

115TH CONGRESS  
2D SESSION

# S. 2891

To amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act.

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2018

Mr. GRASSLEY (for himself, Mr. BROWN, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act.

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 “Fighting the Opioid  
5 Epidemic with Sunshine Act of 2018”.

1 **SEC. 2. IMPROVEMENTS TO TRANSPARENCY REPORTS.**

2 (a) INCLUSION OF INFORMATION REGARDING PAY-  
3 MENTS TO ADVANCE PRACTICE NURSES.—

4 (1) IN GENERAL.—Section 1128G(e)(6) of the  
5 Social Security Act (42 U.S.C. 1320a–7h(e)(6)) is  
6 amended—

7 (A) in subparagraph (A), by adding at the  
8 end the following new clauses:

9 “(iii) A physician assistant, nurse  
10 practitioner, or clinical nurse specialist (as  
11 such terms are defined in section  
12 1861(aa)(5)).

13 “(iv) A certified registered nurse an-  
14 esthetist (as defined in section  
15 1861(bb)(2)).

16 “(v) A certified nurse-midwife (as de-  
17 fined in section 1861(gg)(2)).”; and

18 (B) in subparagraph (B), by inserting “,  
19 physician assistant, nurse practitioner, clinical  
20 nurse specialist, certified nurse anesthetist, or  
21 certified nurse-midwife” after “physician”.

22 (2) EFFECTIVE DATE.—The amendments made  
23 by this subsection shall apply with respect to infor-  
24 mation required to be submitted under section  
25 1128G of the Social Security Act (42 U.S.C. 1320a–  
26 7h) on or after January 1, 2020.

1           (b) SUNSET OF EXCLUSION OF NATIONAL PROVIDER  
2 IDENTIFIER OF COVERED RECIPIENT IN INFORMATION  
3 MADE           PUBLICLY           AVAILABLE.—Section  
4 1128G(e)(1)(C)(viii) of the Social Security Act (42 U.S.C.  
5 1320a–7h(e)(1)(C)(viii)) is amended by striking “does not  
6 contain” and inserting “in the case of information made  
7 available under this subparagraph prior to January 1,  
8 2020, does not contain”.

9           (c) ADMINISTRATION.—Chapter 35 of title 44,  
10 United States Code, shall not apply to this section or the  
11 amendments made by this section.

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