

115TH CONGRESS  
2D SESSION

# S. 2437

To reauthorize and improve the 21st Century Cures opioid grant program.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2018

Ms. BALDWIN (for herself, Mrs. SHAHEEN, Ms. SMITH, Ms. HEITKAMP, Mr. BROWN, Ms. HASSAN, Mr. MANCHIN, Ms. WARREN, Ms. KLOBUCHAR, Ms. STABENOW, Mr. NELSON, Mr. KING, Mr. CARDIN, Mr. TESTER, Mr. KAINE, and Mr. UDALL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To reauthorize and improve the 21st Century Cures opioid grant 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 “Opioid Response En-  
5       hancement Act”.

6       **SEC. 2. OPIOID GRANT PROGRAM REAUTHORIZATION.**

7       (a) IN GENERAL.—Section 1003 of the 21st Century  
8       Cures Act (42 U.S.C. 290ee–3 note) is amended—

9               (1) in subsection (b)—

(A) in paragraph (2)(A), by adding at the end the following:

“(iii) For each of fiscal years 2019 through 2023, \$2,000,000,000.”; and

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking “2017 and 2018” and inserting “2019 through 2023”; and

(II) by inserting after “paragraph (2)(A),” the following: “and in each of the fiscal years 2019 through 2023, there is authorized to be appropriated from the Account to the Secretary, for the grant program described in subsection (c)(3), \$400,000,000,”; and

(ii) in subparagraph (B), by striking “2017 and 2018” and inserting “2019 through 2023”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “and Tribal entities” after “grants to States”;

1 (ii) by inserting “and Tribal entities”  
 2 after “preference to States”; and

3 (iii) by inserting “or Tribal entities”  
 4 before the period at the end;

5 (B) in paragraph (2)—

6 (i) in the matter preceding subpara-  
 7 graph (A)—

8 (I) by inserting “, including ac-  
 9 tivities supported by community-based  
 10 organizations and counties,” after  
 11 “carrying out activities”; and

12 (II) by striking “to a State”;

13 (ii) in subparagraph (E), by inserting  
 14 “or Tribal entity” after “State” each place  
 15 that such term appears; and

16 (iii) by adding at the end the fol-  
 17 lowing:

18 “(F) In addition to carrying out activities  
 19 related to addressing the opioid epidemic, a  
 20 State or Tribal entity may use grants awarded  
 21 under this section for carrying out public-health  
 22 activities related to addressing other substance  
 23 abuse, as determined appropriate and as deter-  
 24 mined to be a substantial or similar public

1 health threat as the opioid epidemic by the  
 2 State or Tribal entity.”; and

3 (C) by adding at the end the following:

4 “(3) TARGETED RESPONSE ENHANCEMENT  
 5 GRANTS.—

6 “(A) IN GENERAL.—Subject to the avail-  
 7 ability of appropriations, the Secretary shall use  
 8 50 percent of the amount transferred under  
 9 subsection (b)(2)(A)(iii) in each fiscal year to  
 10 award supplemental funding grants to at least  
 11 10 States and Tribal entities, to expand and en-  
 12 hance grant activities required under this sub-  
 13 section. In awarding such grants, the Secretary  
 14 shall give preference to areas of greatest need,  
 15 including as indicated by higher mortality rates  
 16 associated with opioid overdoses.

17 “(B) USE OF FUNDS.—Grants awarded to  
 18 a State or Tribal entity under this paragraph  
 19 shall be used for carrying out activities to sup-  
 20 plement activities otherwise carried out under  
 21 this subsection to expand and enhance preven-  
 22 tion, treatment, and recovery support efforts in  
 23 States and Tribal entities hardest hit by the  
 24 opioid epidemic, which may include public  
 25 health-related activities such as the following:

1                   “(i) Expansion of evidence-based  
2 strategies for the provision of prevention,  
3 treatment, and recovery support services  
4 for individuals with opioid use disorders.

5                   “(ii) Expansion and enhancement of  
6 integrated systems of care, including the  
7 co-location of services to address the pri-  
8 mary and behavioral healthcare needs of  
9 individuals with opioid use disorders.

10                  “(iii) Expansion of efforts to dis-  
11 tribute overdose reversal drugs and edu-  
12 cate first responders and other relevant  
13 community members on the use of such  
14 drugs to prevent overdose-related deaths.

15                  “(iv) Expansion of any activity au-  
16 thorized under the State or Tribal entity  
17 grant under paragraph (1) to address the  
18 State’s or Tribal entity’s specific needs re-  
19 lated to combatting the opioid crisis.

20                  “(4) SET ASIDE.—Of the amount made avail-  
21 able for each fiscal year to award grants under para-  
22 graph (1), not less than 10 percent of such amount  
23 in each such fiscal year shall be provided to Tribal  
24 entities.”;

1           (3) by redesignating subsections (d) through (f)  
2           as subsections (e) through (g), respectively;

3           (4) by inserting after subsection (c), the fol-  
4           lowing:

5           “(d) TECHNICAL ASSISTANCE.—The Secretary shall  
6           provide State agencies and Tribal entities, as applicable  
7           through the Tribal Training and Technical Assistance  
8           Center, with technical assistance concerning—

9           “(1) application and submission procedures and  
10          award management activities;

11          “(2) enhancing outreach and direct support to  
12          rural and underserved communities and providers in  
13          addressing the opioid crisis; and

14          “(3) strengthening data collection data sharing  
15          activities to help improve surveillance.”;

16          (5) in subsection (e) (as so redesignated), by in-  
17          serting “shall prioritize providing such funds directly  
18          to local communities and counties to address the  
19          opioid crisis in areas of unmet need and” after “sub-  
20          section (c)”;

21          (6) by adding at the end the following:

22          “(h) TRIBAL ENTITY.—In this section, the term  
23          ‘Tribal entity’ means an Indian tribe (as defined in section  
24          4 of the Indian Self-Determination and Education Assist-  
25          ance Act (25 U.S.C. 5304)), a tribal organization (as de-

1 fined in such section), or a consortium of such a tribe and  
2 organization.”.

3 (b) ADDITIONAL AMOUNTS FOR FISCAL YEAR  
4 2018.—In addition to amounts otherwise made available  
5 for grants under section 1003(c) of the 21st Century  
6 Cures Act (42 U.S.C. 290ee–3 note) for fiscal year 2018,  
7 there are appropriated \$1,500,000,000 for such grants in  
8 such fiscal year, of which, \$500,000,000 shall be used for  
9 grants under section 1003(c)(3) of such Act.

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