

Opioid, Cheaper Drug Bills in Senate Put Off to Next Week

By Shira Stein

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- Votes originally expected Sept. 13 on opioids, gag clauses
- Opioids package initially passed by House in June

An opioid crisis response bill and a measure to let pharmacists tell patients about the cheapest available drugs will have to wait until the week of Sept. 17 for Senate floor votes.

Floor votes had been set for Sept. 13 but were put off until the next week because of hurricane-related changes in the Senate schedule, Sen. Jeff Flake (R-Ariz) announced late Sept. 12.

The Senate opioid measure is the text of an amendment (No. 4013) from Sen. Lamar Alexander (R-Tenn.), the chair of a key health committee. The House passed its version of the package (H.R. 6) in June by a 396-14 vote. The opioids bill would expand Medicaid reimbursement for inpatient drug rehabilitation services, amend privacy rules for drug treatment records, and let Medicare pay more for non-opioid pain management drugs, among other measures.

There were 72,000 drug overdose deaths last year, 40,000 of which were opioid overdoses, according to preliminary data from the Centers for Disease Control and Prevention.

A letter from over 200 health-care groups including the American Psychological Association urged the Senate to “act quickly, and without delay, on the passage of meaningful bipartisan legislation that would help curb the ever worsening opioid crisis and ultimately save lives.” The groups’ Sept. 11 letter was addressed to Senate Majority Leader Mitch McConnell (R-Ky.) and Minority Leader Chuck Schumer (D-N.Y.).

Drug Costs

The drug costs bill involves “gag clauses” in insurance contracts that ban pharmacists from telling patients about the cheapest drugs available to them, such as drugs bought without a patient’s drug benefit.

The bill (S. 2554) originally set for Sept. 13 action is sponsored by Sen. Susan Collins (R-Maine) and affects most employer group health plans and individual insurance market plans. It accompanies another bill (S. 2553) passed by the Senate Sept. 4 that prohibits gag clauses for Medicare. The House Energy and Commerce committee approved a bill (H.R. 6733) Sept. 13 that would prohibit gag clauses for Medicare and private health insurance plans.

An amendment to the bill, introduced by Sen. Mike Lee (R-Utah), would only prohibit gag clauses for self-insured employer-sponsored plans, and will also receive a vote Sept. 17.

President Trump's drug blueprint includes allowing the Department of Health and Human Services to ban gag clauses for Medicare Part D plans.

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