

# Union Calendar No. 556

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5582

**[Report No. 115–721, Part I]**

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2018

Mr. CARTER of Georgia (for himself, Mr. LOEBSACK, and Mr. REED) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 8, 2018

Additional sponsors: Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. BLACKBURN, Mr. WALDEN, and Mr. MCHENRY

JUNE 8, 2018

Reported from the Committee on Energy and Commerce with an amendment  
[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 8, 2018

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 23, 2018]

# **A BILL**

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

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 at the “Abuse Deterrent Access*  
5 *Act of 2018”.*

6 **SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-**  
7 **TIONS ACCESS BARRIERS UNDER MEDICARE.**

8 *(a) IN GENERAL.—Not later than one year after the*  
9 *date of the enactment of this Act, the Secretary of Health*  
10 *and Human Services shall conduct a study and submit to*  
11 *Congress a report on the adequacy of access to abuse-deter-*  
12 *rent opioid formulations for individuals with chronic pain*  
13 *enrolled in an MA–PD plan under part C of title XVIII*  
14 *of the Social Security Act or a prescription drug plan*  
15 *under part D of such title of such Act, taking into account*  
16 *any barriers preventing such individuals from accessing*  
17 *such formulations under such MA–PD or part D plans,*  
18 *such as cost-sharing tiers, fail-first requirements, the price*  
19 *of such formulations, and prior authorization requirements.*

20 *(b) DEFINITION OF ABUSE-DETERRENT OPIOID FOR-*  
21 *MULATION.—In this section, the term “abuse-deterrent*  
22 *opioid formulation” means an opioid that is a prodrug or*  
23 *that has certain abuse-deterrent properties, such as physical*  
24 *or chemical barriers, agonist or antagonist combinations,*

- 1 *aversion properties, delivery system mechanisms, or other*
- 2 *features designed to prevent abuse of such opioid.*



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