (a)—
11 (A) in the matter preceding paragraph (1),
12 by striking “a program to prevent the use of il-
13 licit drugs and the abuse of alcohol by students
14 and employees that,” and inserting “an evi-
15 dence-based program to prevent alcohol and
16 substance misuse by students and employees
17 that,”;
(B) by amending paragraph (1)(D) to read as follows:

“(D) a description of any alcohol or substance misuse counseling, treatment, rehabilitation, recovery, re-entry, or recovery support programs provided by the institution (including in partnership with a community-based organization) that are available to employees or students; and”; and

(C) in paragraph (1)(E), by striking “that the institution will impose” and inserting “of the policies of the institution regarding”;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “and” at the end of subparagraph (A);

(ii) in subparagraph (B), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(C) compliance assistance to assist institutions in complying with the requirements of this section.”;

(B) by redesignating paragraph (2) as paragraph (4); and
(C) by inserting after paragraph (1) the following:

“(2) INTERAGENCY AGREEMENT.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall enter into an inter-agency agreement with the Secretary of Health and Human Services to—

“(A) develop best practices that inform criteria which satisfy the requirement under subsection (a) that an institution of higher education has adopted and has implemented an evidence-based program described in such subsection;

“(B) establish a process for disseminating the best practices for adopting and implementing such an evidence-based program; and

“(C) establish a process that promotes coordination and collaboration between institutions of higher education and the respective State agencies that administer the Substance Abuse Prevention and Treatment Block Grants pursuant to subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21).
“(3) GUIDANCE.—Not later than 1 year after the date of the enactment of this paragraph, the Secretary shall, in coordination with the Secretary of Health and Human Services, issue guidance with respect to the criteria described in paragraph (2)(A).”;

and

(4) in subsection (e)—

(A) in the subsection heading, by striking “DRUG ABUSE” in the heading and inserting “SUBSTANCE MISUSE”;

(B) in paragraph (1)—

(i) by striking “other organizations” and inserting “community-based organizations that partner with institutions of higher education”;

(ii) by striking “programs of prevention, and education (including treatment-referral) to reduce and eliminate the illegal use of drugs and alcohol and the violence associated with such use” and inserting “evidence-based programs of alcohol and substance misuse prevention and education (including programs to improve access to treatment, referral for treatment services, or crisis intervention services) to eliminate
illegal substance use, decrease substance misuse, and improve public health and safety”; and

(iii) by striking “alcohol and drug abuse” and inserting “substance use disorder”;

(C) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(D) by inserting after paragraph (1) the following:

“(2) ADDITIONAL USES.—In addition to the activities described in paragraph (1), a grant or contract awarded under paragraph (1) may be used to carry out one or more of the following evidence-based programs or activities:

“(A) Providing programs for recovery support services, and peer-to-peer support services and counseling for students with a substance use disorder.

“(B) Promoting integration and collaboration in campus-based health services between primary care, substance use disorder services, and mental health services.
“(C) Promoting integrated care services for students related to screening, diagnosis, prevention, and treatment of mental, behavioral, and substance use disorders.

“(D) Providing re-entry assistance for students on academic probation due to their substance use disorder.

“(E) Preventing fatal and nonfatal overdoses, including restoring existing mental health and substance use disorder services after a natural disaster or public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d).

“(F) Providing education to students, faculty, or other personnel on—

“(i) recognizing the signs and symptoms of substance use disorder, and how to engage and support a person in a crisis situation;

“(ii) resources available in the community, within the institution of higher education, and other relevant resources for individuals with a substance use disorder; and
“(iii) safely de-escalating crisis situations involving individuals with a substance use disorder.”; and

(E) by amending paragraph (6), as redesignated by subparagraph (C), to read as follows:

“(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for fiscal year 2023 and each of the 5 succeeding fiscal years.”.

SEC. 3. PROGRAM PARTICIPATION AGREEMENTS.

Section 487(a)(10) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(10)) is amended—

(1) by striking “(10)” and inserting “(10)(A)”; and

(2) by striking “a drug abuse prevention program” and inserting “an alcohol and substance misuse prevention program in accordance with section 120”; and

(3) by adding at the end the following:

“(B) The institution shall be considered in compliance with the requirements of subparagraph (A) unless there is a showing that the institution knowingly and willfully did not implement a prevention program described in such subparagraph.”.
SEC. 4. REPORT.

The Secretary of Education shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the efforts of the Secretary carried out under the amendments made by this Act, and best practices from institutions receiving a grant under section 120(e) of the Higher Education Act of 1965 (20 U.S.C. 1011i(e)), as amended by section 2 of this Act—

(1) not later than one year after the date of enactment of this Act; and

(2) three years after the date of enactment of this Act.

SEC. 5. APPLICABILITY.

The amendments made by sections 2(2) and 3 shall apply to institutions of higher education beginning on the date that is 2 years after the date of the enactment of this Act.