

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2466
OFFERED BY M . _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “State Opioid Response
3 Grant Authorization Act of 2020”.

**4 SEC. 2. GRANT PROGRAM FOR STATE AND TRIBAL RE-
5 SPONSE TO SUBSTANCE USE DISORDERS OF
6 SIGNIFICANCE.**

7 Section 1003 of the 21st Century Cures Act (42
8 U.S.C. 290ee–3 note) is amended to read as follows:

**9 “SEC. 1003. GRANT PROGRAM FOR STATE AND TRIBAL RE-
10 SPONSE TO SUBSTANCE USE DISORDERS OF
11 SIGNIFICANCE.**

12 “(a) IN GENERAL.—The Secretary of Health and
13 Human Services (referred to in this section as the ‘Sec-
14 retary’) shall carry out the grant program described in
15 subsection (b) for purposes of addressing substance use
16 disorders of significance, including opioid and stimulant
17 use disorders, within States, Indian Tribes, and popu-
18 lations served by Tribal organizations.

1 “(b) GRANTS PROGRAM.—

2 “(1) IN GENERAL.—Subject to the availability
3 of appropriations, the Secretary shall award grants
4 to States, Indian Tribes, and Tribal organizations
5 for the purpose of addressing substance use dis-
6 orders of significance, including opioid and stimulant
7 use disorders, within such States, such Indian
8 Tribes, and populations served by such Tribal orga-
9 nizations, in accordance with paragraph (2).

10 “(2) MINIMUM ALLOCATIONS; PREFERENCE.—
11 In awarding grants under paragraph (1), the Sec-
12 retary shall—

13 “(A) ensure that each State and the Dis-
14 trict of Columbia receives not less than
15 \$4,000,000; and

16 “(B) give preference to States, Indian
17 Tribes, and Tribal organizations with an inci-
18 dence or prevalence of opioid use disorders that
19 is substantially higher relative to other States,
20 other Indian Tribes, or other Tribal organiza-
21 tions, as applicable.

22 “(3) FORMULA METHODOLOGY.—Not less than
23 15 days before publishing a funding opportunity an-
24 nouncement with respect to grants under this sec-
25 tion, the Secretary shall—

1 “(A) develop a formula methodology to be
2 followed in allocating grant funds awarded
3 under this section among grantees; and

4 “(B) submit the formula methodology to—

5 “(i) the Committee on Energy and
6 Commerce and the Committee on Appro-
7 priations of the House of Representatives;
8 and

9 “(ii) the Committee on Health, Edu-
10 cation, Labor and Pensions and the Com-
11 mittee on Appropriations of the Senate.

12 “(4) USE OF FUNDS.—Grants awarded under
13 this subsection shall be used for carrying out activi-
14 ties that supplement activities pertaining to sub-
15 stance use disorders of significance, including opioid
16 and stimulant use disorders, undertaken by the
17 State agency responsible for administering the sub-
18 stance abuse prevention and treatment block grant
19 under subpart II of part B of title XIX of the Public
20 Health Service Act (42 U.S.C. 300x–21 et seq.),
21 which may include public health-related activities
22 such as the following:

23 “(A) Implementing prevention activities,
24 and evaluating such activities to identify effec-

1 tive strategies to prevent substance use dis-
2 orders.

3 “(B) Establishing or improving prescrip-
4 tion drug monitoring programs.

5 “(C) Training for health care practitioners,
6 such as best practices for prescribing opioids,
7 pain management, recognizing potential cases
8 of substance abuse, referral of patients to treat-
9 ment programs, preventing diversion of con-
10 trolled substances, and overdose prevention.

11 “(D) Supporting access to health care
12 services, including—

13 “(i) services provided by federally cer-
14 tified opioid treatment programs;

15 “(ii) outpatient and residential sub-
16 stance use disorder treatment services that
17 utilize medication-assisted treatment, as
18 appropriate; or

19 “(iii) other appropriate health care
20 providers to treat substance use disorders.

21 “(E) Other public health-related activities,
22 as the State, Indian Tribe, or Tribal organiza-
23 tion determines appropriate, related to address-
24 ing substance use disorders within the State,
25 Indian Tribe, or Tribal organization, including

1 directing resources in accordance with local
2 needs related to substance use disorders.

