

117TH CONGRESS
2D SESSION

S. 4301

To reauthorize and improve the block grants for prevention and treatment of substance abuse.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2022

Ms. HASSAN (for herself, Ms. MURKOWSKI, and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To reauthorize and improve the block grants for prevention and treatment of substance abuse.

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 “Substance Use Preven-

5 tion, Treatment, and Recovery Act”.

6 **SEC. 2. OTHER AMENDMENTS TO THE BLOCK GRANTS FOR**
7 **PREVENTION AND TREATMENT OF SUB-**
8 **STANCE ABUSE.**

9 (a) CERTAIN ALLOCATIONS.—

1 (1) ALLOCATIONS REGARDING RECOVERY.—
2 Section 1922 of the Public Health Service Act (42
3 U.S.C. 300x-22) is amended by adding at the end
4 the following:

5 “(c) ALLOCATIONS REGARDING RECOVERY.—

6 “(1) IN GENERAL.—A funding agreement for
7 this grant under section 1921 is that, in expending
8 the grant, the State involved will expend not less
9 than 10 percent each fiscal year for programs for
10 community-based and peer recovery support services
11 for individuals with a substance use disorder.

12 “(2) SPECIAL RULE FOR 2023.—Notwith-
13 standing paragraph (1), for fiscal year 2023, a State
14 shall expend not less than 7 percent for programs
15 described in such paragraph, provided that, in fiscal
16 year 2024, the State expends for such programs an
17 amount equal to any difference between 10 percent
18 of the grant amount for fiscal year 2023 and the
19 amount actually expended for such programs in fis-
20 cal year 2023, in addition to meeting the require-
21 ments of paragraph (1) with respect to grant
22 amounts for fiscal year 2024.”.

23 (2) TECHNICAL AMENDMENT.—Effective as if
24 included in the enactment of the Children’s Health
25 Act of 2000 (Public Law 106–310), section

1 3303(f)(2)(A) of the Children’s Health Act of 2000
 2 (Public Law 106–310; 114 Stat. 1211) is amended
 3 by striking “section 1922(c) of the Public Health
 4 Service Act (42 U.S.C. 300x–22(c))” and inserting
 5 “section 1922(b) of the Public Health Service Act,
 6 as amended by section 3303(a),”.

7 (b) PUBLIC HEALTH PROMOTION FOR RECOVERY.—

8 (1) FORMULA GRANTS.—Section 1921(b) of the
 9 Public Health Service Act (42 U.S.C. 300x–21(b)) is
 10 amended—

11 (A) by inserting “, including measures for
 12 infrastructure, education, or outreach to pre-
 13 vent overdose or other health risks,” after “sub-
 14 stance use disorders”; and

15 (B) by inserting “evidence-based or evi-
 16 dence-informed” after “evaluating”.

17 (2) CERTAIN RESTRICTIONS ON EXPENDI-
 18 TURES.—Section 1931(a)(1) of the Public Health
 19 Service Act (42 U.S.C. 300x–31(a)(1)) is amend-
 20 ed—

21 (A) in subparagraph (E), by striking “;
 22 or” and inserting a semicolon;

23 (B) in subparagraph (F), by striking the
 24 period and inserting “; or”; and

25 (C) by adding at the end the following:

1 “(G) in a manner that excludes individuals
 2 on the basis that such individuals receive drugs
 3 approved by the Food and Drug Administration
 4 for the treatment of substance use disorders.”.

5 (c) RESTRICTIONS ON EXPENDITURE OF GRANT.—
 6 Section 1931(a) of the Public Health Service Act (42
 7 U.S.C. 300x-31(a)) is amended—

8 (1) in paragraph (1)(F), by inserting “, except
 9 that the State may use such grant to provide sup-
 10 port to programs that include infrastructure, edu-
 11 cation, or outreach services” before the period; and

12 (2) by amending paragraph (3) to read as fol-
 13 lows:

14 “(3) LIMITATION REGARDING PENAL AND COR-
 15 RECTIONAL INSTITUTIONS.—A funding agreement
 16 for this grant under section 1921 is that, in expend-
 17 ing the grant, the State involved will expend not
 18 more than such a percentage of the block grant
 19 treatment budget, between 5 and 10 percent, as the
 20 Secretary may specify, for the purpose of providing
 21 treatment services in penal or correctional institu-
 22 tions of the State.”.

23 (d) STUDY ON ASSESSMENT FOR USE IN DISTRIBUTION OF LIMITED STATE RESOURCES.—
 24

1 (1) IN GENERAL.—The Secretary of Health and
2 Human Services (referred to in this section as the
3 “Secretary”), acting through the Assistant Secretary
4 for Mental Health and Substance Use, in consulta-
5 tion with States and other local entities providing
6 prevention, treatment, or recovery support services
7 related to substance use, shall conduct a study to de-
8 velop a model needs assessment process for States to
9 consider to help determine how best to allocate block
10 grant funding received under subpart II of part B
11 of title XIX of the Public Health Service Act (42
12 U.S.C. 300x–21 et seq.) to provide services to sub-
13 stance use disorder prevention, treatment, and re-
14 covery support. The study shall include cost esti-
15 mates with each model needs assessment process.

