

115TH CONGRESS  
2D SESSION

# H. R. 5796

To require the Secretary of Health and Human Services to provide grants for eligible entities to provide technical assistance to outlier prescribers of opioids.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2018

Mr. FITZPATRICK (for himself, Mr. CURBELO of Florida, and Mr. THOMPSON of California) 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

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## A BILL

To require the Secretary of Health and Human Services to provide grants for eligible entities to provide technical assistance to outlier prescribers of opioids.

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 “Responsible Education  
5 Achieves Care and Healthy Outcomes for Users’ Treat-  
6 ment Act of 2018” or the “REACH OUT Act of 2018”.

1 **SEC. 2. GRANTS TO PROVIDE TECHNICAL ASSISTANCE TO**  
2 **OUTLIER PRESCRIBERS OF OPIOIDS.**

3 (a) GRANTS AUTHORIZED.—The Secretary of Health  
4 and Human Services (in this section referred to as the  
5 “Secretary”) shall, through the Centers for Medicare &  
6 Medicaid Services, award grants, contracts, or cooperative  
7 agreements to eligible entities for the purposes described  
8 in subsection (b).

9 (b) USE OF FUNDS.—Grants, contracts, and coopera-  
10 tive agreements awarded under subsection (a) shall be  
11 used to support eligible entities through technical assist-  
12 ance—

13 (1) to educate and provide outreach to outlier  
14 prescribers of opioids about best practices for pre-  
15 scribing opioids;

16 (2) to educate and provide outreach to outlier  
17 prescribers of opioids about non-opioid pain manage-  
18 ment therapies; and

19 (3) to reduce the amount of opioid prescriptions  
20 prescribed by outlier prescribers of opioids.

21 (c) APPLICATION.—Each eligible entity seeking to re-  
22 ceive a grant, contract, or cooperative agreement under  
23 subsection (a) shall submit to the Secretary an applica-  
24 tion, at such time, in such manner, and containing such  
25 information as the Secretary may require.

1 (d) GEOGRAPHIC DISTRIBUTION.—In awarding  
2 grants, contracts, and cooperative agreements under this  
3 section, the Secretary shall prioritize establishing technical  
4 assistance resources in each State.

5 (e) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
7 ty” means—

8 (A) an organization—

9 (i) that has demonstrated experience  
10 providing technical assistance to health  
11 care professionals on a State or regional  
12 basis; and

13 (ii) that has at least—

14 (I) one individual who is a rep-  
15 resentative of consumers on its gov-  
16 erning body; and

17 (II) one individual who is a rep-  
18 resentative of health care providers on  
19 its governing body; or

20 (B) an entity that is a quality improve-  
21 ment entity with a contract under part B of  
22 title XI of the Social Security Act (42 U.S.C.  
23 1320e et seq.).

24 (2) OUTLIER PRESCRIBER OF OPIOIDS.—The  
25 term “outlier prescriber of opioids” means a pre-

1 scriber, identified by the Secretary of Health and  
2 Human Services (through use of prescriber informa-  
3 tion provided by prescriber National Provider Identifi-  
4 fiers included pursuant to section 1860D–4(c)(4)(A)  
5 of the Social Security Act (42 U.S.C. 1395w–  
6 104(c)(4)(A)) on claims for covered part D drugs for  
7 part D eligible individuals enrolled in prescription  
8 drug plans under part D of title XVIII of such Act  
9 (42 U.S.C. 1395w–101 et seq.) and MA–PD plans  
10 under part C of such title (42 U.S.C. 1395w–21 et  
11 seq.)) as prescribing, as compared to other pre-  
12 scribers in the specialty of the prescriber and geo-  
13 graphic area, amounts of opioids in excess of a  
14 threshold (and other criteria) specified by the Sec-  
15 retary, after consultation with stakeholders.

16 (3) PRESCRIBERS.—The term “prescriber”  
17 means any health care professional, including a  
18 nurse practitioner or physician assistant, who is li-  
19 censed to prescribe opioids by the State or territory  
20 in which such professional practices.

21 (f) FUNDING.—For purposes of implementing this  
22 section, the Secretary of Health and Human Services shall  
23 provide for the transfer from the Federal Supplementary  
24 Medical Insurance Trust Fund established under section  
25 1841 of the Social Security Act (42 U.S.C. 1395t) to the

1 Centers for Medicare & Medicaid Services Program Man-  
2 agement Account of \$100,000,000 for fiscal year 2019.  
3 Amounts transferred under this subparagraph shall re-  
4 main available until expended.

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