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Senate Delays Timeline for Opioids Legislation

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Given broad interest in addressing opioid abuse and growing public pressure, lawmakers have considered a broad range of bills designed to address opioids, intending to pass legislation during the summer to demonstrate action before the midterm elections. However, the Senate appears increasingly unlikely to vote on an opioids legislation package by Labor Day. Several factors have complicated the Senate's timeline for action, including the ongoing appropriations sprint, the unexpected Supreme Court nomination of Judge Brett Kavanaugh, and disagreements among lawmakers over the opioids package.

In June, the House passed more than 50 bills addressing opioids packaged together as part of H.R. 6, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act. The package includes incremental measures to reduce excess and unused prescription opioids in circulation, increase access to addiction treatment and alternative pain treatments, restrict imported fentanyl arriving through international mail, and expand coverage for telehealth treatment for substance use disorder. Lawmakers considered most of the house-passed measures to be non-controversial.

The Senate's package will likely combine four opioids bills advanced by the Senate Finance Committee, Senate Health, Education, Labor and Pensions (HELP) Committee, Senate Judiciary Committee, and Senate Commerce, Science, and Transportation Committee. Senators in both parties have interest in shaping the debate and adding new measures to the potential opioids package, which may add to the timeline. Given that any final Senate package would need to be reconciled with the House-passed H.R. 6 opioids package, Congress may not enact a final opioids agreement until after the midterm elections.