

117TH CONGRESS
2D SESSION

S. 4091

To amend part A of title XI of the Social Security Act to provide grants to States, units of local government, and Indian Tribes to establish, expand, or maintain Drug Overdose Fatality Review Teams.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2022

Mr. WHITEHOUSE (for himself and Mr. CORNYN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend part A of title XI of the Social Security Act to provide grants to States, units of local government, and Indian Tribes to establish, expand, or maintain Drug Overdose Fatality Review Teams.

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 “Overdose Review Team
5 Act”.

1 **SEC. 2. FUNDING TO ESTABLISH DRUG OVERDOSE FATAL-**
2 **ITY REVIEW TEAMS.**

3 Part A of title XI of the Social Security Act (42
4 U.S.C. 1301 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 1150D. GRANTS TO ESTABLISH DRUG OVERDOSE FA-**
7 **TALITY REVIEW TEAMS.**

8 “(a) GRANTS.—The Secretary shall, using amounts
9 appropriated under this section, award grants to States,
10 units of local government, and Indian Tribes to establish,
11 expand, or maintain a Drug Overdose Fatality Review
12 Team, which shall—

13 “(1) promote cooperation and coordination
14 among agencies involved in the investigation of fatal
15 and non-fatal drug overdoses;

16 “(2) develop an understanding of the causes
17 and incidences of drug overdoses in the jurisdiction
18 where the team operates;

19 “(3) track the total number of drug overdose
20 deaths and identify trends and patterns in fatal and
21 non-fatal drug overdoses in the jurisdiction where
22 the team operates;

23 “(4) plan for and recommend changes within
24 the agencies to prevent drug overdose fatalities;

25 “(5) recommend best practices for preventing
26 drug overdoses and drug overdose deaths; and

1 “(6) advise policymakers in the team’s jurisdic-
2 tion about potential changes to law, policy, funding,
3 or practices to prevent drug overdoses.

4 “(b) GRANT RECIPIENTS.—The Secretary shall not
5 award grant funds under this section to a recipient unless
6 the recipient provides to the Secretary a list of individuals
7 on the drug overdose fatality review team, which shall in-
8 clude—

9 “(1) not less than 1 representative each from—

10 “(A) the State, local, or Tribal department
11 of health, or similar department;

12 “(B) the State, local, or Tribal govern-
13 mental entity responsible for alcohol, drug, or
14 other substance addiction treatment and serv-
15 ices;

16 “(C) the State, local, or Tribal department
17 of social services, or similar department;

18 “(D) the State, local or Tribal attorney’s
19 office;

20 “(E) law enforcement agencies of the juris-
21 diction, which may include representatives of
22 law enforcement agencies operating in a high
23 intensity drug trafficking area designated pur-
24 suant to section 707(b) of the Office of Na-

1 tional Drug Control Policy Reauthorization Act
2 of 1998 (21 U.S.C. 1706(b));

3 “(F) the State, local, or Tribal department
4 of corrections, or similar department; and

5 “(G) the State, local or Tribal medical ex-
6 aminer or coroner;

7 “(2) a health care provider who specializes in
8 the diagnosis and treatment of substance use and
9 misuse and substance use disorders;

10 “(3) a health care provider who specializes in
11 treating co-occurring mental health and substance
12 use disorders;

13 “(4) a representative from emergency medical
14 services;

15 “(5) a patient advocate who has lived experi-
16 ence with substance use and misuse or who has a
17 family member with a history of substance use and
18 misuse;

19 “(6) an emergency department physician;

20 “(7) a toxicologist; and

21 “(8) a community-based substance use preven-
22 tion coalition leader or other community-based sub-
23 stance use prevention professional.

24 “(c) APPROPRIATION.—In addition to amounts other-
25 wise available, there is appropriated to the Secretary for

1 fiscal year 2023, out of any money in the Treasury not
2 otherwise appropriated, \$50,000,000, to remain available
3 until 2027, to carry out this section.

4 “(d) DEFINITIONS.—In this section:

5 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’
6 has the meaning given that term in section 4(e) of
7 the Indian Self-Determination and Education Assist-
8 ance Act (25 U.S.C. 5304(e)).

9 “(2) STATE.—The term ‘State’ has the mean-
10 ing given that term in section 1101(a)(1) for pur-
11 poses of this title and includes the Commonwealth of
12 the Northern Mariana Islands, and American
13 Samoa.”.

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