

115TH CONGRESS
2D SESSION

S. 2317

To amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2018

Mr. MARKEY (for himself, Mr. PAUL, Ms. HASSAN, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, 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 “Addiction Treatment
5 Access Improvement Act of 2018”.

1 **SEC. 2. ALLOWING FOR MORE FLEXIBILITY WITH RESPECT**
 2 **TO MEDICATION-ASSISTED TREATMENT FOR**
 3 **OPIOID USE DISORDERS.**

4 (a) CONFORMING APPLICABLE NUMBER.—Subclause
 5 (II) of section 303(g)(2)(B)(iii) of the Controlled Sub-
 6 stances Act (21 U.S.C. 823(g)(2)(B)(iii)) is amended to
 7 read as follows:

8 “(II) The applicable number is—

9 “(aa) 100 if, not sooner than 1 year after
 10 the date on which the practitioner submitted
 11 the initial notification, the practitioner submits
 12 a second notification to the Secretary of the
 13 need and intent of the practitioner to treat up
 14 to 100 patients; or

15 “(bb) 275 if the practitioner meets the re-
 16 quirements specified in section 8.610 of title
 17 42, Code of Federal Regulations (or successor
 18 regulations).”.

19 (b) ELIMINATING ANY TIME LIMITATION FOR NURSE
 20 PRACTITIONERS, CLINICAL NURSE SPECIALISTS, CER-
 21 TIFIED REGISTERED NURSE ANESTHETISTS, CERTIFIED
 22 NURSE MIDWIVES, AND PHYSICIAN ASSISTANTS TO BE-
 23 COME QUALIFYING PRACTITIONERS.—Section
 24 303(g)(2)(G)(iii)(II) of the Controlled Substances Act (21
 25 U.S.C. 823(g)(2)(G)(iii)(II)) is amended by striking “dur-
 26 ing the period beginning on the date of enactment of the

1 Comprehensive Addiction and Recovery Act of 2016 and
2 ending on October 1, 2021” and inserting “beginning on
3 the date of enactment of the Comprehensive Addiction and
4 Recovery Act of 2016”.

5 (c) DEFINITION OF QUALIFYING OTHER PRACTI-
6 TIONER.—Clause (iv) of section 303(g)(2)(G) of the Con-
7 trolled Substances Act (21 U.S.C. 823(g)(2)(G)) is
8 amended by striking “nurse practitioner or physician as-
9 sistant” each place it appears and inserting “nurse practi-
10 tioner, clinical nurse specialist, certified registered nurse
11 anesthetist, certified nurse midwife, or physician assist-
12 ant”.

○