

## **Bills & Resolutions Sponsored or Co-Sponsored by Senator Angus King - Opioids**

### **115<sup>th</sup> Congress:**

#### ***December, 2017: Co-sponsored the Targeted Opioid Funding Act***

- This bipartisan bill, introduced by Senator Shaheen, would adjust the grant formula used to determine funding for states under the 21<sup>st</sup> Century Cures Act. Currently, the Cures formula is based on two criterion – a state’s total number of opioid fatalities, and responses to the annual National Survey. This has led to funding skewed toward larger states. For FY’ 17 & 18, Maine received only \$2,039,029. The Targeted Opioid Funding Act seeks to bolster the funding hard hit states receive by requiring the grant formula to weigh mortality rate and lack of access to services. It also increases the grant floor from \$2 million to \$5 million.

#### ***October, 2017: Introduced the Combatting the Opioid Epidemic Act***

- The legislation would provide \$45 billion over the next ten years to the same treatment and prevention grants that received funding through the 21st Century Cures Act. The bill would also provide funding for research on addiction and pain through NIH.

#### ***September, 2017: Introduced the Protecting Jessie Grubb’s Legacy Act***

- This legislation would reform the regulation (42 CFR Part 2) governing substance use disorder treatment records, enabling health care providers to have access to such records in order to better coordinate care for those with a history of addiction.

#### ***August, 2017: Co-sponsored Jessie’s Law***

- This bipartisan legislation that would give physicians and other providers information about a patient's past history of opioid abuse to help determine appropriate treatment. In August, 2017, the bill passed the Senate by unanimous consent.

#### ***May, 2017: Introduced the CRIB Act***

- This bipartisan bill would enable would support drug-affected babies by enabling states to recognize residential pediatric recovery facilities as providers under Medicaid

#### ***May, 2017: Introduced the Medicaid CARE Act***

- This bill is similar to legislation introduced with Sen. Durbin last congress that modifies the IMD Exclusion. This version has some key improvements. It increases the cap of treatment beds in facilities restricted by the exclusion to 40 beds. The bill also includes some important changes, including language Senator King added that provides greater accreditation flexibility that will allow several treatment centers in Maine to now be eligible. Co-sponsors include Sens. Capito, Portman, Brown and Collins.

#### ***May, 2017: Co-sponsored the INTERDICT Act***

- The bill would improve Customs and Border Protection’s ability to halt the flow of fentanyl and other deadly synthetic opioids. The bipartisan bill authorizes funding for CBP to purchase more portable, hi-tech chemical screening devices to be used at ports of entry. It also provides resources for the purchase of additional screening devices in CBP’s laboratories, and the hiring of more scientists to bolster their drug interdiction operations.

***March, 2017: Reintroduced Fentanyl Resolution***

- This version is slightly updated from last Congress. Cosponsors include Shaheen and Toomey. Introduced by Markey.

***March, 2017: Co-sponsored the Synthetics Trafficking and Overdose Prevention (STOP) Act***

- The bipartisan bill introduced by Senator Portman seeks to address fentanyl trafficking by requiring shipments from foreign countries to provide electronic data on packages before entering the United States. Having this data will enable Customs and Border Protection to better identify and focus screening time on high-risk items.

***February, 2017: Co-sponsored LifeBOAT Act***

- Reintroduced by Senator Manchin. Co-sponsors include Sens. Hassan, Warren, Shaheen, Nelson, Heitkamp, Klobuchar, Murphy, Baldwin, Blumenthal. Senator King is an original co-sponsor.

**114<sup>th</sup> Congress:**

***September, 2016: Co-sponsored fentanyl resolution***

- Introduced by Senator Markey, calling for cooperation to stop trafficking of illicit fentanyl from overseas, specifically Mexico and China. The resolution is also co-sponsored by Sens. Rubio and Shaheen.

***July, 2016: Original co-sponsor of the Prescription Drug Monitoring Act***

- Introduced by Sen. Klobuchar, The bill requires the use of PDMPs in all states that receive certain federal funding to combat opioid abuse and creates a platform through DOJ that enables states to share their PDMP data.

***May, 2016: Co-sponsored the CRIB Act***

- Introduced by Sens. Brown and Capito, the bill gives state Medicaid plans the option to enter into provider agreements with residential pediatric recovery centers. The legislation complements the Cradle Act, with the ultimate goal of combining the two at some point.

