

# SENATOR MANCHIN'S LEGISLATION TO COMBAT THE OPIOID EPIDEMIC

Senator Manchin has been a leader in the fight to combat the opioid epidemic. In fact, Senator Manchin has either introduced or cosponsored more than 40 pieces of legislation to do just that. While many of those bills and provisions have become law, there is still more work to be done. Below are a few highlights of the Senator's work so far this Congress.

If you have any questions please do not hesitate to reach out to our office at 202-224-3954.

## Legislation in the 116th Congress:

**S. 417 - The Changing the Culture of the FDA Act:** This bill would amend the FDA's mission statement to include the agency's responsibility for the addressing public health impact of the opioid epidemic. To date, the FDA has failed to consider the devastating public health impact of their repeated decisions to approve dangerously addictive opioids. This bill would help drive the culture change that we need to see at the FDA with regard to opioid approvals.

**S.418 - FDA Accountability for Public Safety Act:** This bill would require the FDA to seek the advice of an advisory committee before approving any new opioid and requires the agency to provide a report to Congress if it approves an opioid against the advice of that committee. Distribution of the drug would be prohibited until the report is submitted.

**S. 419 - Protecting Americans from Dangerous Opioids Act:** This bill would require the FDA to remove approval for an existing opioid medication for every new opioid medication that it approves.

**S. 423 - The Clean Start Act:** This bill will allow people with a federal felony or misdemeanor conviction for a past nonviolent crime committed as a result of drug addiction an opportunity to have their criminal record sealed after undergoing comprehensive addiction treatment and demonstrating a commitment to their recovery. This bill will give people who wish to reform their lives a clean start.

**S. 424 - DEA Enforcement and Authority Act:** This legislation would restore the DEA's ability to effectively enforce our nation's drug laws by making the critical changes requested by the Department of Justice to the Ensuring Patient Access and Effective Drug Enforcement Act, which passed in 2016.

**S. 425 - LifeBOAT Act:** This bill would establish a funding stream to for efforts to provide and expand access to substance abuse treatment through the existing Substance Abuse Prevention and Treatment Block Grant. To pay for this treatment, this bill would establish a 1 cent fee on each milligram of opioid in a pain pill. The bill includes a rebate for cancer related pain and hospice patients and an exemption for opioids used as part of medically assisted treatment.

**S.516 - Prescription Drug Monitoring Program:** Senator Manchin joined Senator Klobuchar in introducing this bill to require the use of Prescription Drug Monitoring Programs (PDMP) in all states that receive certain federal funding to combat opioid abuse and also requires states to make their PDMP data available to other states. PDMPs are electronic databases used to track the prescribing and dispensing of prescription drugs to patients.

**S. 1012 - Protecting Jessica Grubb's Legacy Act:** This bill reforms 42 CFR Part 2, which are regulations that govern the confidentiality and sharing of substance use disorder treatment records. By enacting a simple change to reduce the barriers that prevent medical professionals from accessing vital information about a patient's substance use disorder, it will enable a better coordination of care for patients with substance use disorder.

**JOE MANCHIN**  
United States Senator *for* West Virginia

[www.manchin.senate.gov](http://www.manchin.senate.gov)

# Combating the Opioid Epidemic: Senator Manchin's Efforts

**Jessie's Law:** On March 23, 2018 President Trump signed Jessie's Law into law after it was included in the FY 2018 Omnibus. It was introduced in honor of Jessica Grubb to save lives by ensuring that when individuals and their families are open about a person's past addiction, physicians will have access to the information that they need to provide medically appropriate care. This will establish standards for hospitals and physicians for the display of a past history of opioid addiction within a patient's medical record.

**Comprehensive Senate Opioids Package:** In September 2018, the Senate passed a comprehensive package of bills to combat the ongoing opioid epidemic. This bill reauthorized funding for states hit the hardest by the opioid epidemic, improves communication and information sharing between medical professionals and patients, increases access to treatment and recovery, and establishes a federal grant program that offers trauma-informed care for youth.

**Funding to Combat the Epidemic** – Senator Manchin worked with congressional leaders to secure an additional \$3.3 billion to combat the opioid epidemic in the FY2018 omnibus. Additionally, as a member of the Senate Appropriations Committee, Senator Manchin has successfully pushed for increased funding to address this crisis, including critical funding for the Substance Abuse Prevention and Treatment Block Grant, drug courts, the High Intensity Drug Trafficking Program, the Drug Free Communities Program, and many others.

**Rescheduling Hydrocodone:** From his first days in the Senate, Senator Manchin fought to have hydrocodone rescheduled from a Schedule III to a Schedule II drug. Despite, the FDA's own advisory committee voting 19-10 to reclassify the highly addictive drug on the same day that Senator Manchin testified at its committee hearing, it took several years for this critical change to be made. In the first year after hydrocodone-combination drugs were rescheduled, the number of opioid prescriptions by fell 26.3 million, which meant there were 1.1 billion fewer opioid tablets in our communities.

**Changing the Culture at the FDA** – Senator Manchin led the effort to change the culture of the FDA and get the agency to take seriously the threat of opioid abuse. As a result of pressure from the Senator, the FDA has adopted the opioid action plan, which took a step in the right direction toward improving the FDA's response to the opioid crisis, including the increased use of advisory committees and recognized the public health impact of these drugs.

**Changing Prescribing Practices:** Senator Manchin led the fight in the Senate to preserve the opioid prescribing guidelines put out by the Centers for Disease Control and Prevention. With the strong support from the Senate led by Senator Manchin, the CDC was able to overcome opposition at the FDA and among some consumer groups and put out strong, meaningful guidelines. These guidelines have helped reduce unnecessary opioid prescribing, keeping these pills out of our communities.

**Educating Students Facing Substance Abuse** – Senator Manchin successfully pushed for a provision in the Every Student Succeeds Act to allow schools and local communities to use federal education funds to help students who are facing substance abuse in the home.

**Consumer Education on Opioid Abuse** – Senator Manchin successfully worked to pass the Comprehensive Addiction and Recovery Act (CARA), which increased resources to combat the opioid epidemic. This critical bill included Senator Manchin's language to strengthen consumer education about the dangers of opioid abuse.

**Opposition to OxyContin for Children as young as 11** – Senator Manchin led the fight against the FDA's decision to condone the prescribing of OxyContin for children ages 11-16. He successfully secured language in the FDA-Agriculture Appropriations bill opposing this decision and pressured the pharmaceutical company into publicly promising to not advertise the use of their drug for children.

**Prescription Drug Disposal Packets:** Senator Manchin worked with stakeholders to bring 55,000 drug disposal packets to West Virginia – 1,000 to every county. This helped raised awareness about the epidemic and helped take unnecessary prescription drugs out of people's medicine cabinets.

**JOE MANCHIN**  
United States Senator for West Virginia

[www.manchin.senate.gov](http://www.manchin.senate.gov)