

115TH CONGRESS  
1ST SESSION

# S. 581

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2017

Referred to the Committee on Energy and Commerce

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## AN ACT

To include information concerning a patient's opioid  
addiction in certain medical records.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as “Jessie’s Law”.

3 **SEC. 2. INCLUSION OF OPIOID ADDICTION HISTORY IN PA-**  
4 **TIENT RECORDS.**

5       (a) BEST PRACTICES.—

6           (1) IN GENERAL.—Not later than 1 year after  
7 the date of enactment of this Act, the Secretary of  
8 Health and Human Services, in consultation with  
9 appropriate stakeholders, including a patient with a  
10 history of opioid use disorder, an expert in electronic  
11 health records, an expert in the confidentiality of pa-  
12 tient health information and records, and a health  
13 care provider, shall identify or facilitate the develop-  
14 ment of best practices regarding—

15           (A) the circumstances under which infor-  
16 mation that a patient has provided to a health  
17 care provider regarding such patient’s history of  
18 opioid use disorder should, only at the patient’s  
19 request, be prominently displayed in the med-  
20 ical records (including electronic health records)  
21 of such patient;

22           (B) what constitutes the patient’s request  
23 for the purpose described in subparagraph (A);  
24 and

25           (C) the process and methods by which the  
26 information should be so displayed.

1           (2) DISSEMINATION.—The Secretary shall dis-  
2       seminate the best practices developed under para-  
3       graph (1) to health care providers and State agen-  
4       cies.

5       (b) REQUIREMENTS.—In identifying or facilitating  
6       the development of best practices under subsection (a), as  
7       applicable, the Secretary, in consultation with appropriate  
8       stakeholders, shall consider the following:

9           (1) The potential for addiction relapse or over-  
10      dose, including overdose death, when opioid medica-  
11      tions are prescribed to a patient recovering from  
12      opioid use disorder.

13          (2) The benefits of displaying information  
14      about a patient's opioid use disorder history in a  
15      manner similar to other potentially lethal medical  
16      concerns, including drug allergies and contraindica-  
17      tions.

18          (3) The importance of prominently displaying  
19      information about a patient's opioid use disorder  
20      when a physician or medical professional is pre-  
21      scribing medication, including methods for avoiding  
22      alert fatigue in providers.

23          (4) The importance of a variety of appropriate  
24      medical professionals, including physicians, nurses,  
25      and pharmacists, to have access to information de-

8 (6) All applicable Federal and State laws and  
9 regulations.

Attest: JULIE E. ADAMS,  
*Secretary.*