

117TH CONGRESS
2D SESSION

H. R. 7235

To amend title XIX of the Public Health Service Act to make certain improvements with respect to block grants for substance use prevention, treatment, and recovery services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2022

Mr. TONKO (for himself, Mr. GUTHRIE, Ms. WILD, and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Public Health Service Act to make certain improvements with respect to block grants for substance use prevention, treatment, and recovery services, 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 “Substance Use Preven-
5 tion, Treatment, and Recovery Services Block Grant Act
6 of 2022”.

1 **SEC. 2. ELIMINATING STIGMATIZING LANGUAGE RELATING**
 2 **TO SUBSTANCE USE.**

3 (a) BLOCK GRANTS FOR PREVENTION AND TREAT-
 4 MENT OF SUBSTANCE USE.—Part B of title XIX of the
 5 Public Health Service Act (42 U.S.C. 300x et seq.) is
 6 amended—

7 (1) in the part heading, by striking “**SUB-**
 8 **STANCE ABUSE**” and inserting “**SUBSTANCE**
 9 **USE**”;

10 (2) in subpart II, by amending the subpart
 11 heading to read as follows: “**Block Grants for**
 12 **Substance Use Prevention, Treatment,**
 13 **and Recovery Services**”;

14 (3) in section 1922(a) (42 U.S.C. 300x–
 15 22(a))—

16 (A) in paragraph (1), in the matter pre-
 17 ceding subparagraph (A), by striking “sub-
 18 stance abuse” and inserting “substance use dis-
 19 orders”; and

20 (B) by striking “such abuse” each place it
 21 appears in paragraphs (1) and (2) and insert-
 22 ing “such use”;

23 (4) in section 1923 (42 U.S.C. 300x–23)—

24 (A) in the section heading, by striking
 25 “**SUBSTANCE ABUSE**” and inserting “**SUB-**
 26 **STANCE USE**”; and

1 (B) by striking “drug abuse” each place it
2 appears in subsections (a) and (b) and inserting
3 “substance use disorders”;

4 (5) in section 1925(a)(1) (42 U.S.C. 300x–
5 25(a)(1)), by striking “alcohol or drug abuse” and
6 inserting “alcohol or other substance use disorders”;

7 (6) in section 1926(b)(2)(B) (42 U.S.C. 300x–
8 26(b)(2)(B)), by striking “substance abuse”;

9 (7) in section 1931(b)(2) (42 U.S.C. 300x–
10 31(b)(2)), by striking “substance abuse” and insert-
11 ing “substance use disorders”;

12 (8) in section 1933(d)(1) (42 U.S.C. 300x–
13 33(d)), in the matter following subparagraph (B), by
14 striking “abuse of alcohol and other drugs” and in-
15 serting “use of substances”;

16 (9) by amending paragraph (4) of section 1934
17 (42 U.S.C. 300x–34) to read as follows:

18 “(4) The term ‘substance use disorder’ means
19 the recurrent use of alcohol or other drugs that
20 causes clinically significant impairment.”;

21 (10) in section 1935 (42 U.S.C. 300x–35)—

22 (A) in subsection (a), by striking “sub-
23 stance abuse” and inserting “substance use dis-
24 orders”; and

1 (B) in subsection (b)(1), by striking “sub-
2 stance abuse” each place it appears and insert-
3 ing “substance use disorders”;

4 (11) in section 1949 (42 U.S.C. 300x–59), by
5 striking “substance abuse” each place it appears in
6 subsections (a) and (d) and inserting “substance use
7 disorders”;

8 (12) in section 1954(b)(4) (42 U.S.C. 300x–
9 64(b)(4))—

10 (A) by striking “substance abuse” each
11 place it appears and inserting “substance use
12 disorders”; and

13 (B) by striking “such abuse” and inserting
14 “such disorders”;

15 (13) in section 1955 (42 U.S.C. 300x–65), by
16 striking “substance abuse” each place it appears
17 and inserting “substance use disorder”; and

18 (14) in section 1956 (42 U.S.C. 300x–66), by
19 striking “substance abuse” each place it appears
20 and inserting “substance use disorders”.

21 (b) CERTAIN PROGRAMS REGARDING MENTAL
22 HEALTH AND SUBSTANCE ABUSE.—Part C of title XIX
23 of the Public Health Service Act (42 U.S.C. 300y et seq.)
24 is amended—

1 (1) in the part heading, by striking “**SUB-**
 2 **STANCE ABUSE**” and inserting “**SUBSTANCE**
 3 **USE**”;

4 (2) in section 1971 (42 U.S.C. 300y), by strik-
 5 ing “substance abuse” each place it appears in sub-
 6 sections (a), (b), and (f) and inserting “substance
 7 use”; and

8 (3) in section 1976 (42 U.S.C. 300y–11), by
 9 striking “intravenous abuse” and inserting “intra-
 10 venous use”.

11 **SEC. 3. AUTHORIZED ACTIVITIES.**

12 Section 1921(b) of the Public Health Service Act (42
 13 U.S.C. 300x–21(b)) is amended by striking “prevent and
 14 treat substance use disorders” and inserting “prevent,
 15 treat, and provide recovery support services for substance
 16 use disorders”.

