

AMENDMENT TO RULES COMMITTEE PRINT
115-39
OFFERED BY MS. MICHELLE LUJAN GRISHAM OF
NEW MEXICO

Add at the end the following:

1 **TITLE _____—HEROIN AND OPIOID**
2 **ABUSE PREVENTION AND**
3 **TREATMENT**

4 **SEC. ____ . SHORT TITLE.**

5 This title may be cited as the “Heroin and Opioid
6 Abuse Prevention and Treatment Act of 2017”.

7 **SEC. ____ . EXCISE TAX ON OPIOIDS.**

8 (a) **IN GENERAL.**—Subchapter E of chapter 32 of the
9 Internal Revenue Code of 1986 is amended by adding at
10 the end the following new section:

11 **“SEC. 4192. OPIOIDS.**

12 “(a) **IN GENERAL.**—There is hereby imposed on the
13 manufacturer, producer, or importer of any taxable active
14 opioid a tax equal to the amount determined under sub-
15 section (b).

16 “(b) **AMOUNT DETERMINED.**—The amount deter-
17 mined under this subsection with respect to a manufac-
18 turer, producer, or importer for a calendar year is 1 cent

1 per milligram of taxable active opioid in the production
2 or manufacturing quota determined for such manufac-
3 turer, producer, or importer for the calendar year under
4 section 306 of the Controlled Substances Act.

5 “(c) TAXABLE ACTIVE OPIOID.—For purposes of this
6 section—

7 “(1) IN GENERAL.—The term ‘taxable active
8 opioid’ means any controlled substance (as defined
9 in section 102 of the Controlled Substances Act)
10 manufactured in the United States which is opium,
11 an opiate, or any derivative thereof. Such term ex-
12 cludes a narcotic drug for maintenance treatment or
13 detoxification treatment if, to dispense the drug, a
14 practitioner must obtain a separate registration
15 under section 303(g) of the Controlled Substances
16 Act.

17 “(2) OTHER INGREDIENTS.—In the case of a
18 product that includes a taxable active opioid and an-
19 other ingredient, subsection (a) shall apply only to
20 the portion of such product that is a taxable active
21 opioid.”.

22 (b) CLERICAL AMENDMENTS.—

23 (1) The heading of subchapter E of chapter 32
24 of the Internal Revenue Code of 1986 is amended by

1 striking “Medical Devices” and inserting “Other
2 Medical Products”.

3 (2) The table of subchapters for chapter 32 of
4 such Code is amended by striking the item relating
5 to subchapter E and inserting the following new
6 item:

“SUBCHAPTER E. OTHER MEDICAL PRODUCTS”.

7 (3) The table of sections for subchapter E of
8 chapter 32 of such Code is amended by adding at
9 the end the following new item:

“Sec. 4192. Opioids.”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to calendar years beginning after
12 the date of the enactment of this Act.

13 **SEC. ____ . GRANTS TO STATES FOR PREVENTION AND**
14 **TREATMENT OF OPIOID (INCLUDING HEROIN)**
15 **ABUSE.**

16 (a) IN GENERAL.—The Public Health Service Act is
17 amended by inserting after section 399V–6 (42 U.S.C.
18 280g–17) the following new section:

19 **“SEC. 399V–7. PREVENTION AND TREATMENT OF OPIOID**
20 **(INCLUDING HEROIN) ABUSE.**

21 “(a) IN GENERAL.—The Secretary shall provide—

22 “(1) grants to States for research on opioids
23 (including heroin); and

1 “(2) grants to States for opioid abuse preven-
2 tion and treatment, which may include—

3 “(A) establishing new addiction treatment
4 facilities for opioid addicts;

5 “(B) establishing sober living facilities for
6 recovering opioid addicts;

7 “(C) recruiting and increasing reimburse-
8 ment for certified mental health providers pro-
9 viding opioid abuse treatment in medically un-
10 derserved communities or communities with
11 high rates of opioid abuse;

12 “(D) expanding access to long-term, resi-
13 dential treatment programs for opioid addicts
14 and recovering addicts;

15 “(E) establishing or operating support pro-
16 grams that offer employment services, housing,
17 and other support services for recovering opioid
18 addicts;

19 “(F) establishing or operating housing for
20 children whose parents are participating in
21 opioid abuse treatment programs;

22 “(G) establishing or operating facilities to
23 provide care for babies born with neonatal ab-
24 stinence syndrome;

1 “(H) establishing or operating controlled
2 opioid take-back programs; and

3 “(I) other opioid abuse prevention and
4 treatment programs, as the Secretary deter-
5 mines appropriate.

6 “(b) APPROPRIATION OF FUNDS.—From time to
7 time, beginning in the second calendar year that begins
8 after the date of enactment of this section, the Secretary
9 of the Treasury shall transfer from the general fund of
10 the Treasury an amount equal to the total amount of taxes
11 collected under section 4192 of the Internal Revenue Code
12 of 1986 to the Secretary of Health and Human Services
13 to carry out this section. Amounts transferred under this
14 subsection shall remain available without further appro-
15 priation until expended.”.

16 (b) EMERGENCY DESIGNATION.—The amounts made
17 available by amendments made by this section are des-
18 ignated as an emergency requirement pursuant to section
19 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2
20 U.S.C. 933(g)).

