

Union Calendar No. 592

115TH CONGRESS
2^D SESSION

H. R. 5723

[Report No. 115–760, Part I]

To require the Medicare Payment Advisory Commission to report on opioid payment, adverse incentives, and data under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2018

Ms. TENNEY (for herself, Mr. MCKINLEY, and Ms. DELBENE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 19, 2018

Additional sponsors: Mr. RENACCI and Mr. SANFORD

JUNE 19, 2018

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 19, 2018

Committee on Energy and Commerce 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 May 9, 2018]

A BILL

To require the Medicare Payment Advisory Commission to report on opioid payment, adverse incentives, and data under 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 as the “Expanding Oversight*
5 *of Opioid Prescribing and Payment Act of 2018”.*

6 **SEC. 2. MEDICARE PAYMENT ADVISORY COMMISSION RE-**
7 **PORT ON OPIOID PAYMENT, ADVERSE INCEN-**
8 **TIVES, AND DATA UNDER THE MEDICARE**
9 **PROGRAM.**

10 *Not later than March 15, 2019, the Medicare Payment*
11 *Advisory Commission shall submit to Congress a report on,*
12 *with respect to the Medicare program under title XVIII of*
13 *the Social Security Act, the following:*

14 *(1) A description of how the Medicare program*
15 *pays for pain management treatments (both opioid*
16 *and non-opioid pain management alternatives) in*
17 *both inpatient and outpatient hospital settings.*

18 *(2) The identification of incentives under the*
19 *hospital inpatient prospective payment system under*
20 *section 1886 of the Social Security Act (42 U.S.C.*
21 *1395ww) and incentives under the hospital outpatient*
22 *prospective payment system under section 1833(t) of*
23 *such Act (42 U.S.C. 1395l(t)) for prescribing opioids*
24 *and incentives under each such system for prescribing*
25 *non-opioid treatments, and recommendations as the*

1 *Commission deems appropriate for addressing any of*
2 *such incentives that are adverse incentives.*

3 *(3) A description of how opioid use is tracked*
4 *and monitored through Medicare claims data and*
5 *other mechanisms and the identification of any areas*
6 *in which further data and methods are needed for im-*
7 *proving data and understanding of opioid use.*

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