

115TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To authorize the Secretary of Health and Human Services to conduct programs to address the usage of illicit drugs, particularly fentanyl, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. KUSTER of New Hampshire introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To authorize the Secretary of Health and Human Services to conduct programs to address the usage of illicit drugs, particularly fentanyl, and for other purposes.

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 as the “\_\_\_\_\_ Act  
5 of 2018”.

6 **SEC. 2. PUBLIC HEALTH LABORATORIES TO DETECT**  
7 **FENTANYL.**

8 (a) IN GENERAL.—The Secretary of Health and  
9 Human Services (in this section referred to as the “Sec-

1 retary”) shall establish a program to award grants to Fed-  
2 eral, State, and local agencies for the establishment or op-  
3 eration of public health laboratories to detect fentanyl, its  
4 analogues, and other synthetic opioids, as described in  
5 subsection (b).

6 (b) STANDARDS.—The Secretary, acting through the  
7 Assistant Secretary for Mental Health and Substance Use,  
8 and in consultation with the Director of the National In-  
9 stitute of Standards and Technology, shall—

10 (1) develop standards for effectively handling  
11 and testing fentanyl, its analogues, and other syn-  
12 thetic opioids; and

13 (2) include in such standards procedures for en-  
14 counterering new and emerging synthetic opioid for-  
15 mulations and reporting those findings to other Fed-  
16 eral, State, and local public health laboratories.

17 (c) LABORATORIES.—Each public health laboratory  
18 funded under subsection (a) shall—

19 (1) agree to follow the standards established  
20 under subsection (b) and be capable of providing  
21 systematic and routine laboratory testing of drugs  
22 for the purposes of obtaining and disseminating pub-  
23 lic health information to Federal, State, and local  
24 public health officials, laboratories, and other enti-  
25 ties the Secretary deems appropriate;

1           (2) work with law enforcement agencies and  
2 public health authorities to develop real-time infor-  
3 mation on the purity and movement of fentanyl, its  
4 analogues, and other synthetic opioids;

5           (3) assist State and local law enforcement agen-  
6 cies in testing seized drugs when State and local fo-  
7 rensic laboratories request additional assistance; and

8           (4) provide early warning information and ad-  
9 vice to Federal, State, and local law enforcement  
10 agencies and public health authorities of potential  
11 significant changes in the supply of fentanyl, its  
12 analogues, and other synthetic opioids.

13       (d) AUTHORIZATION OF APPROPRIATIONS.—To carry  
14 out this section, there is authorized to be appropriated  
15 \$15,000,000 for each of fiscal years 2018 through 2022.

16 **SEC. 3. ENHANCED FENTANYL SURVEILLANCE.**

17       (a) IN GENERAL.—The Director of the Centers for  
18 Disease Control and Prevention shall enhance its drug  
19 surveillance program by—

20           (1) expanding its surveillance program to in-  
21 clude all 50 States and the territories of the United  
22 States;

23           (2) increasing and accelerating the collection of  
24 data on fentanyl, its analogues, and other synthetic

1       opioids, including related overdose data from medical  
2       examiners and drug treatment admissions; and

3               (3) utilizing available and emerging information  
4       on fentanyl, its analogues, and other synthetic  
5       opioids, including—

6               (A) the National Drug Early Warning Sys-  
7       tem;

8               (B) State and local public health authori-  
9       ties; and

10              (C) Federal, State, and local public health  
11       laboratories.

12       (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
13       out this section, there is authorized to be appropriated  
14       \$10,000,000 for each of fiscal years 2018 through 2022.

15       **SEC. 4. PILOT PROGRAM FOR POINT-OF-USE TESTING OF**  
16                       **ILLICIT DRUGS FOR DANGEROUS CONTAMI-**  
17                       **NANTS.**

18       (a) IN GENERAL.—The Secretary of Health and  
19       Human Services, acting through the Assistant Secretary  
20       for Mental Health and Substance Use, in coordination  
21       with the Director of the Centers for Disease Control and  
22       Prevention, shall—

23               (1) establish a pilot program through which 5  
24       State or local agencies conduct, in 5 States, point-

1 of-use testing of illicit drugs for dangerous contami-  
2 nants;

3 (2) establish metrics to evaluate the success of  
4 the pilot program in reducing drug overdose rates;  
5 and

6 (3) based on such metrics, conduct an annual  
7 evaluation of the pilot program and submit an an-  
8 nual report to the Congress containing the results of  
9 such evaluation.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
11 out this section, there is authorized to be appropriated  
12 \$5,000,000 for each of fiscal years 2018 through 2022.