

FRANK PALLONE, JR., NEW JERSEY
CHAIRMAN

GREG WALDEN, OREGON
RANKING MEMBER

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641
September 18, 2019

The Honorable Andrew M. Cuomo
Governor
State of New York
State Capitol Building
Washington Ave and State Street
Albany, NY 12224

Dear Governor Cuomo:

We write to request information regarding how New York is addressing the opioid crisis. We are particularly interested in how New York is using federal funding to promote treatment and recovery efforts. According to the Centers for Disease Control and Prevention (CDC), in 2017, there were over 70,000 drug overdose deaths in the United States, with over 47,000 involving opioids.¹ CDC reports that, on average, 130 people die from an opioid overdose every day and that the United States is in the “third wave” of the opioid epidemic.² States are on the front lines of this battle. The continued magnitude of overdose deaths indicates that there is more work to be done, and continued federal, state, and local coordination and support is needed to combat this daunting crisis.

This Committee, which has broad jurisdiction over public health, has taken numerous actions to investigate the origins of the opioid crisis and help bring relief to those who are suffering. As part of this effort, the Committee has passed several key legislative packages to help states address the epidemic, which include important funding through grants and other authorizations.

For example, last year, the Committee passed, and the President signed into law, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act).³ The SUPPORT Act reauthorized opioid-specific

¹ Centers for Disease Control and Prevention, *Opioid Overdose: Drug Overdose Deaths* (www.cdc.gov/drugoverdose/data/statedeaths.html) (accessed August 9, 2019).

² Centers for Disease Control and Prevention, *Opioid Overdose: Understanding the Epidemic* (www.cdc.gov/drugoverdose/epidemic/) (accessed August 9, 2019).

³ Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act, Pub. L. No. 115-271 (2018).

funding and expanded access to substance use disorder treatment and resources, increased opioid abuse and overdose prevention training, improved coordination and quality of care, and contained provisions to strengthen the Food and Drug Administration and law enforcement's ability to combat illicit opioids.⁴

In addition to the SUPPORT Act, the Committee also passed the Comprehensive Addiction and Recovery Act (CARA) of 2016 and the 21st Century Cures Act. Both laws authorized funding to address substance use disorder treatment, recovery, and prevention.⁵ The fiscal year (FY) 2018 Omnibus also provided more than \$3 billion to fight the opioid epidemic, including \$1 billion to states and tribes for treatment and prevention.⁶

The FY 2019 Defense, Labor, Health and Human Services, and Education appropriations package also made available additional substance use disorder treatment funding, including \$1.5 billion through State Opioid Response grants.⁷ Taken together, these efforts were designed to help states address the opioid crisis by providing billions in additional funding to struggling communities.

The Committee is examining how these funds are being used by states to aid opioid use disorder treatment, recovery, and prevention efforts. Specifically, the Committee is interested in understanding what monies are reaching these states, how they are being deployed and prioritized, how such funds are being used to assist those suffering from substance use disorders, and what efforts are proving to be successful. Close collaboration between Congress and your state is pivotal in addressing this epidemic. As the Committee considers additional authorizations for 2020 and beyond, and to better understand New York's use of opioid-related funds to combat this ongoing crisis, we respectfully request responses to the following questions:

1. Since 2016, how much federal funding for opioid use disorder prevention, treatment, and recovery has New York received?
 - a. What challenges, if any, exist in deploying federal funds to local communities in an expedited manner?
 - b. To date, how much of this federal funding has your state used or allocated?
Please provide a list of each funding recipient, the purpose for allocating money

⁴ *Id.*

⁵ Comprehensive Addiction and Recovery Act, Pub. L. No. 114-198; 21st Century Cures Act, Pub. L. No. 114-255. See also Department of Health and Human Services, *HHS Provides States Second Installment of Grant Awards to Combat Opioid Crisis* (www.hhs.gov/about/news/2018/04/18/hhs-provides-states-second-installment-grant-awards-combat-opioid-crisis.html) (accessed Aug. 7, 2019).

⁶ Consolidated Appropriations Act, 2018, Pub. L. No. 115-141.

