

The Comprehensive Addiction and Recovery Act (CARA)

Section-by-Section Summary

The Comprehensive Addiction and Recovery Act (CARA) establishes a comprehensive, coordinated, balanced strategy through enhanced grant programs that would expand prevention and education efforts while also promoting treatment and recovery.

The bill, S. 524, passed the U.S. Senate on March 10, 2016, by a vote of 94-1. The bill passed the U.S. House of Representatives on May 13, 2016, by a vote of 400-5.

Brief Summary of Provisions of CARA

- Expand prevention and educational efforts—particularly aimed at teens, parents and other caretakers, and aging populations—to prevent the abuse of methamphetamines, opioids and heroin, and to promote treatment and recovery.
- Expand the availability of naloxone to law enforcement agencies and other first responders to help in the reversal of overdoses to save lives.
- Expand resources to identify and treat incarcerated individuals suffering from addiction disorders promptly by collaborating with criminal justice stakeholders and by providing evidence-based treatment.
- Expand disposal sites for unwanted prescription medications to keep them out of the hands of our children and adolescents.
- Launch an evidence-based opioid and heroin treatment and intervention program to expand best practices throughout the country.
- Launch a medication assisted treatment and intervention demonstration program.
- Strengthen prescription drug monitoring programs to help states monitor and track prescription drug diversion and to help at-risk individuals access services.

Section-by-Section Summary of Provisions of CARA

Title I: Prevention and Education

Sec. 101 – Development of Best Practices for Prescribing of Prescription Opioids: This section requires the establishment of an inter-agency task force, composed of representatives from HHS, VA, DEA, CDC, and other federal agencies, as well as addiction treatment organizations and other stakeholder communities to develop best practices for pain management and pain medication prescribing. It also requires the Task Force to submit a report to Congress outlining a dissemination strategy and other recommendations.

Sec. 102 – Awareness Campaigns: This section requires HHS and the Attorney General to advance the education and awareness of the public of the risk of abuse of prescription opioid drugs if they are not taken properly. It also establishes a national drug awareness campaign led by the Office of National Drug Control Policy (ONDCP) to bring attention to the association between prescription opioid abuse and heroin use, as well as focus on the dangers of fentanyl.

Sec. 103 – Community-Based Coalition Enhancement Grants to Address Local Drug Crises: This section authorizes HHS, in consultation with the Director of ONDCP, to make grants to entities suffering from drug crises (experiencing above average rates of prescription drug, heroin, or methamphetamines abuse for extended periods or sudden spikes) to implement community-wide prevention strategies.

Title II: Law Enforcement and Treatment

Sec. 201 – Treatment Alternative to Incarceration Programs: This section authorizes HHS, in coordination with the Attorney General, to make grants to states, local governments, Indian tribes, or nonprofits to develop, implement, or expand treatment alternatives to incarceration under specific circumstances (including with the consent of prosecuting and defense attorneys, corrections officials, and other appropriate stakeholders) for individuals who meet certain criteria. It requires periodic updates on the progress of individuals placed in alternative settings.

Sec. 202 – First Responder Training for the Use of Drugs and Devices that Rapidly Reverse the Effects of Opioids: This section authorizes HHS, in coordination with the Attorney General, to make grants to state, local, and tribal law enforcement agencies for training in the use of naloxone and for the purchase of naloxone.

Sec. 203 – Prescription Drug Take Back Expansion: This section authorizes the Attorney General, in coordination with the Administrator of the Drug Enforcement Administration (DEA), the Secretary of HHS, and the Director of ONDCP, to coordinate with State, local, or tribal law enforcement agencies, as well as pharmacies and others, to develop or expand disposal sites for unwanted prescription medications.

Sec. 204 – Heroin and Methamphetamine Task Forces: This section authorizes the Attorney General to make grants to State law enforcement agencies to locate or investigate illicit activities related to the distribution of heroin or fentanyl, or the unlawful distribution of prescription opioids.

Title III: Treatment and Recovery

Sec. 301 – Evidence-Based Prescription Opioid and Heroin Treatment and Interventions Demonstration: This section authorizes the Director of the Center for Substance Abuse Treatment to award grants to State substance abuse agencies, units of local government, Indian tribes or tribal organizations, or nonprofit organizations in geographic areas that have a high rate of—or have had rapid increases in—heroin or other opioids to expand activities (including those making available medication assisted treatment) in the relevant areas.

Sec. 302 – Criminal Justice Medication Assisted Treatment and Interventions Demonstration: This section authorizes HHS, in coordination with the Attorney General, to make grants to eligible entities for the administration of medication assisted treatment programs through criminal justice agencies.

