

115TH CONGRESS  
2D SESSION

# H. R. 5580

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

APRIL 23, 2018

Ms. KUSTER of New Hampshire (for herself, Mr. MACARTHUR, Mr. JENKINS of West Virginia, and Mr. NORCROSS) introduced the following bill; which was referred to the Committee on Energy and Commerce

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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 “Surveillance and Test-  
5 ing of Opioids to Prevent Fentanyl Deaths Act of 2018”  
6 or the “STOP Fentanyl Deaths Act of 2018”.

1 **SEC. 2. PUBLIC HEALTH LABORATORIES TO DETECT**  
2 **FENTANYL.**

3 (a) IN GENERAL.—The Secretary of Health and  
4 Human Services (in this section referred to as the “Sec-  
5 retary”) shall establish a program to award grants to Fed-  
6 eral, State, and local agencies for the establishment or op-  
7 eration of public health laboratories to detect fentanyl, its  
8 analogues, and other synthetic opioids, as described in  
9 subsection (b).

10 (b) STANDARDS.—The Secretary, acting through the  
11 Assistant Secretary for Mental Health and Substance Use,  
12 and in consultation with the Director of the National In-  
13 stitute of Standards and Technology, shall—

14 (1) develop standards for effectively handling  
15 and testing fentanyl, its analogues, and other syn-  
16 thetic opioids; and

17 (2) include in such standards procedures for en-  
18 countering new and emerging synthetic opioid for-  
19 mulations and reporting those findings to other Fed-  
20 eral, State, and local public health laboratories.

21 (c) LABORATORIES.—Each public health laboratory  
22 funded under subsection (a) shall—

23 (1) agree to follow the standards established  
24 under subsection (b) and be capable of providing  
25 systematic and routine laboratory testing of drugs  
26 for the purposes of obtaining and disseminating pub-

1       lic health information to Federal, State, and local  
2       public health officials, laboratories, and other enti-  
3       ties the Secretary deems appropriate;

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

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

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

16      (d) **AUTHORIZATION OF APPROPRIATIONS.**—To carry  
17      out this section, there is authorized to be appropriated  
18      \$15,000,000 for each of fiscal years 2018 through 2022.

19      **SEC. 3. ENHANCED FENTANYL SURVEILLANCE.**

20              (a) **IN GENERAL.**—The Director of the Centers for  
21      Disease Control and Prevention shall enhance its drug  
22      surveillance program by—

23                      (1) expanding its surveillance program to in-  
24      clude all 50 States and the territories of the United  
25      States;

1           (2) increasing and accelerating the collection of  
2 data on fentanyl, its analogues, and other synthetic  
3 opioids, including related overdose data from medical  
4 examiners and drug treatment admissions; and

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

8                 (A) the National Drug Early Warning Sys-  
9 tem;

10                (B) State and local public health authori-  
11 ties; and

12                (C) Federal, State, and local public health  
13 laboratories.

14           (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
15 out this section, there is authorized to be appropriated  
16 \$10,000,000 for each of fiscal years 2018 through 2022.

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

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

1           (1) establish a pilot program through which 5  
2           State or local agencies conduct, in 5 States, point-  
3           of-use testing of illicit drugs for dangerous contami-  
4           nants;

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

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

12          (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
13          out this section, there is authorized to be appropriated  
14          \$5,000,000 for each of fiscal years 2018 through 2022.

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