

# Sen. Baldwin and others: Senators introduce bipartisan VA reform to strengthen Opioid safety in the VA choice program

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WASHINGTON, D.C. –Today, U.S. Senators Tammy Baldwin (D-WI), Shelley Moore Capito (R-WV), Jerry Moran (R-KS), Joe Manchin (D-WV), Richard Blumenthal (D-CT) and Jon Tester (D-MT) introduced bipartisan VA reform legislation, the Andrew White Veterans Community Care Opioid Safety Act, to strengthen opioid therapy safety and pain care through the Department of Veterans Affairs (VA) community care programs, including through the VA Choice program.

To improve opioid safety and care for our veterans, Congress passed legislation introduced by Senators Baldwin and Capito, the Jason Simcakoski Memorial and Promise Act in 2016, “Jason’s Law,” to strengthen VA’s opioid prescribing guidelines, put in place stronger oversight and accountability, and provide safer and more effective pain management services for our nation’s veterans.

While VA has made progress increasing opioid safety and reducing overprescribing within the VA health care system through Jason’s Law, recent reports have found that veterans receiving opioid therapy from community care providers, including

through the VA Choice program, are at a significant risk.

A July 2017 VA Office of Inspector General report on opioid prescribing in VA community care programs found that contract providers are not subject to many of the opioid safety reforms included in Jason's Law and implemented at VA. Specifically, community care providers are not aware of and thus, not complying with, VA opioid therapy and safe prescribing protocols. Furthermore, VA is not consistently tracking opioid prescriptions from community care programs due to significant information exchange gaps between VA and non-VA providers.

"Our family is supporting the bipartisan bill that Senator Baldwin is putting forward to address the Inspector General's report from July that shows veterans receiving care outside the VA don't have the same opioid prescribing and monitoring guidelines that Jason's Law requires inside the VA," said Marv Simcakoski, Jason's father. "We need to stay vigilant and I am going to work my hardest to see that this legislation also gets across the finish line."

"Last year, we successfully passed bipartisan VA reform legislation named in honor of Jason to strengthen opioid prescribing guidelines at VA facilities, and put in place stronger oversight and accountability," said Senator Baldwin. "Now, we are continuing to build on that progress to help give every veteran access to the same safe care, regardless of where they seek services."

"Jason's Law was a significant step in preventing opioid overprescribing at the VA and holding VA officials and health care professionals accountable to the men and women who have selflessly served our country. However, it has become clear that more can be done to prevent addiction and opioid abuse among our veterans served by community care providers," Senator Capito said. "This legislation will help ensure the health and well-being of all veterans seeking care—veterans like Andrew White, a brave Marine and West Virginian who tragically lost his life after being overprescribed. I'm proud to honor Andrew's memory with this bill and to continue such an important effort with Senator Baldwin."

"The national opioid crisis disproportionately affects veterans and the VA's history in managing their chronic pain has led to avoidable over prescriptions, addiction and even death," said Senator Moran. "The bipartisan Andrew White Veterans Community Care Opioid Safety Act, will help the VA and our healthcare providers in the community share information that is important to the well-being of our veterans."

"By working together, we can help prevent the over-medication of our veterans, whether they go to the VA or to their local doctors for their health care," said

Senator Tester, Ranking Member of the Senate Veterans' Affairs Committee. "Veterans deserve the very best health care, and this bill encourages safer pain management for them."

"As a country, we owe our Veterans the best medical care available and that includes safely managing pain," Senator Manchin said. "In 2016, I was proud to join Senator Baldwin in passing the Jason Simcakoski Memorial and Promise Act in 2016, which strengthened VA opioid prescribing guidelines, and oversight and accountability. The Andrew White Veterans Community Care Opioid Safety Act is the next step to ensure that VA is not sending veterans out to irresponsible or reckless providers in the community who overprescribe opioids. I look forward to passing this legislation, which will safeguard the well-being and care of our nation's bravest men and women."

"For many, the perilous path to opioid addiction starts in the doctor's office with a prescription pad. Veterans receiving treatment in the community through the VA Choice program should not run a higher risk of opioid addiction just by virtue of their healthcare provider," said Senator Blumenthal. "This bipartisan measure would strengthen accountability and oversight of prescribing practices in the Choice program. It's an easy fix that will save lives as we attempt to lessen the chokehold of these deadly drugs on communities across America."

The bipartisan Andrew White Veterans Community Care Opioid Safety Act would strengthen opioid therapy safety and pain care at VA community care programs by implementing the VA Inspector General's recommendations and extending targeted opioid safety reforms in Jason's Law to VA purchased care. This would ensure community care providers follow the same safe opioid prescribing standards and have access to the same up to date pain care information as VA practitioners to help guarantee that all of our veterans receive safe and high quality care in their communities.

Specifically, the Andrew White Veterans Community Care Opioid Safety Act would:

- Ø Direct VA to provide critical health information, including a list of medications, as well as the latest opioid safety guidelines immediately to a non-VA provider when a veteran accesses services through a community care program to ensure the provider has the information needed to provide safe and effective care;
- Ø Require non-VA community care providers to review the updated VA/DOD safe opioid prescribing guidelines and Opioid Safety Initiative protocols prior to delivering care to a veteran;

- Ø Direct non-VA community care providers to submit opioid medications they prescribe to a veteran to a VA pharmacy for dispensing and to ensure it is included in the VA database and the patient's medical record for tracking;
- Ø Ensure that any veteran with an immediate medical need or who is unable to obtain the prescription at a VA pharmacy due travel distances or undue hardship may access it at another pharmacy, and directs their community care provider to notify and provide information on the prescription to VA;
- Ø Hold VA accountable by requiring compliance reports to Congress and ensures that VA can take action to protect veterans if a non-VA community care provider is not delivering safe or appropriate care.

An online version of this release is available [here](#).