

Union Calendar No. 564

115TH CONGRESS
2D SESSION

H. R. 5796

[Report No. 115–729, Part I]

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

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

JUNE 12, 2018

Additional sponsors: Mrs. BLACKBURN, Mr. WALDEN, and Mr. ENGEL

JUNE 12, 2018

Reported from the Committee on Energy and Commerce

JUNE 12, 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

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”.

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

9 (a) GRANTS AUTHORIZED.—The Secretary of Health
10 and Human Services (in this section referred to as the
11 “Secretary”) shall, through the Centers for Medicare &
12 Medicaid Services, award grants, contracts, or cooperative
13 agreements to eligible entities for the purposes described
14 in subsection (b).

15 (b) USE OF FUNDS.—Grants, contracts, and coopera-
16 tive agreements awarded under subsection (a) shall be
17 used to support eligible entities through technical assist-
18 ance—

19 (1) to educate and provide outreach to outlier
20 prescribers of opioids about best practices for pre-
21 scribing opioids;

22 (2) to educate and provide outreach to outlier
23 prescribers of opioids about non-opioid pain manage-
24 ment therapies; and

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

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

8 (d) GEOGRAPHIC DISTRIBUTION.—In awarding
9 grants, contracts, and cooperative agreements under this
10 section, the Secretary shall prioritize establishing technical
11 assistance resources in each State.

12 (e) DEFINITIONS.—In this section:

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

15 (A) an organization—

16 (i) that has demonstrated experience
17 providing technical assistance to health
18 care professionals on a State or regional
19 basis; and

20 (ii) that has at least—

21 (I) one individual who is a rep-
22 resentative of consumers on its gov-
23 erning body; and

1 (II) one individual who is a rep-
2 resentative of health care providers on
3 its governing body; or

4 (B) an entity that is a quality improve-
5 ment entity with a contract under part B of
6 title XI of the Social Security Act (42 U.S.C.
7 1320c et seq.).

8 (2) OUTLIER PRESCRIBER OF OPIOIDS.—The
9 term “outlier prescriber of opioids” means a pre-
10 scriber, identified by the Secretary of Health and
11 Human Services (through use of prescriber informa-
12 tion provided by prescriber National Provider Identifi-
13 fiers included pursuant to section 1860D–4(c)(4)(A)
14 of the Social Security Act (42 U.S.C. 1395w–
15 104(c)(4)(A)) on claims for covered part D drugs for
16 part D eligible individuals enrolled in prescription
17 drug plans under part D of title XVIII of such Act
18 (42 U.S.C. 1395w–101 et seq.) and MA–PD plans
19 under part C of such title (42 U.S.C. 1395w–21 et
20 seq.)) as prescribing, as compared to other pre-
21 scribers in the specialty of the prescriber and geo-
22 graphic area, amounts of opioids in excess of a
23 threshold (and other criteria) specified by the Sec-
24 retary, after consultation with stakeholders.

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

6 (f) FUNDING.—For purposes of implementing this
7 section, the Secretary of Health and Human Services shall
8 provide for the transfer from the Federal Supplementary
9 Medical Insurance Trust Fund established under section
10 1841 of the Social Security Act (42 U.S.C. 1395t) to the
11 Centers for Medicare & Medicaid Services Program Man-
12 agement Account of \$100,000,000 for fiscal year 2019.
13 Amounts transferred under this subparagraph shall re-
14 main available until expended.

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