

115TH CONGRESS
2D SESSION

H. R. 5779

To amend title XVIII of the Social Security Act to require the Secretary to establish a technical expert panel for purposes of evaluating the use of opioid-related quality measures under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2018

Mr. PAULSEN (for himself and Mr. DANNY K. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 amend title XVIII of the Social Security Act to require the Secretary to establish a technical expert panel for purposes of evaluating the use of opioid-related quality measures under 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Quality of
5 Care in Pain Management Act of 2018”.

1 **SEC. 2. REQUIRING THE REVIEW OF QUALITY MEASURES**
2 **RELATING TO OPIOIDS AND OPIOID USE DIS-**
3 **ORDER TREATMENTS FURNISHED UNDER**
4 **THE MEDICARE PROGRAM AND OTHER FED-**
5 **ERAL HEALTH CARE PROGRAMS.**

6 (a) IN GENERAL.—Section 1890A of the Social Secu-
7 rity Act (42 U.S.C. 1395aaa–1) is amended by adding at
8 the end the following new subsection:

9 “(g) TECHNICAL EXPERT PANEL REVIEW OF OPIOID
10 AND OPIOID USE DISORDER QUALITY MEASURES.—

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this subsection,
13 the Secretary shall establish a technical expert panel
14 for purposes of reviewing quality measures relating
15 to opioids and opioid use disorders, including care,
16 prevention, diagnosis, health outcomes, and treat-
17 ment furnished to individuals with opioid use dis-
18 orders. The Secretary may elect to establish such
19 panel through a contract with the consensus-based
20 entity with a contract in effect under section 1890.

21 “(2) REVIEW AND ASSESSMENT.—Not later
22 than 1 year after the date the technical expert panel
23 described in paragraph (1) is established (and peri-
24 odically thereafter as the Secretary determines ap-
25 appropriate), the technical expert panel shall—

1 “(A) review quality measures that relate to
2 opioids and opioid use disorders, including ex-
3 isting measures and those under development;

4 “(B) identify gaps in areas of quality
5 measurement that relate to opioids and opioid
6 use disorders, and identify measure develop-
7 ment priorities for such measure gaps; and

8 “(C) make recommendations to the Sec-
9 retary on quality measures with respect to
10 opioids and opioid use disorders for purposes of
11 improving care, prevention, diagnosis, health
12 outcomes, and treatment, including rec-
13 ommendations for revisions of such measures,
14 need for development of new measures, and rec-
15 ommendations for including such measures in
16 quality reporting programs, value-based pur-
17 chasing programs, accountable care organiza-
18 tions, and alternative payment models under
19 this title.

20 “(3) CONSIDERATION OF MEASURES BY SEC-
21 RETARY.—The Secretary shall consider—

22 “(A) using opioid and opioid use disorder
23 measures (including measures used under the
24 Merit-Based Incentive Payment System under
25 section 1848(q), measures recommended under

1 paragraph (2)(C), and other such measures
2 identified by the Secretary) in Alternative Pay-
3 ment Models under section 1833(z)(3)(C) and
4 in the Shared Savings Program under section
5 1899; and

6 “(B) using opioid measures described in
7 subparagraph (A), as applicable, in the Hos-
8 pital Inpatient Quality Reporting program
9 under section 1886(b)(3)(B)(viii), in the hos-
10 pital value-based purchasing program under
11 section 1886(o), and under other value-based
12 purchasing programs under this title.

13 “(4) PRIORITIZATION OF MEASURE DEVELOP-
14 MENT.—The Secretary shall prioritize for measure
15 development the gaps in quality measures identified
16 under paragraph (2)(C).”.

17 (b) EXPEDITED ENDORSEMENT PROCESS FOR
18 OPIOID MEASURES.—Section 1890(b)(2) of the Social Se-
19 curity Act (42 U.S.C. 1395aaa(b)(2)) is amended by add-
20 ing at the end the following new flush sentence:

21 “Such endorsement process shall, as determined
22 practicable by the entity, provide for an expedited
23 process with respect to the endorsement of measures
24 relating to opioids and opioid use disorders.”.