

109TH CONGRESS
2^D SESSION

S. 3557

To reduce deaths occurring from overdoses of drugs or controlled substances.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2006

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To reduce deaths occurring from overdoses of drugs or controlled substances.

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 “Drug Overdose Reduc-

5 tion Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Centers for Disease Control and Pre-

9 vention reports that 28,723 deaths in the United

10 States in 2003 were attributable to drug-induced

11 causes.

1 (2) Deaths resulting from drug overdoses have
2 increased 540 percent between 1980 and 1999.

3 (3) According to the Federal Drug Abuse
4 Warning Network, most drug-induced deaths involve
5 multiple drugs.

6 (4) An increase in the number of deaths attrib-
7 utable to heroin mixed with fentanyl, a narcotic con-
8 sidered 50 to 100 times more potent than morphine,
9 has been documented in 2005 and 2006.

10 (5) An estimated 3,000,000 individuals in the
11 United States have serious drug problems.

12 (6) The damage caused by drug use is not lim-
13 ited to drug abusers. The collateral damage from
14 drug use is enormous, and drug abuse costs society
15 over \$60,000,000,000 in social costs and lost pro-
16 ductivity.

17 (7) Community-based programs working with
18 high-risk populations have successfully prevented
19 deaths from drug overdoses through education and
20 access to effective reversal agents, such as naloxone.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) CONTROLLED SUBSTANCE.—The term
24 “controlled substance” has the meaning given the

1 term in section 102 of the Controlled Substances
2 Act (21 U.S.C. 802).

3 (2) DIRECTOR.—The term “Director” means
4 the Director of the Centers for Disease Control and
5 Prevention.

6 (3) DRUG.—The term “drug” has the meaning
7 given the term in section 201 of the Federal Food,
8 Drug, and Cosmetic Act (21 U.S.C. 321)).

9 (4) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means an entity that is a State, local, or tribal
11 government, or a private nonprofit organization.

12 **SEC. 4. OVERDOSE PREVENTION GRANT PROGRAM.**

13 (a) PROGRAM AUTHORIZED.—From amounts appro-
14 priated under this section for a fiscal year, the Director
15 shall award grants or cooperative agreements to eligible
16 entities to enable the eligible entities to reduce deaths oc-
17 ccurring from overdoses of drugs or controlled substances.

18 (b) APPLICATION.—

19 (1) IN GENERAL.—An eligible entity desiring a
20 grant or cooperative agreement under this section
21 shall submit to the Director an application at such
22 time, in such manner, and containing such informa-
23 tion as the Director may require.

24 (2) CONTENTS.—The application described in
25 paragraph (1) shall include—

1 (A) a description of the activities the eligi-
2 ble entity will carry out if the entity receives
3 funds under this section;

4 (B) a demonstration that the eligible entity
5 has the capacity to carry out the activities de-
6 scribed in subparagraph (A); and

7 (C) a certification that the eligible entity
8 meets all State licensure or certification re-
9 quirements necessary to carry out the activities.

10 (c) PRIORITY.—In awarding grants or cooperative
11 agreements under subsection (a), the Director shall give
12 priority to eligible entities that are public health agencies
13 or community-based organizations and that have expertise
14 in preventing deaths occurring from overdoses of drugs or
15 controlled substances in populations at high risk of such
16 deaths.

17 (d) ELIGIBLE ACTIVITIES.—An eligible entity receiv-
18 ing a grant or cooperative agreement under this section
19 shall carry out 1 or more of the following activities:

20 (1) Training first responders, people affected by
21 drug abuse, and law enforcement and corrections of-
22 ficials on the effective response to individuals who
23 have overdosed on drugs or controlled substances.

1 (2) Implementing programs to provide overdose
2 prevention, recognition, treatment, or response to in-
3 dividuals in need of such services.

4 (3) Evaluating, expanding, or replicating a pro-
5 gram described in paragraph (1) or (2) that exists
6 as of the date the application is submitted.

7 (e) REPORT.—Not later than 90 days after the last
8 day of the grant or cooperative agreement period, each eli-
9 gible entity receiving a grant or cooperative agreement
10 under this section shall prepare and submit a report to
11 the Director describing the results of the program sup-
12 ported under this section.

13 (f) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$25,000,000 for each of the fiscal years 2007 and 2008,
16 and such sums as may be necessary for each of the fiscal
17 years 2009 through 2011.

18 **SEC. 5. REDUCING OVERDOSE DEATHS.**

19 (a) DATA COLLECTION.—The Director shall annually
20 compile and publish data on the deaths occurring from
21 overdoses of drugs or controlled substances for the pre-
22 ceding year.

23 (b) PLAN TO REDUCE OVERDOSE DEATHS.—Not
24 later than 180 days after the date of enactment of this
25 Act, the Director shall develop a plan to reduce the num-

1 ber of deaths occurring from overdoses of drugs or con-
2 trolled substances and shall submit the plan to Congress.

3 The plan shall include—

4 (1) an identification of the barriers to obtaining
5 accurate data regarding the number of deaths occur-
6 ring from overdoses of drugs or controlled sub-
7 stances;

8 (2) an identification of the barriers to imple-
9 menting more effective overdose prevention strate-
10 gies; and

11 (3) recommendations for such legislative or ad-
12 ministrative action that the Director considers ap-
13 propriate.

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