⁷ Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, Pub. L. No. 115-245.

to them (e.g. prevention, treatment, etc.), and the amount that has been allocated to them.

- c. If your state has not used the entirety of federally allocated funding, please explain why.
2. Please describe how your state determines which local government entities (i.e. counties, cities, and towns) receive federal grant funding to address the opioid crisis. Specifically, please identify localities impacted most by the opioid epidemic in your state, and include the total amount allocated to each locality, as well as the factors your state considers in distributing these funds.
 3. Please describe how your state determines which non-governmental organizations (i.e. non-profits, treatment centers, or other entities) receive federal grant funding to address the opioid crisis. Specifically, please identify the non-governmental organizations that have received funds in your state, and include the total amount allocated to each entity, as well as the factors your state considers in distributing these funds.
 4. Do federally appropriated funds to address the opioid crisis provide your state with the flexibility to focus on the hardest hit regions or localities? Please describe how, if at all, this flexibility has helped New York in using funds to target vulnerable populations or at-risk areas. If no, please explain what additional flexibility should be considered in helping your state address the hardest hit regions or localities.
 5. In what ways, specifically, have federal funds extended to New York helped change your state's treatment system and/or led to a reduction in opioid overdoses?
 6. What performance measures is New York using to monitor the impact of federal funds for opioid use disorder and other substance use disorder treatment?
 7. According to the Substance Abuse and Mental Health Services Administration, State Targeted Response to the Opioid Crisis (STR) Grants provide funding to states to: (1) conduct needs assessments and strategic plans; (2) identify gaps and resources to build on existing substance use disorder prevention and treatment activities; (3) implement and expand access to clinically appropriate, evidence-based practices for treatment—particularly for the use of medication-assisted treatment (MAT) and recovery support services; and (4) advance coordination with other federal efforts for substance misuse prevention.⁸
 - a. Has your state conducted a needs assessment and strategic plan? If yes, please describe that plan.

⁸ Substance Abuse and Mental Health Services Administration, *State Grant Programs* (www.samhsa.gov/medication-assisted-treatment/training-materials-resources/state-grant-programs) (accessed Aug. 7, 2019).

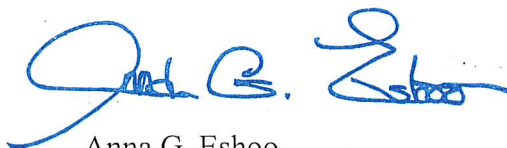
- b. Has your state identified gaps and resources to build on existing substance use disorder prevention and treatment activities? If yes, please describe those findings.
 - c. Has your state implemented and expanded access to clinically appropriate, evidence-based practices for treatment—particularly for the use of MAT and recovery support services? If yes, please describe how you have done so.
 - d. Has your state advanced coordination with other federal efforts for substance use disorder prevention? If yes, please describe how.
8. What additional resources would be most helpful to provide to communities struggling with opioid and other substance use disorders, including prevention and/or treatment options?

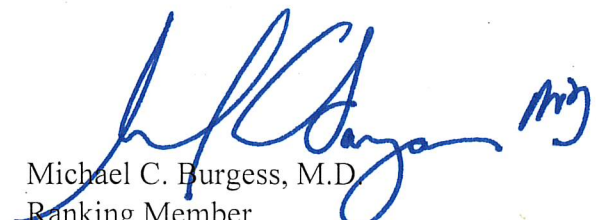
We request that you provide the following information as soon as possible, but no later than October 18, 2019. Thank you in advance for your time and cooperation. If you have any questions, please contact Mohammad Aslami with the Majority staff at (202) 225-2927 or Brittany Havens with the Minority staff at (202) 225-3641.

Sincerely,


Frank Pallone, Jr.
Chairman


Greg Walden
Ranking Member


Anna G. Eshoo
Chairwoman
Subcommittee on Health


Michael C. Burgess, M.D.
Ranking Member
Subcommittee on Health


Diana DeGette
Chair
Subcommittee on Oversight
and Investigations


Brett Guthrie
Ranking Member
Subcommittee on Oversight
and Investigations