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President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump,

I write today to express my profound concern about your Administration's lackluster response to the nation's opioid crisis. Experts and observers have concluded that your efforts to address the opioid crisis are "pathetic" and "ambiguous promises" that are "falling far short of what is needed" and are "not ... addressing the epidemic with the urgency it demands." I agree, and I urge you to move quickly to address these problems.

You have frequently declared your supposed commitment to combatting the opioid epidemic, stating that, "we cannot allow [the opioid crisis] to continue... It is time to liberate our communities from this scourge of drug addiction."¹ Members of your Administration have made similarly sweeping statements about their dedication to taking action on these issues. For instance, Attorney General Jeff Sessions has stated that "we are facing the deadliest drug crisis in American history,"² and committed that "at the Department of Justice, we have made ending the drug epidemic a priority."³ Kellyanne Conway has stated that she is personally "first and foremost on the front line of the opioid crisis"⁴ and asserted that "we convene meetings on this [crisis] every day at the White House ... People need to act."⁵

Yet time and time again you and your Administration have failed to take the actions needed to meaningfully address this crisis. Instead, you have continued to substitute empty words and broken promises for real action and bold ideas.

I write today to once again request: (1) an update on the status of the public health emergency declaration concerning the opioid crisis, which is currently due to expire in four days, on July 23, 2018; (2) an update on the implementation status of the November 2017

¹ New York Times, "Trump Declares Opioid Crisis a 'Health Emergency' but Requests No Funds," Julie Hirschfeld Davis, October 26, 2017, <https://www.nytimes.com/2017/10/26/us/politics/trump-opioid-crisis.html>.

² Washington Post, "Sessions targets 10 areas in U.S. for crackdown on the sale of fentanyl," Sari Horwitz, July 12, 2018, https://www.washingtonpost.com/world/national-security/sessions-targets-10-areas-in-us-for-crackdown-on-the-sale-of-fentanyl/2018/07/12/520eac2e-854b-11e8-8553-a3ce89036c78_story.html?utm_term=.2f84838c2490.

³ NPR, "President Trump Vows to 'Liberate' U.S. From Opioid Crisis," Scott Horsley, March 19, 2018, <https://www.npr.org/2018/03/19/594999711/president-trump-vows-to-liberate-u-s-from-opioid-crisis>.

⁴ CNN, "Conway touts new funding targeting opioid crisis," Eli Watkins, February 11, 2018, <https://www.cnn.com/2018/02/11/politics/kellyanne-conway-opioid-cnntv/index.html>.

⁵ BuzzFeed News, "At a Big Heroin Meeting, Kellyanne Conway Defends Trump's Plan To Fix The Opioid Crisis," Dan Vergano, April 4, 2018, https://www.buzzfeed.com/danvergano/kellyanne-conway-opioids-drug-kingpins?utm_term=.lawpDWbKo#.xs3y54m9M.

recommendations issued by the Commission on Combating Drug Addiction and the Opioid Crisis (“the Opioid Commission”); and (3) responses to my numerous unanswered questions regarding your Administration’s plan to address this epidemic, including the qualifications of key personnel occupying leadership positions related to the opioid crisis.

The Administration Has Failed to Meaningfully Address the Opioid Crisis

The White House has repeatedly pledged its commitment to action on this issue. As a candidate, you promised to address the opioid epidemic, saying you would work to “ensure that every American struggling with addiction has access to the care and help that he or she needs.”⁶ When you announced the creation of the President’s Commission on Combating Drug Addiction and the Opioid Crisis in March 2017, shortly after taking office, you called the crisis “a total epidemic” and proclaimed that “we have to solve the problem.”⁷ In October 2017, when you made the decision to designate the crisis as a public health emergency, you declared “we cannot allow this to continue. It is time to liberate our communities from this scourge of drug addiction. . . . We can do it.”⁸ More recently, in March 2018, you stated: “Defeating this epidemic will require the commitment of every state, local, and federal agency. Failure is not an option. . . . We will liberate our country from this crisis.”⁹

The costs of failure are unacceptably high. The White House Council of Economic Advisers estimates that in 2015 alone, the economic cost of the opioid crisis exceeded \$500 billion.¹⁰ Every day, 115 Americans die from opioid overdoses, and hundreds more experience nonfatal overdoses.¹¹ And only one in ten individuals in need of specialty addiction treatment are able to access it.¹²

While reports have shown recent reductions in opioid prescribing rates, prescribing rates were still three times higher in 2015 than they were in 1999.¹³ The opioid epidemic caused more than 42,000 deaths in 2016, up from 33,000 in 2015.¹⁴ And preliminary information from 2017

⁶ C-SPAN, “Donald Trump Rally in Portsmouth, New Hampshire,” October 15, 2016, <https://www.c-span.org/video/?417017-1/donald-trump-rally-portsmouth-hampshire>.