***May, 2016: Co-sponsored the Budgeting for Opioid Addiction Treatment Act (LifeBOAT).***

- Introduced by Sen. Manchin, the bill funds the Substance Abuse Prevention and Treatment Block Grant by charging a \$0.01 (1 cent) fee on each milligram of active opioid ingredient in a prescription pain pill.

**April, 2016:** Co-sponsored the Co-sponsored the Promoting Responsible Opioid Prescribing (PROP) Act.

- Removes pain management questions from consideration when CMS is conducting payment analysis to relieve pressure for physicians to prescribe opioids.

**April, 2016:** Introduced the Nurturing and Supporting (NAS) Healthy Babies Act with Sens. Capito and Brown

- Expands our knowledge of NAS and how to care for NAS babies. The legislation directs the U.S. Government Accountability Office (GAO) to identify any federal obstacles to care for NAS babies by examining the prevalence of NAS in the United States, the number of NAS babies covered by Medicaid, the types of treatment for NAS, and the costs associated with such treatment.

**February, 2016:** Introduced the Medicaid CARE Act with Sen. Durbin

- Modifies the Medicaid Institutions for Mental Disease (IMD) Exclusion policy – a decades-old Medicaid policy that has had the unintended consequence of limiting treatment for our most at-risk populations – to allow more people to seek the vital substance abuse treatment they need.

**February, 2016:** Introduced the Cradle Act with Sen. Capito

- Bill helps ensure that newborn babies experiencing withdrawal have better access to care by directing CMS to establish new guidelines for residential pediatric recovery centers that treat babies with neonatal abstinence syndrome.

**January, 2016:** Co-sponsored the Opioid and Heroin Epidemic Emergency Supplemental Appropriations Act (Introduced by Sen. Shaheen)

- The bill calls for \$600 million in DOJ and HHS to address the epidemic.

**November, 2015:** Co-sponsored the FDA Accountability for Public Safety Act (Introduced by Sen. Manchin)

- The bill requires the FDA to form an advisory committee for each new opioid drug application. If the committee recommends a drug not be approved but the Commissioner decides to approve the drug, the Commissioner must: (1) submit a report to Congress that includes the evidence regarding patient safety that supports the Commissioner's decision and a disclosure of any potential conflicts of interest of FDA officials involved in the decision to approve the drug; and (2) testify before Congress regarding the decision, upon request.

**November, 2015:** Co-sponsored the Recovery Enhancement for Addiction Treatment (TREAT) Act (Introduced by Sen. Markey)

- Amends the Controlled Substances Act to allow a qualified practitioner to treat up to 100 patients in the first year with narcotic detox drugs such as suboxone. After that year, it then allows a qualified physician to request approval to prescribe an unlimited amount.

**November, 2015:** *Co-sponsored the Safe and Affordable Drugs from Canada Act (Introduced by Sen. McCain)*

- Allows individuals to import the Canadian version of an approved prescription drug for personal use provided it is not in more than a 90-day supply and comes from an approved Canadian pharmacy. HHS will be required to publish a list of approved Canadian Pharmacies.

**October, 2015:** *Senate passes the Protecting our Infants Act of 2015.*

- **Became public law on November 25, 2015.** HHS is required to develop recommendations to prevent and treat neonatal abstinence syndrome and opioid abuse by pregnant women.

**September, 2015:** *Co-sponsored the Comprehensive Addiction and Recovery Act of 2015 (Introduced by Sen. Whitehouse)*

- The bill expands prevention and education efforts, strengthens prescription drug monitoring programs, expands disposal sites for unwanted drugs, and increases access to naloxone for law enforcement and other first responders.

**July, 2015:** *Co-sponsored the Medicare Prescription Drug Savings and Choice Act (Introduced by Sen. Durbin)*

- Requires CMS to offer one or more of the Medicare-operated prescription drug plans and in doing so must negotiate prices with drug manufacturers

**May, 2015:** *Co-sponsored the Prescription Drug Abuse Prevention and Treatment Act of 2015 (Introduced by Sen. Manchin)*

- Provides grants for consumer education on opioid abuse and requires training for medical practitioners on opioid treatment, pain management and early detection of opioid addiction before they can be registered by the DEA to dispense opioids.