16 (2) REPORT.—Not later than 1 year after the
17 date of the enactment of this Act, the Secretary
18 shall submit to the Committee on Health, Edu-
19 cation, Labor, and Pensions of the Senate and the
20 Committee on Energy and Commerce of the House
21 of Representatives a report on the results of the
22 study conducted under paragraph (1).

23 (e) FUNDING.—Section 1935(a) of the Public Health
24 Service Act (42 U.S.C. 300x–35(a)) is amended by strik-
25 ing “\$1,858,079,000 for each of fiscal years 2018 through

1 2022.” and inserting “\$3,200,000,000 for each of fiscal
2 years 2023 through 2027”.

3 **SEC. 3. ELIMINATING STIGMATIZING LANGUAGE RELATING**
4 **TO SUBSTANCE USE.**

5 (a) BLOCK GRANTS FOR PREVENTION AND TREAT-
6 MENT OF SUBSTANCE USE.—Part B of title XIX of the
7 Public Health Service Act (42 U.S.C. 300x et seq.) is
8 amended—

9 (1) in the part heading, by striking “**SUB-**
10 **STANCE ABUSE**” and inserting “**SUBSTANCE**
11 **USE**”;

12 (2) in section 1922(a) (42 U.S.C. 300x–
13 22(a))—

14 (A) in paragraph (1), in the matter pre-
15 ceding subparagraph (A), by striking “sub-
16 stance abuse” and inserting “substance use dis-
17 orders”; and

18 (B) by striking “such abuse” each place it
19 appears in paragraphs (1) and (2) and insert-
20 ing “such use”;

21 (3) in section 1923 (42 U.S.C. 300x–23)—

22 (A) in the section heading, by striking
23 “**SUBSTANCE ABUSE**” and inserting “**SUB-**
24 **STANCE USE**”; and

1 (B) by striking “drug abuse” each place it
 2 appears in subsections (a) and (b) and inserting
 3 “substance use disorders”;

4 (4) in section 1925(a)(1) (42 U.S.C. 300x–
 5 25(a)(1)), by striking “alcohol or drug abuse” and
 6 inserting “alcohol or other substance use disorders”;

7 (5) in section 1926(b)(2)(B) (42 U.S.C. 300x–
 8 26(b)(2)(B)), by striking “substance abuse”;

9 (6) in section 1931(b)(2) (42 U.S.C. 300x–
 10 31(b)(2)), by striking “substance abuse” and insert-
 11 ing “substance use disorders”;

12 (7) in section 1933(d)(1) (42 U.S.C. 300x–
 13 33(d)), in the matter following subparagraph (B), by
 14 striking “abuse of alcohol and other drugs” and in-
 15 serting “use of substances”;

16 (8) by amending paragraph (4) of section 1934
 17 (42 U.S.C. 300x–34) to read as follows:

18 “(4) The term ‘substance use disorder’ means
 19 the recurrent use of alcohol or other drugs that
 20 causes clinically significant impairment.”;

21 (9) in section 1935 (42 U.S.C. 300x–35)—

22 (A) in subsection (a), by striking “sub-
 23 stance abuse” and inserting “substance use dis-
 24 orders”; and

1 (B) in subsection (b)(1), by striking “sub-
 2 stance abuse” each place it appears and insert-
 3 ing “substance use disorders”;

4 (10) in section 1949 (42 U.S.C. 300x–59), by
 5 striking “substance abuse” each place it appears in
 6 subsections (a) and (d) and inserting “substance use
 7 disorders”;

8 (11) in section 1954(b)(4) (42 U.S.C. 300x–
 9 64(b)(4))—

10 (A) by striking “substance abuse” each
 11 place it appears and inserting “substance use
 12 disorders”; and

13 (B) by striking “such abuse” and inserting
 14 “such disorders”;

15 (12) in section 1955 (42 U.S.C. 300x–65), by
 16 striking “substance abuse” each place it appears
 17 and inserting “substance use disorder”; and

18 (13) in section 1956 (42 U.S.C. 300x–66), by
 19 striking “substance abuse” each place it appears
 20 and inserting “substance use disorders”.

21 (b) CERTAIN PROGRAMS REGARDING MENTAL
 22 HEALTH AND SUBSTANCE ABUSE.—Part C of title XIX
 23 of the Public Health Service Act (42 U.S.C. 300y et seq.)
 24 is amended—

1 (1) in the part heading, by striking “**SUB-**
2 **STANCE ABUSE**” and inserting “**SUBSTANCE**
3 **USE**”;

4 (2) in section 1971 (42 U.S.C. 300y), by strik-
5 ing “substance abuse” each place it appears in sub-
6 sections (a), (b), and (f) and inserting “substance
7 use”; and

8 (3) in section 1976 (42 U.S.C. 300y–11), by
9 striking “intravenous abuse” and inserting “intra-
10 venous use”.

○