3 “(c) ACCOUNTABILITY AND OVERSIGHT.—A State re-
4 ceiving a grant under subsection (b) shall include in re-
5 porting related to substance abuse submitted to the Sec-
6 retary pursuant to section 1942 of the Public Health Serv-
7 ice Act (42 U.S.C. 300x–52), a description of—

8 “(1) the purposes for which the grant funds re-
9 ceived by the State under such subsection for the
10 preceding fiscal year were expended and a descrip-
11 tion of the activities of the State under the grant;
12 and

13 “(2) the ultimate recipients of amounts pro-
14 vided to the State through the grant.

15 “(d) LIMITATIONS.—Any funds made available pur-
16 suant to subsection (i)—

17 “(1) notwithstanding any transfer authority in
18 any appropriations Act, shall not be used for any
19 purpose other than the grant program in subsection
20 (b); and

21 “(2) shall be subject to the same requirements
22 as substance abuse prevention and treatment pro-
23 grams under titles V and XIX of the Public Health
24 Service Act (42 U.S.C. 290aa et seq., 300w et seq.).

1 “(e) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—
2 The Secretary, in consultation with Indian Tribes and
3 Tribal organizations, shall identify and establish appro-
4 priate mechanisms for Indian Tribes and Tribal organiza-
5 tions to demonstrate or report the information as required
6 under subsections (b), (c), and (d).

7 “(f) REPORT TO CONGRESS.—Not later than Sep-
8 tember 30, 2022, and biennially thereafter, the Secretary
9 shall submit to the Committee on Health, Education,
10 Labor, and Pensions of the Senate and the Committee on
11 Energy and Commerce of the House of Representatives,
12 and the Committees on Appropriations of the House of
13 Representatives and the Senate, a report summarizing the
14 information provided to the Secretary in reports made
15 pursuant to subsections (c) and (e), including the purposes
16 for which grant funds are awarded under this section and
17 the activities of such grant recipients.

18 “(g) TECHNICAL ASSISTANCE.—The Secretary, in-
19 cluding through the Tribal Training and Technical Assist-
20 ance Center of the Substance Abuse and Mental Health
21 Services Administration, shall provide States, Indian
22 Tribes, and Tribal organizations, as applicable, with tech-
23 nical assistance concerning grant application and submis-
24 sion procedures under this section, award management ac-
25 tivities, and enhancing outreach and direct support to

1 rural and underserved communities and providers in ad-
2 dressing substance use disorders.

3 “(h) DEFINITIONS.—In this section:

4 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’
5 has the meaning given the term ‘Indian tribe’ in sec-
6 tion 4 of the Indian Self-Determination and Edu-
7 cation Assistance Act (25 U.S.C. 5304).

8 “(2) TRIBAL ORGANIZATION.—The term ‘Tribal
9 organization’ has the meaning given the term ‘tribal
10 organization’ in such section 4.

11 “(3) STATE.—The term ‘State’ has the mean-
12 ing given such term in section 1954(b) of the Public
13 Health Service Act (42 U.S.C. 300x–64(b)).

14 “(i) AUTHORIZATION OF APPROPRIATIONS.—

15 “(1) IN GENERAL.—For purposes of carrying
16 out the grant program under subsection (b), there is
17 authorized to be appropriated \$1,500,000,000 for
18 each of fiscal years 2020 through 2026, to remain
19 available until expended.

20 “(2) FEDERAL ADMINISTRATIVE EXPENSES.—
21 Of the amounts made available for each fiscal year
22 to award grants under subsection (b), the Secretary
23 shall not use more than 2 percent for Federal ad-
24 ministrative expenses, training, technical assistance,
25 and evaluation.

1 “(3) SET ASIDE.—Of the amounts made avail-
2 able for each fiscal year to award grants under sub-
3 section (b) for a fiscal year, the Secretary shall—

4 “(A) award 5 percent to Indian Tribes and
5 Tribal organizations; and

6 “(B) of the remaining amount, set aside
7 up to 15 percent for States with the highest
8 age-adjusted rate of drug overdose death based
9 on the ordinal ranking of States according to
10 the Director of the Centers for Disease Control
11 and Prevention.”.

Amend the title so as to read: “A bill to amend the
21st Century Cures Act to reauthorize and expand a
grant program for State response to the opioid abuse cri-
sis, and for other purposes.”.

