

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 appointments of the members of the Commission shall be  
2                             made not later than 180 days after the date of enactment of this Act.

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

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

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

19                         (d) DUTIES OF THE COMMISSION.—

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

21                             (A) review and report to Congress on Federal initiatives with respect to efforts to prevent and reduce prescription drug abuse;

24                             (B) identify gaps and opportunities with 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.

(ii) Illegal Internet prescription drug sites and “pill mills” that distribute prescription drugs and fill prescriptions inappropriately.

(iii) Facilitating proper disposal of prescription drugs, including public outreach and education efforts with respect to such proper disposal.

(iv) Identifying active areas of prescription drug abuse.

(v) Improving collaboration among Federal agencies, especially the Drug Enforcement Administration and the Food and Drug Administration.

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

(vii) The resource needs for law enforcement.

(viii) Proposals to improve the education of providers, patients, parents, and youth.

(ix) Development of abuse-resistant products.

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

### 3 (e) POWERS OF THE COMMISSION.—

9 (2) INFORMATION FROM FEDERAL AGENCIES.—

10 The Commission may secure directly from any Federal  
11 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.

