

  
S.L.C.

AMENDMENT NO. 1 Calendar No. \_\_\_\_\_

Purpose: To amend the Controlled Substances Act to allow community addiction treatment facilities and community mental health facilities to register to dispense controlled substances through the practice of telemedicine, and for other purposes.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 1895**

To lower health care costs.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. ROBERTS

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . REGISTRATION OF COMMUNITY ADDICTION**

3 **TREATMENT FACILITIES AND COMMUNITY**

4 **MENTAL HEALTH FACILITIES.**

5 (a) DEFINITIONS.—Section 102 of the Controlled  
6 Substances Act (21 U.S.C. 802) is amended—

7 (1) in paragraph (54)(A), by striking clause (i)  
8 and inserting the following:

9 “(i) while the patient is being treated by,  
10 and physically located in—

1                   “(I) a hospital or clinic registered  
2                   under section 303(f); or

3                   “(II) a community addiction treat-  
4                   ment facility or community mental health  
5                   facility registered under section 303(l);  
6                   and”;

7                   (2) by redesignating paragraph (58) as para-  
8                   graph (59);

9                   (3) by redesignating the second paragraph des-  
10                  ignated as paragraph (57) as paragraph (58);

11                  (4) by moving paragraphs (57), (58) (as so re-  
12                  designated), and (59) (as so redesignated) 2 ems to  
13                  the left; and

14                  (5) by adding at the end the following:

15                  “(60) The term ‘community addiction treatment fa-  
16                  cility’ means an addiction treatment facility that, for the  
17                  purpose of operating as an addiction treatment facility,  
18                  is licensed, operated, authorized, or otherwise recognized  
19                  by a State government.

20                  “(61) The term ‘community mental health facility’  
21                  means a mental health facility that, for the purpose of  
22                  operating as a mental health facility, is licensed, operated,  
23                  authorized, or otherwise recognized by a State govern-  
24                  ment.”.

1           (b) REGISTRATION.—Section 303 of the Controlled  
2 Substances Act (21 U.S.C. 823) is amended by adding at  
3 the end the following:

4           “(1) COMMUNITY ADDICTION TREATMENT FACILI-  
5 TIES AND COMMUNITY MENTAL HEALTH FACILITIES.—

6                   “(1) REGISTRATION.—The Attorney General  
7 may register community addiction treatment facili-  
8 ties and community mental health facilities to ad-  
9 minister controlled substances through the practice  
10 of telemedicine.

11                   “(2) DENIAL OF APPLICATIONS.—The Attorney  
12 General may deny an application for registration  
13 under paragraph (1) if the Attorney General deter-  
14 mines that the registration would be inconsistent  
15 with the public interest after considering—

16                           “(A) any recommendation by the licensing  
17 board or professional disciplinary authority of  
18 the State in which the applicant is located;

19                           “(B) the experience of the applicant in  
20 treating patients;

21                           “(C) any conviction of an employee of the  
22 applicant under Federal or State law relating to  
23 treatment of patients;

1           “(D) the compliance of the applicant with  
2           applicable Federal, State, or local laws relating  
3           to treatment of patients; and

4           “(E) any other conduct by the applicant  
5           that may threaten the health and safety of the  
6           public.”.

7           (c) IMPLEMENTATION PLAN.—Not later than 180  
8           days after the date of enactment of this Act, the Attorney  
9           General shall notify Congress of the plan of the Depart-  
10          ment of Justice to implement the amendments made by  
11          this section.

12          (d) EFFECTIVE DATE.—The amendments made by  
13          this section shall take effect on the date that is 180 days  
14          after the date on which the Attorney General notifies Con-  
15          gress under subsection (c).