⁷ White House, “Remarks by President Trump in Listening Session on Opioids and Drug Abuse,” March 29, 2017, <https://www.whitehouse.gov/the-press-office/2017/03/29/remarks-president-trump-listening-session-opioids-and-drug-abuse>.

⁸ White House, “Remarks by President Trump on Combatting Drug Demand and the Opioid Crisis,” October 26, 2017, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-combatting-drug-demand-opioid-crisis/>.

⁹ White House, “Remarks by President Trump on Combatting the Opioid Crisis,” March 19, 2018, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-combatting-opioid-crisis/>.

¹⁰ The Council of Economic Advisors, “The Underestimated Cost of the Opioid Crisis,” November 2017, <https://www.whitehouse.gov/sites/whitehouse.gov/files/images/The%20Underestimated%20Cost%20of%20the%20Opioid%20Crisis.pdf/>.

¹¹ Centers for Disease Control and Prevention (CDC), “Understanding the Epidemic,” <https://www.cdc.gov/drugoverdose/epidemic/index.html>; Association of State and Territorial Health Officials, “Opioid-related Overdoses as a Reportable Condition,” November 16, 2017, <http://www.astho.org/StatePublicHealth/Opioid-related-Overdoses-as-a-Reportable-Condition/11-16-17/>.

¹² U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, “Key Substance Use and Mental Health Indicators in the United States: Results from the 2016 National Survey on Drug Use and Health,” September, 2017, <https://www.samhsa.gov/data/sites/default/files/NSDUH-FFR1-2016/NSDUH-FFR1-2016.htm>.

¹³ CDC, “U.S. Prescribing Rate Maps,” <https://www.cdc.gov/drugoverdose/maps/rxrate-maps.html>.

¹⁴ Centers for Disease Control, “Data Overview,” <https://www.cdc.gov/drugoverdose/data/index.html>.

continues to paint a grim picture.¹⁵ According to the NIH and CDC, from July 2016 to September 2017, emergency department visits for opioid overdoses jumped 30 percent.¹⁶ Current CDC Principal Deputy Director and former Acting Director Anne Schuchat confirmed that “emergency department data can point to alarming increases in opioid overdoses ... [The epidemic] does not respect state or county lines and is still increasing in every region in the United States.”¹⁷

Despite your repeated public statements pledging action on this issue – and in the face of clear need for federal activity – there is little evidence that your Administration’s response to the crisis has been sufficient. Observers describe your plan to combat the crisis as a package of “ambiguous promises,”¹⁸ note that you have “repeatedly failed to offer a substantive plan” to address the crisis,¹⁹ and conclude that the Administration “has given no signs it’s developing a comprehensive strategy to address an epidemic that claims more than 115 lives every day.”²⁰ More than a year into your term, one account found a “wide consensus that, despite recent significant gains, there are continued concerns that the administration is still not yet addressing the epidemic with the urgency it demands.”²¹ Another assessment determined that your plan “falls short of delivering all of the science- and evidence-based approaches that would make a real difference in the lives of those struggling with this epidemic.”²²

Impact of Your Public Health Emergency Declaration Remains Unclear

The impact of your Administration’s most high-profile move on the opioid crisis – a declaration that the crisis is a public health emergency – remains unclear. On October 26, 2017, you declared the opioid epidemic a national public health emergency under the Public Health Service Act (PHSA), because, as you acknowledged, “This crisis has devastated our communities.”²³ Almost nine months have now elapsed since the declaration, which you have

¹⁵ CDC, National Center for Health Statistics, “Vital Statistics Rapid Release: Provisional Drug Overdose Death Counts,” <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>.

¹⁶ National Institutes of Health, “Opioid Overdose Crisis,” <https://www.drugabuse.gov/drugs-abuse/opioids/opioid-overdose-crisis#ten>.

¹⁷ CDC, “Emergency Department Data Show Rapid Increases in Opioid Overdoses,” Press Release, March 6, 2018, <https://www.cdc.gov/media/releases/2018/p0306-vs-opioids-overdoses.html>.

¹⁸ Vox, “Senators to Trump: what ever happened to your opioid commission’s proposals?”, German Lopez, April 9, 2018, <https://www.vox.com/policy-and-politics/2018/4/9/17215006/opioid-epidemic-trump-elizabeth-warren-patty-murray>.

¹⁹ New York Times, Editorial, “Trump’s Bluster on the Opioid Epidemic, March 20, 2018, <https://www.nytimes.com/2018/03/20/opinion/trumps-bluster-on-the-opioid-epidemic.html>.

²⁰ NPR, “Trump Says He Will Focus On Opioid Law Enforcement, Not Treatment,” Greg Allen, February 7, 2018, <https://www.npr.org/sections/health-shots/2018/02/07/584059938/trump-says-he-will-focus-on-opioid-law-enforcement-not-treatment>.

