

PUBLIC LAW 115-271—OCT. 24, 2018

**SUBSTANCE USE-DISORDER PREVENTION  
THAT PROMOTES OPIOID RECOVERY AND  
TREATMENT FOR PATIENTS AND  
COMMUNITIES ACT**

Public Law 115–271  
115th Congress

An Act

Oct. 24, 2018  
[H.R. 6]

To provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Substance Use-  
Disorder  
Prevention that  
Promotes Opioid  
Recovery and  
Treatment for  
Patients and  
Communities  
Act.  
21 USC 301 note.

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Substance Use–Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act” or the “SUPPORT for Patients and Communities Act”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—MEDICAID PROVISIONS TO ADDRESS THE OPIOID CRISIS**

- Sec. 1001. At-risk youth Medicaid protection.
- Sec. 1002. Health insurance for former foster youth.
- Sec. 1003. Demonstration project to increase substance use provider capacity under the Medicaid program.
- Sec. 1004. Medicaid drug review and utilization.
- Sec. 1005. Guidance to improve care for infants with neonatal abstinence syndrome and their mothers; GAO study on gaps in Medicaid coverage for pregnant and postpartum women with substance use disorder.
- Sec. 1006. Medicaid health homes for substance-use-disorder Medicaid enrollees.
- Sec. 1007. Caring recovery for infants and babies.
- Sec. 1008. Peer support enhancement and evaluation review.
- Sec. 1009. Medicaid substance use disorder treatment via telehealth.
- Sec. 1010. Enhancing patient access to non-opioid treatment options.
- Sec. 1011. Assessing barriers to opioid use disorder treatment.
- Sec. 1012. Help for moms and babies.
- Sec. 1013. Securing flexibility to treat substance use disorders.
- Sec. 1014. MACPAC study and report on MAT utilization controls under State Medicaid programs.
- Sec. 1015. Opioid addiction treatment programs enhancement.
- Sec. 1016. Better data sharing to combat the opioid crisis.
- Sec. 1017. Report on innovative State initiatives and strategies to provide housing-related services and supports to individuals struggling with substance use disorders under Medicaid.
- Sec. 1018. Technical assistance and support for innovative State strategies to provide housing-related supports under Medicaid.

**TITLE II—MEDICARE PROVISIONS TO ADDRESS THE OPIOID CRISIS**

- Sec. 2001. Expanding the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.
- Sec. 2002. Comprehensive screenings for seniors.
- Sec. 2003. Every prescription conveyed securely.
- Sec. 2004. Requiring prescription drug plan sponsors under Medicare to establish drug management programs for at-risk beneficiaries.
- Sec. 2005. Medicare coverage of certain services furnished by opioid treatment programs.
- Sec. 2006. Encouraging appropriate prescribing under Medicare for victims of opioid overdose.

## Subtitle M—Comprehensive Opioid Recovery Centers

Sec. 7121. Comprehensive opioid recovery centers.

## Subtitle N—Trauma-Informed Care

- Sec. 7131. CDC surveillance and data collection for child, youth, and adult trauma.  
Sec. 7132. Task force to develop best practices for trauma-informed identification, referral, and support.  
Sec. 7133. National Child Traumatic Stress Initiative.  
Sec. 7134. Grants to improve trauma support services and mental health care for children and youth in educational settings.  
Sec. 7135. Recognizing early childhood trauma related to substance abuse.

## Subtitle O—Eliminating Opioid Related Infectious Diseases

Sec. 7141. Reauthorization and expansion of program of surveillance and education regarding infections associated with illicit drug use and other risk factors.

## Subtitle P—Peer Support Communities of Recovery

- Sec. 7151. Building communities of recovery.  
Sec. 7152. Peer support technical assistance center.

## Subtitle Q—Creating Opportunities That Necessitate New and Enhanced Connections That Improve Opioid Navigation Strategies

- Sec. 7161. Preventing overdoses of controlled substances.  
Sec. 7162. Prescription drug monitoring program.

## Subtitle R—Review of Substance Use Disorder Treatment Providers Receiving Federal Funding

Sec. 7171. Review of substance use disorder treatment providers receiving Federal funding.

## Subtitle S—Other Health Provisions

- Sec. 7181. State response to the opioid abuse crisis.  
Sec. 7182. Report on investigations regarding parity in mental health and substance use disorder benefits.  
Sec. 7183. CAREER Act.

## TITLE VIII—MISCELLANEOUS

## Subtitle A—Synthetics Trafficking and Overdose Prevention

- Sec. 8001. Short title.  
Sec. 8002. Customs fees.  
Sec. 8003. Mandatory advance electronic information for postal shipments.  
Sec. 8004. International postal agreements.  
Sec. 8005. Cost recoupment.  
Sec. 8006. Development of technology to detect illicit narcotics.  
Sec. 8007. Civil penalties for postal shipments.  
Sec. 8008. Report on violations of arrival, reporting, entry, and clearance requirements and falsity or lack of manifest.  
Sec. 8009. Effective date; regulations.

## Subtitle B—Opioid Addiction Recovery Fraud Prevention

- Sec. 8021. Short title.  
Sec. 8022. Definitions.  
Sec. 8023. Unfair or deceptive acts or practices with respect to substance use disorder treatment service and products.

## Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis

Sec. 8041. Addressing economic and workforce impacts of the opioid crisis.

