

115TH CONGRESS
2D 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,*

3 **SECTION 1. SHORT TITLE.**

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

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

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Health
5 and Human Services shall conduct a study and submit to
6 Congress a report on the adequacy of access to abuse-de-
7 terrent opioid formulations for individuals with chronic
8 pain enrolled in an MA–PD plan under part C of title
9 XVIII of the Social Security Act or a prescription drug
10 plan under part D of such title of such Act, taking into
11 account any barriers preventing such individuals from ac-
12 cessing such formulations under such MA–PD or part D
13 plans, such as cost-sharing tiers, fail-first requirements,
14 and prior authorization requirements.

15 (b) DEFINITION OF ABUSE-DETERRENT OPIOID FOR-
16 MULATION.—In this section, the term “abuse-deterrent
17 opioid formulation” means an opioid with certain abuse-
18 deterrent properties, such as physical or chemical barriers,
19 agonist or antagonist combinations, aversion properties,
20 delivery system mechanisms, or other features designed to
21 prevent abuse of such opioid.

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