

115TH CONGRESS
2D SESSION

S. 3500

To authorize the Secretary of Health and Human Services to conduct programs to address the usage of illicit drugs, particularly fentanyl, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2018

Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To authorize the Secretary of Health and Human Services to conduct programs to address the usage of illicit drugs, particularly fentanyl, 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 “Surveillance and Test-
5 ing of Opioids to Prevent Fentanyl Deaths Act of 2018”
6 or the “STOP Fentanyl Deaths Act of 2018”.

1 **SEC. 2. PUBLIC HEALTH LABORATORIES TO DETECT**
2 **FENTANYL.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services (in this section referred to as the “Sec-
5 retary”) shall establish a program to award grants to Fed-
6 eral, State, and local agencies to support the establish-
7 ment or operation of public health laboratories to detect
8 fentanyl, its analogues, and other synthetic opioids, as de-
9 scribed in subsection (b).

10 (b) STANDARDS.—The Secretary, in consultation
11 with the Director of the National Institute of Standards
12 and Technology, shall—

13 (1) develop standards for effectively handling
14 and testing fentanyl, its analogues, and other syn-
15 thetic opioids;

16 (2) develop—

17 (A) fentanyl and fentanyl analogue ref-
18 erence materials, quality control standards, and
19 protocols to calibrate instrumentation for clin-
20 ical diagnostics and post-mortem surveillance;
21 and

22 (B) portable testing devices utilized by law
23 enforcement and public health officials; and

24 (3) include in the standards developed pursuant
25 to paragraph (1) procedures for encountering new
26 and emerging synthetic opioid formulations and re-

1 port those findings to Federal, State, and local pub-
2 lic health laboratories.

3 (c) LABORATORIES.—The Secretary shall require
4 grantees under subsection (a) to—

5 (1) follow the standards established under sub-
6 section (b) and be capable of providing systematic
7 and routine laboratory testing of drugs for the pur-
8 poses of obtaining and disseminating public health
9 information to Federal, State, and local public
10 health officials, laboratories, and other entities as
11 the Secretary determines appropriate;

12 (2) work with law enforcement agencies and
13 public health authorities, as practicable, to develop
14 real-time information on the purity and movement of
15 fentanyl, its analogues, and other synthetic opioids;

16 (3) assist State and local law enforcement agen-
17 cies in testing seized drugs when State and local fo-
18 rensic laboratories request additional assistance;

19 (4) provide early warning information and ad-
20 vice to Federal, State, and local law enforcement
21 agencies and public health authorities of potential
22 significant changes in the supply of fentanyl, its
23 analogues, and other synthetic opioids;

1 (5) provide biosurveillance for non-fatal expo-
2 sures to fentanyl, fentanyl analogues, and other syn-
3 thetic opioids; and

4 (6) provide diagnostic testing for such non-fatal
5 exposures to emergency personnel.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—To carry
7 out this section, there is authorized to be appropriated
8 \$15,000,000 for each of fiscal years 2019 through 2023.

9 **SEC. 3. ENHANCED FENTANYL SURVEILLANCE.**

10 (a) IN GENERAL.—The Director of the Centers for
11 Disease Control and Prevention shall enhance its drug
12 surveillance program by—

13 (1) expanding its surveillance program to in-
14 clude all 50 States and the territories of the United
15 States;

16 (2) increasing and accelerating the collection of
17 data on fentanyl, its analogues, other synthetic
18 opioids, and new emerging drugs of abuse, including
19 related overdose data from medical examiners and
20 drug treatment admissions; and

21 (3) utilizing available and emerging information
22 on fentanyl, its analogues, other synthetic opioids,
23 and new emerging drugs of abuse, including infor-
24 mation from—

1 (A) the National Drug Early Warning Sys-
2 tem;

3 (B) State and local public health authori-
4 ties; and

5 (C) Federal, State, and local public health
6 laboratories.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry
8 out this section, there is authorized to be appropriated
9 \$10,000,000 for each of fiscal years 2019 through 2023.

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