

115TH CONGRESS
2D SESSION

H. R. 5581

To require training for prescribers of controlled substances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2018

Mrs. BROOKS of Indiana (for herself and Mr. SCHNEIDER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require training for prescribers of controlled substances,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abuse Deterrent and
5 Prescriber Training Act of 2018” or the “ADAPT Act of
6 2018”.

1 **SEC. 2. PRACTITIONER EDUCATION.**

2 (a) IN GENERAL.—Part C of the Controlled Sub-
3 stances Act (21 U.S.C. 821 et seq.) is amended—

4 (1) in section 303 (21 U.S.C. 823), by adding
5 at the end the following:

6 “(k)(1) The Attorney General shall not register, or
7 renew the registration of, a practitioner under subsection
8 (f) who is licensed under State law to prescribe controlled
9 substances in schedule II, III, IV, or V, unless the practi-
10 tioner submits to the Attorney General, for each such reg-
11 istration or renewal request, a written certification that
12 the practitioner has completed 3 hours of training under
13 a training program meeting the criteria in paragraph (2)
14 during the period applicable under paragraph (5).

15 “(2) A training program meets the criteria in this
16 paragraph if the program—

17 “(A) includes information on—

18 “(i) safe opioid prescribing guidelines, in-
19 cluding the Guideline for Prescribing Opioids
20 for Chronic Pain issued by the Centers for Dis-
21 ease Control and Prevention;

22 “(ii) the risks of opioid medications and
23 other prescription drugs that are controlled sub-
24 stances;

25 “(iii) pain management, including the need
26 to provide individualized care particularly for

1 active cancer treatment, palliative care, and
2 end-of-life care;

3 “(iv) early detection of opioid and other
4 substance use disorders;

5 “(v) the risks of prescribing opioids to any
6 individual in recovery from a substance use dis-
7 order;

8 “(vi) a basic understanding of addiction;

9 “(vii) the treatment of opioid-dependent
10 patients and their treatment options;

11 “(viii) the risks of misuse of all prescrip-
12 tion drugs that are controlled substances; and

13 “(ix) alternative non-opioid pain manage-
14 ment medications and other effective treat-
15 ments; and

16 “(B) is—

17 “(i) approved by the State agency with pri-
18 mary responsibility for licensing the practitioner
19 to prescribe controlled substances; or

20 “(ii) if such State agency does not have in
21 effect an approval of any training program for
22 purposes of this subsection, conforms to the
23 model training program in effect under para-
24 graph (4).

1 “(3) Notwithstanding paragraph (2), a training pro-
2 gram on prescribing opioids used by a State for purposes
3 of licensing health care practitioners is deemed to meet
4 the criteria in paragraph (2) if the program has been in
5 effect since before the date of enactment of the Abuse De-
6 terrent and Prescriber Training Act of 2018.

7 “(4) The Secretary of Health and Human Services
8 shall—

9 “(A) by not later than 60 days after the date
10 of enactment of the Abuse Deterrent and Prescriber
11 Training Act of 2018, develop a model training pro-
12 gram on prescribing opioids to be used for purposes
13 of paragraph (2)(B)(ii); and

14 “(B) by not later than 90 days after such date
15 of enactment, provide information about such model
16 training program to the Attorney General, pre-
17 scribers, State licensing boards, and continuing med-
18 ical education providers.

19 “(5)(A) In the case of a registration request, and in
20 the case of the first renewal request of a practitioner after
21 the date of enactment of the Abuse Deterrent and Pre-
22 scriber Training Act of 2018, the training required by
23 paragraph (1) shall occur during the 1-year period pre-
24 ceding the registration or first renewal request.

1 “(B) In the case of a renewal request that is not the
2 first renewal request of a practitioner after such date of
3 enactment, the training required by paragraph (1) shall
4 occur during the 3-year period preceding the renewal re-
5 quest.

6 “(6) The Attorney General may—

7 “(A) take steps necessary to verify that a prac-
8 titioner has completed a training program as re-
9 quired under paragraph (1), including requiring a
10 practitioner to provide information determined nec-
11 essary by the Attorney General; and

12 “(B) investigate a practitioner described in
13 paragraph (1) if the Attorney General has reason to
14 believe the practitioner filed an inaccurate or fraud-
15 ulent written certification under paragraph (1).

16 “(7) Nothing in this subsection shall be construed to
17 prevent a practitioner from using the same training both
18 for purposes of satisfying the registration requirements of
19 this subsection and for other purposes, such as satisfying
20 State licensing requirements.”; and

21 (2) in section 304(a) (21 U.S.C. 824(a)), by
22 adding at the end the following:

23 “A registration pursuant to section 303(f) issued to a
24 practitioner who is required to comply with section 303(k)
25 may be denied or revoked by the Attorney General upon

1 a finding that the practitioner has failed to comply with
2 section 303(k).”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect on the date that is 180
5 days after the date of enactment of this Act.

6 (c) SUNSET.—Effective on the date that is 5 years
7 after the date of enactment of this Act, the following pro-
8 visions are repealed:

9 (1) Subsection (k) of section 303 of the Con-
10 trolled Substances Act (21 U.S.C. 823), as added by
11 subsection (a)(1) of this section.

12 (2) The sentence added by subsection (a)(2) of
13 this section to the end of section 304(a) of such Act
14 (21 U.S.C. 824(a)).

15 **SEC. 3. REPORT TO CONGRESS.**

16 Not later than 2 years after the date of enactment
17 of this Act, the Comptroller General of the United States
18 shall submit a report to Congress on the effects of this
19 Act and the amendments made by this Act, including an
20 analysis of—

21 (1) whether there has been a reduction in the
22 volume of opioids prescribed;

23 (2) whether there has been an increase in the
24 likelihood that opioid-dependent patients receive sub-
25 stance use disorder treatment;

1 (3) whether there has been a reduction in
2 opioid-related overdoses and deaths;

3 (4) whether training required by this Act and
4 the amendments made by this Act has changed pre-
5 scribing practices and increased patient referrals to
6 treatment; and

7 (5) the extent to which prescribers have con-
8 formed their practices to those recommended in
9 training pursuant to this Act and the amendments
10 made by this Act.

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