

118TH CONGRESS
2D SESSION

H. R. 10396

To amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs furnishes certain non-opioid pain medications to veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2024

Mr. LANDSMAN (for himself and Mr. VAN ORDEN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs furnishes certain non-opioid pain medications to veterans, 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 “NOPAIN for Veterans
5 Act”.

1 **SEC. 2. INCLUSION OF CERTAIN NON-OPIOID PAIN MEDICA-**
2 **TIONS IN THE NATIONAL FORMULARY OF**
3 **THE DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Section 8125 of title 38, United
5 States Code, is amended—

6 (1) in subsection (d), by adding at the end the
7 following new paragraph:

8 “(4) The term ‘non-opioid pain management
9 drug or biological product’ means a drug or biologi-
10 cal product approved, granted, or cleared by the
11 Food and Drug Administration to reduce post-
12 operative pain, or to produce postsurgical or regional
13 analgesia, without acting upon the body’s opioid re-
14 ceptors.”.

15 (2) by redesignating subsection (d), as so
16 amended, as subsection (e); and

17 (3) by inserting, after subsection (c), the fol-
18 lowing new subsection (d):

19 “(d) The Secretary shall—

20 “(1) not later than one year after the date on
21 which a non-opioid pain management drug or bio-
22 logical product becomes eligible for temporary addi-
23 tional payment under section 1833(t)(16)(G) of the
24 Social Security Act (42 U.S.C. 1395l(t)(16)(G)), or
25 eligible for separate payment under section 416.174
26 of title 42, Code of Federal Regulations (or suc-

1 cessor regulation), include such non-opioid pain
2 management drug or biological product in the na-
3 tional formulary of the Department; and

4 “(2) include a non-opioid pain management
5 drug or biological product in the drug standardiza-
6 tion list of the Department.”.

7 (b) LIMITATION.—None of the funds in the Cost of
8 War Toxic Exposures Fund under section 324 of title 38,
9 United States Code, may be used to carry out the amend-
10 ments made by this section.

11 (c) IMPLEMENTATION.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary of
13 Veterans Affairs shall implement the amendments made
14 by this section.

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