

119TH CONGRESS
2D SESSION

S. _____

To require the Administrator of the Drug Enforcement Administration to temporarily exempt buprenorphine from the Suspicious Orders Report System for the remainder of the opioid public health emergency.

IN THE SENATE OF THE UNITED STATES

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Administrator of the Drug Enforcement Administration to temporarily exempt buprenorphine from the Suspicious Orders Report System for the remainder of the opioid public health emergency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Broadening Utilization of Proven and Effective Treatment for Recovery Act" or the "BUPE for Recovery Act".

SEC. 2. REMOVAL OF BUPRENORPHINE PRODUCTS FROM SORS DURING OPIOID PUBLIC HEALTH EMERGENCY.

(a) TEMPORARY EXEMPTION.—The Administrator of the Drug Enforcement Administration shall temporarily exempt any buprenorphine product approved for the treatment of opioid use disorder from the Suspicious Orders Report System established under 312 of the Controlled Substances Act (21 U.S.C. 832), including subsection (a)(3) of that section, until that date that is 270 days after the date on which the public health emergency with respect to opioids declared by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) on October 26, 2017, expires.

(b) REPORT.—Not later than 90 days after the date of the expiration of the public health emergency described in subsection (a), the Department of Justice and the Department of Health and Human Services shall—

(1) conduct a comprehensive report that indicates if the temporary exemption under subsection (a) resulted in increased access to buprenorphine treatment for patients experiencing opioid use disorder; and

(2) make a recommendation to the White House and Congress about whether buprenorphine

should remain in the Suspicious Orders Report System and be subject to related reporting requirements after the expiration of the public health emergency described in subsection (a).

(c) SENSE OF CONGRESS.—It is the sense of Congress that Congress is concerned by reports of patients not being able to fill buprenorphine prescriptions for the treatment of opioid use disorder at pharmacies. Reports indicate that pharmacies are unable or unwilling to stock sufficient buprenorphine products, in part because of the Suspicious Orders Report System and related reporting requirements. A temporary exemption of buprenorphine products approved for the treatment of opioid use disorder from Suspicious Order Report System requirements would allow the Federal Government to collect relevant data and assess whether a permanent exemption should be established.