

116TH CONGRESS
1ST SESSION

H. R. 2511

To amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2019

Mr. TURNER (for himself, Ms. FUDGE, Ms. CLARK of Massachusetts, Mr. ESPAILLAT, Mr. RYAN, Ms. STEFANIK, Mr. KHANNA, Mr. KILMER, Mr. TONKO, and Mr. GIANFORTE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, 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 Reforming and Ex-
5 panding Access to Treatment Act” or the “TREAT Act”.

1 **SEC. 2. PAYMENTS TO STATES UNDER MEDICAID FOR SUB-**
2 **STANCE ABUSE SERVICES FURNISHED TO IN-**
3 **MATES IN PUBLIC INSTITUTIONS.**

4 Section 1905 of the Social Security Act (42 U.S.C.
5 1396d) is amended—

6 (1) in subsection (a)(16)—

7 (A) by striking “and, (B) for individuals”
8 and inserting “, (B) for individuals”; and

9 (B) by inserting before the semicolon at
10 the end the following: “, and (C) qualified inpa-
11 tient substance use disorder services (as defined
12 in such subsection) for inmates of a public in-
13 stitution (as such terms are defined for pur-
14 poses of applying the subdivision (A) that fol-
15 lows paragraph (29))”; and

16 (2) in subsection (h), by adding at the end the
17 following new paragraph:

18 “(3) For purposes of subsection (a)(16)(C), the term
19 ‘qualified inpatient substance use disorder services’ means
20 medication or behavioral treatment administered in fur-
21 therance of eliminating, mitigating, treating, or curing an
22 individual’s use or abuse of drugs or an individual’s sub-
23 stance abuse disorder.”.

1 **SEC. 3. NO SAMSHA POLICY AGAINST SUBSTANCE ABUSE**
2 **TREATMENT FOR INCARCERATED INDIVID-**
3 **UALS.**

4 The Substance Abuse and Mental Health Services
5 Administration shall not establish, maintain, or implement
6 any memorandum of understanding or other policy that
7 prohibits or restricts the Administration's provision or
8 support of substance abuse treatment or related services
9 for incarcerated individuals, so long as such provision or
10 support—

11 (1) is statutorily authorized (by provisions of
12 law other than this section) for such type of treat-
13 ment or services; and

14 (2) is not statutorily prohibited or restricted
15 with respect to incarcerated individuals.

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