**January, 2015:** *Co-sponsored the Medicare Prescription Drug Price Negotiation Act (Introduced by Sen. Klobuchar)*

- Directs HHS to negotiate with pharmaceutical manufactures the prices that may be charged to Medicare part D prescription drug plan (PDP) sponsors and Medicare Advantage (MA) organizations for covered part D drugs for those enrolled in either a PDP or MA-prescription drug plan.

## **Letters Written by Senator Angus King - Opioids**

**October, 2017:** Senator King sent a letter to the Attorney General urging more support for forensic departments to better detect and halt the flow of fentanyl.

**October, 2017:** Senator King led a letter joined by 19 other senators to President Trump urging him to work with Congress to provide funding for the Public Health Emergency Fund to combat the opioid epidemic.

**October, 2017:** Senator King joined a letter with most of the democratic caucus (including Kaine, Heitkamp, Shaheen and Manchin) to HHS and DEA urging them to submit a report to Congress required by the Ensuring Patient Access and Effective Drug Enforcement Act. The goal of the reports is to help members better evaluate the law's effects on the DEA's diversion efforts.

**October, 2017:** Senator King joined several democrats sending a letter to President Trump urging the administration to negotiate a decrease in naloxone prices.

**October, 2017:** Senator King joined a letter led by Senator Warren urging the appropriations to provide \$2.5 million for the Law Enforcement Assisted Diversion (LEAD) grant program. LEAD programs allow law enforcement to redirect low-level drug offenders to treatment services. Senator King was also on the a similar letter in May that made the original funding request.

**September, 2017:** Submitted a comment/sent a letter to DEA asking that they finalize (or further reduce) the proposed 20 percent reduction in opioid production quotas for 2018.

**July, 2017:** Sent a letter to DEA urging the administration to lower opioid production quotas for 2018. DEA recently announced that they intend to lower their quotas for next year by an additional

**May, 2017:** Sent a letter to the appropriations committee urging them to support the Drug Free Communities Support Program

**May, 2017:** Sent a letter to the appropriations committee urging them to provide increased funding for Customs and Border Protection screening capabilities. This will enable CBP to better interdict illicit fentanyl.

**May, 2017:** Joined a letter to the appropriations committee urging them to maintain funding for the High Intensity Drug Trafficking Areas program.

**May, 2017:** Sent a bipartisan letter to the chairman and vice chairman of the appropriations committee urging for funding of drug courts and veterans treatment courts in FY'18.

**May, 2017:** Sent a letter to the chairman and ranking member of the CJS appropriations subcommittee to push for funding of the Law Enforcement Assisted Diversion (LEAD) grant program. LEAD allows law enforcement offices to redirect low-level drug offenders to community-based services instead of charging them with a drug-related offense.

**May, 2017:** Sent a letter with Sens. Durbin, Manchin, Klobuchar, Duckworth and Brown to DEA, CMS and several private health insurers on the utilization of CMS's Part D Opioid Mapping tool. The letters encourage CMS and DEA to use the mapping to enhance education and oversight of responsible opioid prescribing. The letters to private insurance companies ask them to make their relevant claims data public to improve transparency, analysis and accountability.

**May, 2017:** Sent a letter to President Trump in support of the Office of National Drug Control Policy, and encouraging him to provide full funding for the office in his FY'18 Budget.

**May, 2017:** Sent a letter with several senators to the Labor-HHS Appropriations subcommittee urging them to include substantial funding to combat the opioid epidemic in their FY'18 Labor-HHS bill.

**May, 2017:** Sent a bipartisan letter to the Labor-HHS Appropriations subcommittee asking that they prioritize funding for Section 9022 of the 21st Century Cures Act. Funding for this section of Cures will help expand the addiction treatment workforce, including training for nurse practitioners, physician assistants and social workers.

**March, 2017:** Sent a letter with Senator Casey and several other members of the caucus to President Trump urging him to award the \$1 billion in opioid treatment funding to states that was included in the 21st Century Cures Act. The letter also asks that this funding not be used to offset cuts to other opioid or substance use disorder programs in HHS.