17 **SEC. 4. REQUIREMENTS RELATING TO CERTAIN INFEC-** 18 **TIOUS DISEASES AND HUMAN IMMUNO-** 19 **DEFICIENCY VIRUS.**

20 Section 1924 of the Public Health Service Act (42
 21 U.S.C. 300x–24) is amended—

22 (1) in the section heading, by striking “**TUBER-**
 23 **CULOSIS AND HUMAN IMMUNODEFICIENCY**
 24 **VIRUS**” and inserting “**TUBERCULOSIS, VIRAL**

1 **HEPATITIS, AND HUMAN IMMUNODEFICIENCY**
2 **VIRUS”;**

3 (2) by redesignating subsections (c) and (d) as
4 subsections (d) and (e), respectively; and

5 (3) by inserting after subsection (b) the fol-
6 lowing:

7 “(c) **VIRAL HEPATITIS.**—

8 “(1) **IN GENERAL.**—A funding agreement for a
9 grant under section 1921 is that the State involved
10 will require that any entity receiving amounts from
11 the grant for operating a program of treatment for
12 substance use disorders—

13 “(A) will, directly or through arrangements
14 with other public or nonprofit private entities,
15 routinely make available viral hepatitis services
16 to each individual receiving treatment for such
17 disorders; and

18 “(B) in the case of an individual in need
19 of such treatment who is denied admission to
20 the program on the basis of the lack of the ca-
21 pacity of the program to admit the individual,
22 will refer the individual to another provider of
23 viral hepatitis services.

1 “(2) VIRAL HEPATITIS SERVICES.—For pur-
 2 poses of paragraph (1), the term ‘viral hepatitis
 3 services’, with respect to an individual, means—

4 “(A) screening the individual for viral hep-
 5 atitis; and

6 “(B) referring the individual to a provider
 7 specializing in viral hepatitis treatment.”.

8 **SEC. 5. STATE PLAN REQUIREMENTS.**

9 Section 1932(b)(1)(A) is amended—

10 (1) by redesignating clauses (vi) through (ix) as
 11 clauses (vii) through (x), respectively; and

12 (2) by inserting after clause (v) the following:

13 “(vi) provides a description of—

14 “(I) the State’s comprehensive
 15 statewide recovery support services ac-
 16 tivities, including the number of indi-
 17 viduals being served, target popu-
 18 lations, and priority needs; and

19 “(II) the amount of funds re-
 20 ceived under this subpart expended on
 21 recovery support services;”.

22 **SEC. 6. UPDATING CERTAIN LANGUAGE RELATING TO**
 23 **TRIBES.**

24 Section 1933(d) of the Public Health Service Act
 25 (300x–33(d)) is amended—

(1) in the subsection heading, by striking “TRIBES AND TRIBAL ORGANIZATIONS” and inserting “TRIBES AND TRIBAL ORGANIZATIONS”;

(2) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking “of an Indian tribe or tribal organization” and inserting “of an Indian Tribe or Tribal organization”; and

(ii) by striking “such tribe” and inserting “such Tribe”;

(B) in subparagraph (B)—

(i) by striking “tribe or tribal organization” and inserting “Tribe or Tribal organization”; and

(ii) by striking “Secretary under this” and inserting “Secretary under this subpart”; and

(C) in the matter following subparagraph (B), by striking “tribe or tribal organization” and inserting “Tribe or Tribal organization”;

(3) by amending paragraph (2) to read as follows:

“(2) INDIAN TRIBE OR TRIBAL ORGANIZATION AS GRANTEE.—The amount reserved by the Secretary on the basis of a determination under this

1 subsection shall be granted to the Indian Tribe or
2 Tribal organization serving the individuals for whom
3 such a determination has been made.”;

4 (4) in paragraph (3), by striking “tribe or trib-
5 al organization” and inserting “Tribe or Tribal or-
6 ganization”; and

7 (5) in paragraph (4)—

8 (A) in the paragraph heading, by striking
9 “DEFINITION” and inserting “DEFINITIONS”;
10 and

11 (B) by striking “The terms” and all that
12 follows through “given such terms” and insert-
13 ing the following: “The terms ‘Indian Tribe’
14 and ‘Tribal organization’ have the meanings
15 given the terms ‘Indian tribe’ and ‘tribal orga-
16 nization’ ”.

17 **SEC. 7. BLOCK GRANTS FOR SUBSTANCE USE PREVENTION,**
18 **TREATMENT, AND RECOVERY SERVICES.**

19 (a) IN GENERAL.—Section 1935(a) of the Public
20 Health Service Act (42 U.S.C. 300x–35(a)), as amended
21 by section 2, is further amended by striking “appro-
22 priated” and all that follows through “2022..” and insert-
23 ing the following: “appropriated \$1,908,079,000 for each
24 of fiscal years 2023 through 2027.”.

1 (b) TECHNICAL CORRECTIONS.—Section
 2 1935(b)(1)(B) of the Public Health Service Act (42
 3 U.S.C. 300x–35(b)(1)(B)) is amended by striking “the
 4 collection of data in this paragraph is”.

5 **SEC. 8. STUDY ON ASSESSMENT FOR USE IN DISTRIBUTION**
 6 **OF LIMITED STATE RESOURCES.**

7 (a) IN GENERAL.—The Secretary of Health and
 8 Human Services, acting through the Assistant Secretary
 9 for Mental Health and Substance Use (in this section re-
 10 ferred to as the “Secretary”), shall, in consultation with
 11 States and other local entities providing prevention, treat-
 12 ment, or recovery support services related to substance
 13 use, conduct a study to develop a model needs assessment
 14 process for States to consider to help determine how best
 15 to allocate block grant funding received under subpart II
 16 of part B of title XIX of the Public Health Service Act
 17 (42 U.S.C. 300x–21) to provide services to substance use
 18 disorder prevention, treatment, and recovery support. The
 19 study must include cost estimates with each model needs
 20 assessment process.

21 (b) REPORT.—Not later than 2 years after the date
 22 of the enactment of this Act, the Secretary shall submit
 23 to the Committee on Energy and Commerce of the House
 24 of Representatives and the Committee on Health, Edu-

- 1 cation, Labor and Pensions of the Senate a report on the
- 2 results of the study conducted under paragraph (1).

