115TH CONGRESS
2D SESSION

H. R. ______

To amend title XVIII of the Social Security Act to require prescription drug plans under Medicare part D to include information on the adverse effects of opioid overutilization and of coverage of nonpharmacological therapies and nonopioid medications or devices used to treat pain.

IN THE HOUSE OF REPRESENTATIVES

M. ______ introduced the following bill; which was referred to the Committee on ______

A BILL

To amend title XVIII of the Social Security Act to require prescription drug plans under Medicare part D to include information on the adverse effects of opioid overutilization and of coverage of nonpharmacological therapies and nonopioid medications or devices used to treat pain.

1. Be it enacted by the Senate and House of Representa-
2. tives of the United States of America in Congress assembled,
SECTION 1. REQUIRING MEDICARE PART D PRESCRIPTION DRUG PLANS TO INCLUDE INFORMATION ON ADVERSE EFFECTS RELATING TO OPIOID, NONPHARMACOLOGICAL THERAPIES, AND NONOPIOID MEDICATIONS OR DEVICES USED TO TREAT PAIN.

Section 1860D–4(a)(1) of the Social Security Act (42 U.S.C. 1395w–104(a)(1)) is amended—

(1) in subparagraph (A), by inserting ‘‘, subject to subparagraph (C),’’ before ‘‘including’’;

(2) in subparagraph (B), by adding at the end the following new clause:

‘‘(vi) With respect to plan year 2020 and each subsequent plan year, subject to subparagraph (C), the adverse effects of the following, with respect to the treatment of acute pain:

‘‘(I) Prolonged opioid use.

‘‘(II) Coverage under this title of nonpharmacological therapies, devices, and nonopioid medications.’’; and

(3) by adding at the end the following new sub-

paragraph:

‘‘(C) TARGETED PROVISION OF INFORMATION.—A PDP sponsor of a prescription drug plan may, in lieu of disclosing the information
described in subparagraph (B)(vi) to each enrollee under the plan, disclose such information through mail or electronic communications to an appropriate subset of enrollees under the plan, such as enrollees who have been prescribed an opioid in the previous two-year period.”.