Where’s the Ryan White Act for Opioids?

Lawmakers advance 25 measures to fight the epidemic, with 30 more to come. But is this just “nibbling around the edges” of the crisis?

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There can be no doubt that the U.S. House of Representatives is succeeding in their quest to push through a large quantity of legislation addressing the opioid epidemic in a short period of time. Whether or not that legislation has the potential to make more than a dent in the burgeoning glut of overdose deaths and substance use disorder diagnoses that have impacted every corner of the country remains to be seen.

On the heels of the House Committee on Energy and Commerce’s Subcommittee on Health passing 56 pieces of legislation aimed at addressing the opioid epidemic last month, the full Committee on Energy and Commerce held the first of two markups on those bills on Wednesday, May 9, advancing 25 of the 26 measures that were up for consideration. The remaining 30 opioid bills will be considered during a second markup on Thursday, May 17.

All of bills that advanced have had bipartisan support, but a number of Democrats say the effort is not as comprehensive as it should be, with some pointing out that the legislation being considered is not nearly enough to truly address the damage done by the opioid epidemic, particularly if these bills aren’t paired with significant spending increases, as is currently the case.

“We need to make sure we’re not nibbling around the edges to address the opioid crisis,” remarked Rep. Diana DeGette (D-CO). “We need to make sure we’re addressing the crisis head on, similarly to how we did with the AIDS crisis with Ryan White.”

The bills advanced Wednesday include the Comprehensive Opioid Recovery Centers Act 2018, which would establish models for comprehensive treatment and recovery, and Eliminating Opioid Related Infectious Diseases, which funds a CDC surveillance and education program to address infections associated with injection drug use.

Unfortunately, the bulk of the advanced legislation is largely reactive in nature and focuses on the prescription opioid crackdown narrative that has been pursued with such zeal in both Congress and the press. Many of the bills that were advanced focus on reducing the supply of opioids through opioid packaging, unused drug takeback programs, drug misuse and prescribing education, and scheduling of illicit fentanyl analogues.

One of legislators' go-to solutions, prescription drug monitoring programs was found to have inconsistent results in a new study published Monday in the journal Annals of Internal Medicine. The study determined that opioid deaths barely slowed by prescription monitoring and called for such programs to be one tool in a greater array of interventions. In the larger effort to tackle the current opioid crisis, the study acknowledged, resources are scarce.

Democrats on the Energy and Commerce Committee lamented the lack of new money being made available to states for opioid crisis response during the markup and also pointed out the folly and hypocrisy in passing a series of bills aimed at addressing small portions of the opioid epidemic while also actively trying to undermine Medicaid.

"Even if we pass all the bills on the House floor, the sum benefit of all that effort will be completely overshadowed by the harm that would be caused if we made large scale cuts to Medicaid program" said Rep. Doris Matsui (D-CA). "Medicaid is the primary payer of mental health treatment in this country, including substance use disorder treatment. Without it, we would take many steps backward in our efforts to address the opioid epidemic."

Opioid legislation was advanced by the Senate HELP Committee last month, and both chambers expect to vote on an opioids package this summer, although hopes of doing so before Memorial Day have fizzled. AIDS United will be sure to keep you up to the date on all of the latest news regarding these opioid bills, as well as all HIV-related legislation in Congress.

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