

AMENDMENT TO RULES CMTE. PRINT 119-33
OFFERED BY MR. LANDSMAN OF OHIO

Page 1178, after line 5, insert the following new section:

1 **SEC. 17__ . INCLUSION OF CERTAIN NON-OPIOID PAIN**
2 **MEDICATIONS IN THE NATIONAL FOR-**
3 **MULARY OF THE DEPARTMENT OF VETERANS**
4 **AFFAIRS.**

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

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

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

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

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

1 “(d) The Secretary shall—

2 “(1) not later than one year after the date on
3 which a non-opioid pain management drug or bio-
4 logical product becomes eligible for temporary addi-
5 tional payment under section 1833(t)(16)(G) of the
6 Social Security Act (42 U.S.C. 1395l(t)(16)(G)), or
7 eligible for separate payment under section 416.174
8 of title 42, Code of Federal Regulations (or suc-
9 cessor regulation), include such non-opioid pain
10 management drug or biological product in the na-
11 tional formulary of the Department; and

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

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

19 (c) IMPLEMENTATION.—Not later than 90 days after
20 the date of the enactment of this Act, the Secretary of
21 Veterans Affairs shall implement the amendments made
22 by this section.

