## Congress of the United States Washington, DC 20515

August 7, 2017

President Donald J. Trump The White House Washington, DC 20500

Dear Mr. President,

While we appreciate that the *Commission on Combatting Drug Addiction and the Opioid Crisis* led by Governor Chris Christie finally released its interim report on July 31<sup>st</sup>, we remain concerned that the Trump Administration has not done enough to prioritize the opioid epidemic. As Governor Christie and the interim report stated, the opioid and heroin crisis now takes more Americans *every three weeks* than the devastating September 11th terrorist attack on the World Trade Center.

Yet, it took over six months, and two failed deadlines, for your Commission to release its policy recommendations. Nearly all of those policy recommendations mirror those championed by Senators and Representatives of *both parties* since this crisis began. In fact, many of the recommendations exist as pending, bipartisan legislation in both chambers of Congress.

While it is encouraging that the recommendations presented by the Commission appear to be bipartisan, it inadequately addressed the two main issues stymying our current efforts to provide sufficient treatment and recovery services: funding for treatment and access to care.

The lack of funding for essential treatment and recovery services is a persistent barrier to effectively addressing the opioid crisis. There has been insufficient investment in treatment options by the federal government and it has made a national response to this crisis slow and inconsistent. Discouragingly, the impact of inadequate funding will be immediately felt if the Commission's number one recommendation is enacted – the declaration of a national public health emergency.

The Public Health Services Act, which authorized the President to declare national public health emergencies, also authorized a Public Health Emergency Fund that could only be used to support federal efforts to address a public health emergency. Unfortunately, this Fund is currently empty. While the declaration of a public health emergency would provide some additional federal flexibility, the Administration would be severely constrained unless Congress acts quickly to provide emergency appropriations to the Fund.

Additionally, access to quality and affordable health care remains a significant concern. It is encouraging that the Commission highlighted the need to better enforce mental health and

substance use treatment parity with private insurers. These statutory improvements were passed as part of the 21<sup>st</sup> Century Cures Act to address concerns that insurers were not providing appropriate coverage for treatment of substance use disorder and other mental health concerns.

Unfortunately, Congressional Republicans and the Trump Administration continue to seek repeal of existing law designed to increase overall access to health care, which would lead to cuts to Medicaid and the elimination of Medicaid expansion. If these efforts ever succeed, the impact would largely neuter any improvements in enforcing mental health parity laws as envisioned by the Commission. If people cannot access affordable healthcare, then enforcing parity laws will have no benefit to those individuals and families. On the July 31<sup>st</sup> teleconference announcing the interim report, Governor Ray Cooper, one of the commissioners, acknowledged the need to ensure access to health insurance to ensure Americans have the ability to seek effective treatment and recovery services.

Consequently, we request that you immediately call on Congress to provide emergency appropriations to combat the opioid epidemic and to cease their efforts to repeal the Affordable Care Act. Without addressing these two areas of concern, an effective response to this 21<sup>st</sup> Century public health emergency will be inadequate.

We are all concerned by the impact of this epidemic on our communities across the country and across all demographics. We are prepared to work with you to help fulfill your campaign promise to "end the opioid epidemic in America." Without bipartisan legislative action, the recommendations outlined by your Commission's interim report will remain unfulfilled.

Thank you for consideration of our request.

Sincerely,

Ann McLane Kuster

Member of Congress

Marcy Kaptur

Member of Congress

Tim Ryan

Member of Congress

Tom O'Halleran

Member of Congress

Joe Courtney
Member of Congress

Ted Deutch Member of Congress

Carol Shea-Porter Member of Congress

Chellie Pingree Member of Congress

Donald Norcross Member of Congress Seth Moulton Member of Congress

Marcia L. Fudge Member of Congress