STATE-FEDERAL UPDATE ON OPIOID TREATMENT & RECOVERY

HALEY NICHOLSON-POLICY DIRECTOR, HEALTH
STATE-FEDERAL AFFAIRS, NCSL DC

TOPICS COVERED

- NCSL in DC
- Federal Programs Covering Opioid Treatment and Recovery
- Federal Legislation: CARA, CURES and SUPPORT
Advocating for: NCSL’s members, the NCSL HHS Committee and the NCSL HHS Policy Working Group.

Keeping congressional committees and federal agencies up to date on what states are prioritizing.
NCSL IN DC:

- Sharing what challenges states are facing in federal programs.
- Staying in touch with congressional committee and federal agency staff.

FEDERAL PROGRAMS COVERING OPIOID TREATMENT AND RECOVERY
Three Federal Agencies Covering Majority of Opioid Programs:
- Health and Human Services (HHS), Department of Justice (DOJ) and the Office of National Drug Control Policy (ONDCP)
- Today’s Focus: HHS, CMS and ONDCP and Substance Abuse and Mental Health Services Administration (SAMHSA)

**FEDERAL PROGRAMS COVERING OPIOID TREATMENT AND RECOVERY**

- Substance Abuse Prevention and Treatment Block Grant (SABG)
- State Targeted Response to the Opioid Crisis Grants
- Strategic Prevention Framework for Prescription Drugs
- Improving Access to Overdose Treatment
- Medication Assisted Treatment - Prescription Drug and Opioid Addiction
- State Pilot Grant Program for Treatment for Pregnant and Postpartum Women

**HHS GRANTS PROVIDING RESOURCES FOR TREATMENT & RECOVERY**
HHS GRANTS PROVIDING RESOURCES FOR TREATMENT & RECOVERY

- Building Communities of Recovery
- Prevention for States
- Data-Driven Prevention Initiative
- Rural Health Opioid Program
- Substance Abuse Treatment Telehealth Network Grant Program

FEDERAL LEGISLATION: CARA, CURES AND SUPPORT:
FEDERAL LEGISLATION: CARA AND CARA 2.0:

- Part of three major pieces of federal legislation addressing opioid crisis passed.
- Enacted in the 114th Congress to address the opioid epidemic along with the 21st Century Cures Act.
- Focuses primarily on opioids and broader substance use disorders as well.

FEDERAL LEGISLATION: CARA AND CARA 2.0:

- Majority of programs authorized under CARA receive annually appropriated funds from Fiscal Year FY2017-FY2021.
- Funding from this law funded started several of the programs mentioned earlier.
- Under FY2017 CARA provided $20 million for HHS run programs.
FEDERAL LEGISLATION: CARA 2.0:

- Congressional interest to increase CARA funding levels for the remaining fiscal years of FY2019-FY2021 along with proposed limits on opioid prescriptions.
- CARA 2.0 Act of 2018 introduced in Senate last year.
- Highlights for Recovery and Treatment: Prohibition on prescribing more than a three-day supply of opioids except in certain cases.

FEDERAL LEGISLATION: CARA 2.0:

- Highlights for Recovery and Treatment: Proposed increase in funds for:
  - First Responder Training- including training on exposure to fentanyl.
  - Evidence-Based Prescription Opioid and Heroin Treatment and Intervention Demonstrations.
  - Building Communities of Recovery in CARE- using funds to reduce stigma associated with substance use disorders.
  - Residential Treatment Program for Pregnant and Postpartum Women.
FEDERAL LEGISLATION: 21ST CENTURY CURES ACT:

- Authorized state opioid grants and general substance abuse provisions on health research and treatment.
- Appropriations for CURES and Opioid-Specific Programs and also received funding in second continuing resolution for FY2017 at $500 million for FY2017 and FY2018.

21ST CENTURY CURES ACT:

- SAMHSA administers CURES block grants and other grants.
- Used to support states on addressing opioid abuse crisis and activities that supplement related activities.
- Hearing in House Committee with Assistant Secretary for SAMHSA on CURES and its mental health initiatives.
- Recent news, Christopher M. Jones as Director of National Mental Health and Substance Use Policy Laboratory under SAMHSA.
Passed into law this past October, also known at the Opioid Crisis Response Act.

Core of legislation deals with increasing public health costs and lives lost to opioid misuse disorder.

Provides flexibility to several Medicare and Medicaid programs.
SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Medicaid Provisions Related to Treatment and Recovery:
  - Medicaid health homes for substance use disorder Medicaid enrollees and will enhance matching rate from eight quarters to ten quarters.
  - GAO study and report on how Medicaid covers peer support services, types of services provided and payment models.
  - CMS to issue guidance to states on providing services via telehealth that address substance use disorders under Medicaid.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Medicaid Provisions Related to Treatment and Recovery:
  - GAO report and recommendations to Congress on barriers to access for substance use disorder medications.
  - GAO report and recommendations to Congress on barriers to access for substance use disorder medications.
  - Clarification on current Medicaid regulations on Institutions for Mental Diseases (IMD), and IMD regulations for managed care plans and alternative services they can provide.
SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Medicaid Provisions Related to Treatment and Recovery:
  - Children’s Health Insurance Program (CHIP) Mental Health and SUD Parity requiring CHIP to cover mental health benefits including for eligible pregnant women and children.
  - HHS stakeholder group to produce report of best practices for states to consider in health care transitions for inmates.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Federal Drug Administration (FDA) Provisions Related to Treatment and Recovery:
  - FDA required to hold at least one public meeting on addressing the challenges and barriers of developing non-addictive medical products.
  - Increase number of waivered health care providers that can prescribe or dispense medication-assisted treatment (MAT).
  - Attorney General will issue a special registration to health care providers to prescribe controlled substances via telemedicine in emergency situations, regulation that will be finally implemented.
SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Public Health Provisions Related to Treatment and Recovery:
  - Establish six year loan repayment agreements with substance use disorder treatment professionals in mental health shortage areas or suffering significantly from overdoses.
  - Resources to hospitals and other providers on developing protocols for discharging patients with an opioid overdose.
  - Establish regional centers of excellence in substance use disorder education.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT:

- Public Health Provisions Related to Treatment and Recovery:
  - SAMHSA grant program to establish or operate comprehensive opioid recovery centers serving communities.
  - Creation of several programs for peer support communities of recovery including peer support networks and long-term support services.
  - Reauthorizes and improves state targeted response grants from the CURES Act to provide funding to Tribes and improve flexibility for states.
  - Requires HHS to develop and issue guidance to states on opportunities to support family-focused residential treatment starting in FY2019 for eligible states.
RESOURCES:

 THANK YOU!

Contact Information:
haley.nicholson@ncsl.org
Policy Director-Health
State-Federal Affairs, NCSL DC