

113TH CONGRESS
1ST SESSION

S. 1277

To establish a commission for the purpose of coordinating efforts to reduce prescription drug abuse, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2013

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a commission for the purpose of coordinating efforts to reduce prescription drug abuse, 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 “Combating Prescrip-
5 tion Drug Abuse Act”.

6 **SEC. 2. COMMISSION.**

7 (a) ESTABLISHMENT.—There is established the Com-
8 bating Prescription Drug Abuse Commission (referred to
9 in this Act as the “Commission”).

10 (b) MEMBERSHIP.—

1 (1) APPOINTMENT.—The Commission shall be
2 composed of 30 members. Such members shall be
3 appointed by the Comptroller General of the United
4 States, in consultation with the Secretary of Health
5 and Human Services and the Attorney General.

6 (2) COMPOSITION.—The members appointed
7 under paragraph (1) shall include an equitable bal-
8 ance of individuals representing health care groups
9 and law enforcement groups, including—

10 (A) a representative of the Drug Enforce-
11 ment Administration;

12 (B) a representative of the Food and Drug
13 Administration;

14 (C) a representative of the Office of Na-
15 tional Drug Control Policy;

16 (D) representatives of patient, advocacy,
17 and community-based groups;

18 (E) representatives of pharmacy, pre-
19 scribers, hospitals, wholesalers, dispensers,
20 manufacturers, and other health care groups;

21 (F) public policy experts;

22 (G) representatives of State attorneys gen-
23 eral; and

24 (H) representatives of law enforcement of-
25 ficials, including local law enforcement officials.

1 (3) DATE OF APPOINTMENT.—The appoint-
2 ments of the members of the Commission shall be
3 made not later than 180 days after the date of en-
4 actment of this Act.

5 (4) CO-CHAIRS.—The representative of the
6 Drug Enforcement Administration and the rep-
7 resentative of the Food and Drug Administration
8 shall serve as Co-Chairs of the Commission.

9 (5) PERIOD OF APPOINTMENT; VACANCIES.—
10 Members shall be appointed for the life of the Com-
11 mission. Any vacancy in the Commission shall not
12 affect its powers, but shall be filled in the same
13 manner as the original appointment.

14 (c) MEETINGS.—The Commission shall meet at the
15 call of the Co-Chairs. The Commission shall meet for at
16 least 2 public meetings, at which the Commission shall
17 provide opportunity for public input, comment, and sug-
18 gestion.

19 (d) DUTIES OF THE COMMISSION.—

20 (1) IN GENERAL.—The Commission shall—

21 (A) review and report to Congress on Fed-
22 eral initiatives with respect to efforts to prevent
23 and reduce prescription drug abuse;

24 (B) identify gaps and opportunities with
25 respect to ensuring the safe use of prescription

1 drugs with the potential for diversion and
2 abuse; and

3 (C) make recommendations on specific
4 ways to reduce diversion and abuse of prescrip-
5 tion drugs.

6 (2) REPORT.—

7 (A) IN GENERAL.—Not later than 1 year
8 after the date of enactment of this Act, the
9 Commission shall issue a report to Congress
10 that describes the efforts of the Commission to
11 prevent or reduce drug diversion and abuse to
12 ensure that patients continue to have access to
13 medications.

14 (B) RECOMMENDATIONS.—The report de-
15 scribed in subparagraph (A) shall include spe-
16 cific recommendations for the Drug Enforce-
17 ment Administration, the Food and Drug Ad-
18 ministration, and other Federal and State agen-
19 cies, as appropriate, and shall include the fol-
20 lowing topics:

21 (i) Systems for prescription drug
22 monitoring, which shall include proposals
23 to increase the use and sustainability of
24 prescription drug monitoring programs.

1 (ii) Illegal Internet prescription drug
2 sites and “pill mills” that distribute pre-
3 scription drugs and fill prescriptions inap-
4 propriately.

5 (iii) Facilitating proper disposal of
6 prescription drugs, including public out-
7 reach and education efforts with respect to
8 such proper disposal.

9 (iv) Identifying active areas of pre-
10 scription drug abuse.

11 (v) Improving collaboration among
12 Federal agencies, especially the Drug En-
13 forcement Administration and the Food
14 and Drug Administration.

15 (vi) Improving collaboration between
16 Federal agencies and relevant stakeholders,
17 including the groups represented on the
18 Commission.

19 (vii) The resource needs for law en-
20 forcement.

21 (viii) Proposals to improve the edu-
22 cation of providers, patients, parents, and
23 youth.

24 (ix) Development of abuse-resistant
25 products.

1 (x) Recommendations for reducing
2 robberies, burglaries, and cargo theft.

3 (e) POWERS OF THE COMMISSION.—

4 (1) HEARINGS.—The Commission may hold
5 such hearings, sit and act at such times and places,
6 take such testimony, and receive such evidence as
7 the Commission considers advisable to carry out this
8 section.

9 (2) INFORMATION FROM FEDERAL AGENCIES.—

10 The Commission may secure directly from any Fed-
11 eral department or agency such information as the
12 Commission considers necessary to carry out this
13 section. Upon the request of the Co-Chairs of the
14 Commission, the head of such department or agency
15 shall furnish such information to the Commission in
16 a timely manner.

17 (f) CONFIDENTIALITY.—Information obtained by the
18 Commission from any Federal agency shall be exempt
19 from disclosure under section 552 of title 5, United States
20 Code. For purposes of the preceding sentence, this sub-
21 section shall be considered a statute described in sub-
22 section (b)(3)(B) of such section 552.

23 (g) TERMINATION OF THE COMMISSION.—The Com-
24 mission shall terminate 2 years after the date on which
25 the members are appointed under subsection (b).

1 (h) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated \$3,000,000 for fiscal years 2014
4 through 2016 to the Commission to carry out this
5 section.

6 (2) LIMITATION ON USE OF FUNDS.—No funds
7 appropriated under paragraph (1) may be used to
8 carry out the recommendations of the Commission.

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