

115TH CONGRESS
2D SESSION

H. R. 5582

AN ACT

To direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

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 at the “Abuse Deterrent Ac-
3 cess Act of 2018”.

4 **SEC. 2. STUDY ON ABUSE-DETERRENT OPIOID FORMULA-**
5 **TIONS ACCESS BARRIERS UNDER MEDICARE.**

6 (a) IN GENERAL.—Not later than one year after the
7 date of the enactment of this Act, the Secretary of Health
8 and Human Services shall conduct a study and submit to
9 Congress a report on the adequacy of access to abuse-de-
10 terrent opioid formulations for individuals with chronic
11 pain enrolled in an MA–PD plan under part C of title
12 XVIII of the Social Security Act or a prescription drug
13 plan under part D of such title of such Act, taking into
14 account any barriers preventing such individuals from ac-
15 cessing such formulations under such MA–PD or part D
16 plans, such as cost-sharing tiers, fail-first requirements,
17 the price of such formulations, and prior authorization re-
18 quirements.

19 (b) DEFINITION OF ABUSE-DETERRENT OPIOID
20 FORMULATION.—In this section, the term “abuse-deter-
21 rent opioid formulation” means an opioid that is a
22 prodrug or that has certain abuse-deterrent properties,
23 such as physical or chemical barriers, agonist or antago-
24 nist combinations, aversion properties, delivery system

- 1 mechanisms, or other features designed to prevent abuse
- 2 of such opioid.

Passed the House of Representatives June 12, 2018.

Attest:

Clerk.

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