Sec. 303– National Youth Recovery Initiative: This section authorizes the Secretary of Health and Human Services, in coordination with the Secretary of Education, to make grants to eligible entities (including high schools, institutions of higher learning, nonprofit organizations, and others) to provide support for recovery from substance use disorders to individuals in high school or enrolled in institutions of higher learning.

Sec. 304 – Building Communities of Recovery: This section authorizes HHS to award grants to certain independent nonprofit organizations for the development and expansion of recovery services.

Title IV: Addressing Collateral Consequences

Sec. 401 – Correctional Education Demonstration Grant Programs: This section authorizes the Attorney General to award grants to states, local governments, nonprofit organizations, or Indian tribes to design, implement, and expand educational opportunities for offenders in jails, prisons, and juvenile detention facilities. Grants under this section may be used to pay for basic education, secondary level education, high school equivalency examination preparation, career technical education, and English as a second

language education. They may also be used for instructor hiring and teaching and the screening and assessment of individuals to determine educational and other needs, risk, and aptitude.

Sec. 402 – National Task Force on Recovery and Collateral Consequences: This section creates a task force made up of representatives from the health care, housing, employment, substance use disorder, law enforcement, and legal communities to identify the collateral consequences faced by individuals with state or federal drug convictions and to recommend ways of reducing and, where possible, eliminating them.

Title V: Addiction and Recovery Services for Women, Families, and Veterans

Sec. 501 – Improving Treatment for Pregnant and Postpartum Women: This section authorizes the creation of grants for the purpose of expanding a State's services for women offenders who are pregnant and women offenders with dependent children who are suffering from substance use disorder.

Sec. 502 – Report on Grants for Family-Based Substance Abuse Treatment: This section directs the Attorney General to submit to Congress an annual report that describes the number of grants awarded under section 2921(1) of the Omnibus Crime Control Bill that are used for family-based substance abuse treatment programs that serve as alternatives to incarceration for custodial parents to receive treatment and services as a family.

Sec. 503 – Veterans' Treatment Courts: This section amends the Omnibus Crime Control and Safe Streets Act of 1968 to allow for veterans who were discharged or released from service under dishonorable conditions, if the reason for that discharge was attributable to a substance use disorder.

Title VI: Incentivizing State Comprehensive Initiatives to Address Prescription Opioid and Heroin Abuse

Sec. 601 – State Demonstration Grants for Comprehensive Opioid Abuse Response: This section authorizes the Attorney General, in coordination with the Secretary of Health and Human Services and the Director of the Office of National Drug Control Policy, to award planning and implementation grants to eligible state, units of local government, territories, or Indian Tribes, or combination thereof, to prepare a comprehensive plan for, and implement, an integrated opioid abuse response initiative. The comprehensive response must include specific improvements to state prescription drug monitoring programs, as well as prevention/education efforts, expanded treatment programs, and plans for reversing opioid overdoses.

Title VII: Miscellaneous

Sec. 701 – GAO Report on IMD Exclusion: This section requires GAO to publish a report, within 365 days, on the impact that the Medicaid Institutions for Mental Disease exclusion has on access to treatment for individuals with substance abuse disorders.

Sec. 702 – Funding: This section authorizes \$62 million for each FY 2016 through FY 2020 in funding for the Attorney General and HHS to carry out the provisions of the bill.

Sec. 703 – Conforming Amendments: This section amends the Omnibus Crime Control and Safe Streets Act to include the heading "Comprehensive Addiction and Recovery".

Sec. 704 – Grant Accountability: This section requires all grants awarded under the provisions of the bill to be subject to audits and other accountability measures.

Sec. 705 – Programs to Prevent Prescription Drug Abuse under the Medicare Program: This section authorizes amendments to the Social Security Act to ensure the prevention of prescription drug abuse within Medicare among at-risk individuals.

Title VIII: Transnational Drug Trafficking Act

Sec. 801 – Short Title: This section names the Title of the bill as the “Transnational Drug Trafficking Act of 2015”.

Sec. 802 – Possession, Manufacture, or Distribution for Purposes of Unlawful Importations: This section makes it illegal to manufacture or distribute a Schedule I or Schedule II controlled substance with the knowledge that this will be imported into the U.S.

Sec. 803 – Trafficking in Counterfeit Goods or Services: This section adds trafficking in a drug to the U.S. while knowingly using a counterfeit mark with the drug as a crime to be punished by fine or imprisonment.

Adapted from the Community Anti-Drug Coalitions of America