**February, 2017:** Joined a letter led by Senator Shaheen urging the European Council to support a proposal before the UN Commission on Narcotic Drugs that would regulate two prominent chemicals used to manufacture fentanyl.

**February, 2017:** • Joined a letter led by Senator Leahy to Kaleo Pharma, demanding answers for the exorbitant price hike of their naloxone auto-injector, Evzio.

**December, 2016:** Sent a letter to President-Elect Trump with other senators urging him to work with Congress to lower prescription drug prices.

**December, 2016:** Sent a letter to Secretary Burwell urging HHS to implement \$500 million in opioid funding that passed as part of the 21<sup>st</sup> Century Cures Act, and was included in the continuing resolution.

**November, 2016:** Sent a letter to Senate Appropriations Committee urging them to fully fund HHS-related CARA provisions.

**October, 2016:** Sent a letter with Sen. Shaheen and others to the UN's International Narcotics Control Board, urging them to designate NPP and ANPP, precursor chemicals used to manufacture fentanyl, as Table 1 substances.

**October, 2016:** Joined a letter circulated by Sen. Hatch to the DEA on their emergency decision to make Kratom a Schedule 1 drug.

**September, 2016:** Sent a letter to the President urging him to work with Congress to fund the \$181 million authorized in CARA as a part of a continuing resolution.

**September, 2016:** Sent letters to the leaders of the Senate Appropriations Committee asking them to include funding for CARA in a continuing resolution.

**August, 2016:** Submitted a comment to DEA's proposed Aggregate Production Quota for opioids in FY' 17 along with Sen. Durbin and co-signers of July letter to Acting Administrator Rosenberg re opioid manufacturing quotas.

**August, 2016:** Joined Sen. Durbin on letter to CMS Administrator calling on the center to justify the IMD exclusion and to consider its removal for substance-use disorder treatment.

**July, 2016:** Joined Sen. Shaheen on letter to Sen. McConnell urging real funding to combat the opioid crisis. The letter also asks the Majority Leader to schedule a vote on Shaheen's emergency appropriations bill.

**July, 2016:** Joined Sen. Durbin and others on a letter to DEA Administrator requesting that they use their current statutory authority to adjust their policy regarding the approval of opioid manufacturing quotas.

**July, 2016:** Joined Sens. Hatch and Schatz on a letter to HHS urging them to develop an action plan and timeline for implementation the National Pain Strategy.

**April, 2016:** Sent a letter with Sen. Feinstein and others to the CDC praising the center for their final guidelines on opioid prescribing.

**March, 2016:** Sent a letter with Sen. Baldwin and others to appropriations committee urging funding for opioid abuse programs.

**February, 2016:** Joined Sen. Blumenthal on letter to FDA.

- Requires that immediate release opioids be subject to a Risk Evaluation and Mitigation Strategy (REMS). Currently, REMS are only required for extended release and long acting opioids.

**February, 2016:** Joined Sen. Collins in sending letter to HHS.

- The letter calls on HHS to examine the connection between pain management measurements and high levels of opioid prescriptions.

**February, 2016:** Sent a letter urging CVS to make Naloxone available without a prescription in Maine.

- This letter was sent just days after CVS decided to make Naloxone available without a prescription at all of their locations in Ohio.

**February, 2016:** Sent a letter pressing Obama to help lower prescription drug prices.

- Joined seven colleagues. Letter asks Obama to allow the government to negotiate prices with manufacturers, promote competition in the generic drug market, prevent price gouging and outlaw “pay for delay.”

**December, 2015:** *Sent a letter to President Obama urging increased funding to combat opioid epidemic in his FY 2017 Budget*

- Called for significant increase in funding from FY 16. Budget wound up being for \$1.1 billion for opioids.

**November, 2015:** *Joined several colleagues in praising CDC’s Draft Guidelines for Opioid Prescribing.*

**September, 2015:** *Urged HELP Committee leaders to investigate the FDA’s decision to approve OxyContin for use by children as young as 11 years old.*

**August, 2015:** *Sent a letter to Burwell with Sen. Collins urging HHS to increase access to medication-assisted therapy (MAT).*

**July, 2015:** *Called for CMS to remove methadone from its preferred drug lists for pain management.*

- Nationally, methadone accounts for only two percent of opioid pain reliever prescriptions, but accounts for 30 percent of related overdoses.