## Subtitle D—Peer Support Counseling Program for Women Veterans

Sec. 8051. Peer support counseling program for women veterans.

## Subtitle E—Treating Barriers to Prosperity

- Sec. 8061. Short title.  
Sec. 8062. Drug abuse mitigation initiative.

## Subtitle F—Pilot Program to Help Individuals in Recovery From a Substance Use Disorder Become Stably Housed

Sec. 8071. Pilot program to help individuals in recovery from a substance use disorder become stably housed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14509 the following:

40 USC 14501  
prec.

“14510. Drug abuse mitigation initiative.”.

## **Subtitle F—Pilot Program to Help Individuals in Recovery From a Substance Use Disorder Become Stably Housed**

### **SEC. 8071. PILOT PROGRAM TO HELP INDIVIDUALS IN RECOVERY FROM A SUBSTANCE USE DISORDER BECOME STABLY HOUSED.**

42 USC 5301  
note.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated under this section such sums as may be necessary for each of fiscal years 2019 through 2023 for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier.

(b) ALLOCATION OF APPROPRIATED AMOUNTS.—

(1) IN GENERAL.—The amounts appropriated or otherwise made available to States under this section shall be allocated based on a funding formula established by the Secretary of Housing and Urban Development (referred to in this section as the “Secretary”) not later than 60 days after the date of enactment of this Act.

(2) CRITERIA.—

(A) IN GENERAL.—The funding formula required under paragraph (1) shall ensure that any amounts appropriated or otherwise made available under this section are allocated to States with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, according to the Centers for Disease Control and Prevention.

(B) PRIORITY.—

(i) IN GENERAL.—Among such States, priority shall be given to States with the greatest need, as such need is determined by the Secretary based on the following factors, and weighting such factors as described in clause (ii):

(I) The highest average rates of unemployment based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(II) The lowest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(III) The highest age-adjusted rates of drug overdose deaths based on data from the Centers for Disease Control and Prevention.

(ii) WEIGHTING.—The factors described in clause (i) shall be weighted as follows:

(I) The rate described in clause (i)(I) shall be weighted at 15 percent.

(II) The rate described in clause (i)(II) shall be weighted at 15 percent.

(III) The rate described in clause (i)(III) shall be weighted at 70 percent.

(3) DISTRIBUTION.—Amounts appropriated or otherwise made available under this section shall be distributed according to the funding formula established by the Secretary under paragraph (1) not later than 30 days after the establishment of such formula.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Any State that receives amounts pursuant to this section shall expend at least 30 percent of such funds within one year of the date funds become available to the grantee for obligation.

(2) PRIORITY.—Any State that receives amounts pursuant to this section shall distribute such amounts giving priority to entities with the greatest need and ability to deliver effective assistance in a timely manner.

(3) ADMINISTRATIVE COSTS.—Any State that receives amounts pursuant to this section may use up to 5 percent of any grant for administrative costs.

(d) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—Except as otherwise provided by this section, amounts appropriated, or amounts otherwise made available to States under this section shall be treated as though such funds were community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(2) NO MATCH.—No matching funds shall be required in order for a State to receive any amounts under this section.

(e) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—

(1) IN GENERAL.—In administering any amounts appropriated or otherwise made available under this section, the Secretary may waive or specify alternative requirements to any provision under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) except for requirements related to fair housing, nondiscrimination, labor standards, the environment, and requirements that activities benefit persons of low- and moderate-income, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds.

(2) NOTICE OF INTENT.—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 15 business days before such exercise of authority occurs.

(3) NOTICE TO THE PUBLIC.—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the public via notice, on the internet website of the Department of Housing and Urban Development, and by other appropriate means, not later than 15 business days before such exercise of authority occurs.

(f) **TECHNICAL ASSISTANCE.**—For the 2-year period following the date of enactment of this Act, the Secretary may use not more than 2 percent of the funds made available under this section for technical assistance to grantees.

(g) **STATE.**—For purposes of this section the term “State” includes any State as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) and the District of Columbia.

## Subtitle G—Human Services

### SEC. 8081. SUPPORTING FAMILY-FOCUSED RESIDENTIAL TREATMENT.

42 USC  
290bb–11 note.

(a) **DEFINITIONS.**—In this section:

(1) **FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.**—The term “family-focused residential treatment program” means a trauma-informed residential program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

(2) **MEDICAID PROGRAM.**—The term “Medicaid program” means the program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(4) **TITLE IV–E PROGRAM.**—The term “title IV–E program” means the program for foster care, prevention, and permanency established under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.).

(b) **GUIDANCE ON FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with divisions of the Department of Health and Human Services administering substance use disorder or child welfare programs, shall develop and issue guidance to States identifying opportunities to support family-focused residential treatment programs for the provision of substance use disorder treatment. Before issuing such guidance, the Secretary shall solicit input from representatives of States, health care providers with expertise in addiction medicine, obstetrics and gynecology, neonatology, child trauma, and child development, health plans, recipients of family-focused treatment services, and other relevant stakeholders.

(2) **ADDITIONAL REQUIREMENTS.**—The guidance required under paragraph (1) shall include descriptions of the following:

(A) Existing opportunities and flexibilities under the Medicaid program, including under waivers authorized under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for States to receive Federal Medicaid funding for the provision of substance use disorder treatment for pregnant and postpartum women and parents and guardians and, to the extent applicable, their children, in family-focused residential treatment programs.