

[DISCUSSION DRAFT]

118TH CONGRESS
1ST SESSION

H. R. _____

To direct the Comptroller General of the United States to conduct a study
on naloxone access.

IN THE HOUSE OF REPRESENTATIVES

Ms. KUSTER introduced the following bill; which was referred to the
Committee on _____

A BILL

To direct the Comptroller General of the United States to
conduct a study on naloxone access.

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 “_____ Act
5 of 2023”.

6 **SEC. 2. STUDY ON NALOXONE ACCESS.**

7 (a) IN GENERAL.—The Comptroller General of the
8 United States shall conduct a study on actions that may
9 be taken to ensure appropriate access and affordability of

1 naloxone for individuals seeking to purchase naloxone.

2 Such study shall address what is known about—

3 (1) coverage of naloxone (in any available
4 form), including whether naloxone can be covered as
5 an over-the-counter drug under a group health plan
6 or group or individual health insurance coverage (as
7 such terms are defined in section 2791 of the Public
8 Health Service Act (42 U.S.C. 300gg–91)) or for in-
9 dividuals entitled to benefits under part A or en-
10 rolled under part B of title XVIII of the Social Se-
11 curity Act (42 U.S.C. 1395 et seq.) or receiving
12 medical assistance under a State plan under title
13 XIX of such Act (42 U.S.C. 1396 et seq.) or a waiv-
14 er of such plan;

15 (2) the out-of-pocket cost to consumers pur-
16 chasing naloxone—

17 (A) with a prescription, with and without
18 coverage under any such plan or coverage;

19 (B) over-the-counter, with and without cov-
20 erage under any such plan or coverage; and

21 (C) pursuant to a standing order; and

22 (3) other factors impacting coverage, including
23 barriers in covering naloxone as an over-the-counter
24 drug, the relative net costs of naloxone when pur-
25 chased over-the-counter without insurance coverage

1 compared to when purchased with a prescription and
2 covered under a group health plan or health insur-
3 ance coverage, and the availability of naloxone pur-
4 chased and distributed through public health enti-
5 ties.

6 (b) REPORT.—Not later than 2 years after the date
7 of the enactment of this Act, the Comptroller General of
8 the United States shall submit to Congress a report that
9 contains the findings of the study conducted under sub-
10 section (a).