²¹ ABC News, “Despite gains, Trump administration response to opioid crisis still faces criticism,” Alexander Mallin, March 4, 2018, <https://abcnews.go.com/Politics/gains-trump-administration-response-opioid-crisis-faces-criticism/story?id=53475960>.

²² STAT, Editorial, “Why trump’s opioid plan falls short,” March 20, 2018, <https://www.statnews.com/2018/03/20/trump-opioid-plan/>.

²³ The White House, “Presidential Memorandum for the Heads of Executive Departments and Agencies: Combatting the National Drug Demand and Opioid Crisis,” October 26, 2017, <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-heads-executive-departments-agencies/>.

since renewed twice, on January 24, 2018, and April 24, 2018. We are quickly approaching the July 23, 2018 expiration of the most recent emergency declaration extension.²⁴

The formal declaration of a public health emergency is intended to facilitate the provision of supplemental resources to state, local, and federal responders. Upon declaring a public health emergency, the Secretary of Health and Human Services can issue grants, enter contracts, and conduct investigations “into the cause, treatment, or prevention of the disease or disorder”; access the Public Health Emergency Fund; and temporarily hire public health specialists, among other actions.²⁵ But your Administration has been unable or unwilling to tap the necessary resources.

When you made the declaration, your Administration only made available the Public Health Emergency Fund, which included a meager \$57,000, and offered very little else by way of funding.²⁶ At the end of the first 90-day declaration, reports of federal action on the emergency were grim, indicating that “the federal follow-through is falling far short of what is needed,”²⁷ and that “beyond drawing more attention to the crisis, virtually nothing of consequence has been done.”²⁸ The Government Accountability Office has opened an investigation to review “the steps the administration has taken since declaring the opioid crisis a public health emergency,” at the request of me and several of my colleagues in the Senate.²⁹

Healthcare and addiction research experts agree that simply declaring the opioid crisis a public health emergency, without a substantial commitment of federal money and a clear strategy to combat the epidemic, will not do enough to alleviate the impact of the opioid crisis. Dr. Keith Humphreys, professor of psychiatry at Stanford University and former Senior Policy Advisor to the Office of National Drug Control Policy (ONDCP), called the emergency declaration response “pathetic.”³⁰ In January, West Virginia Public Health Commissioner Rahul Gupta said that his state, which has the highest overdose rate in the country, hadn’t seen any significant change since the emergency declaration and commented that while, “[President Trump’s] thoughts and prayers have helped... additional funding and resources would be more helpful.”³¹

Six months after you first declared the opioid crisis a public health emergency, you pledged that “we will be spending the most money ever on the opioid crisis.”³² Yet your claim appears to have no basis in reality. While the U.S. Senate reached a budget agreement earlier this

²⁴ U.S. Department of Health and Human Services, “Renewal of Determination that a Public Health Emergency Exists,” <https://www.phe.gov/emergency/news/healthactions/phe/Pages/opioid-20Apr2018.aspx>.

²⁵ U.S. Department of Health & Human Services, “Public Health Emergency Declaration,” <https://www.phe.gov/Preparedness/legal/Pages/phedeclaration.aspx>.

²⁶ Politico, “Trump declared an opioids emergency. Then nothing changed,” Brianna Ehley, January 11, 2018, <https://www.politico.com/story/2018/01/11/opioids-epidemic-trump-addiction-emergency-order-335848>

²⁷ USA Today, Editorial, “Where is Trump’s emergency on opioids?” January 17, 2018, <https://www.usatoday.com/story/opinion/2018/01/17/where-trump-emergency-opioid/1041479001/>.

²⁸ Politico, *Supra*.

²⁹ Letter from GAO to Congressional Requesters, February 26, 2018.

³⁰ NPR, “Trump Administration Declares Opioid Crisis A Public Health Emergency,” Greg Allen, October 26, 2017, <https://www.npr.org/2017/10/26/560083795/president-trump-may-declare-opioid-epidemic-national-emergency>.

³¹ Politico, *Supra*.

³² White House, “Remarks by President Trump on Combatting the Opioid Crisis,” March 19, 2018, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-combatting-opioid-crisis/>.

year to spend an additional \$6 billion over two years to address the opioid crisis,³³ your Administration's own proposals to address the opioid crisis, including your most recent opioid initiative policies released on March 19th, lack commitments of federal funds.³⁴ Your Administration has also provided no update on its plans for further renewals of the emergency declaration or details on additional funding that such steps could unlock.

Many of the Opioid Commission's Recommendations Appear to Have Not Been Implemented

It has now been more than eight months since the President's Commission on Combating Drug Addiction and the Opioid Crisis ("Opioid Commission") issued its final report, including a series of 56 recommendations the federal government and Congress should take to address this crisis. Nearly all of these recommendations require the involvement and leadership of your Administration.³⁵ While your Administration has implemented some of these recommendations, it is unclear what steps your Administration has taken to implement the vast majority of the Opioid Commission's recommendations.³⁶

Many of the Commission's recommendations seem to have largely been ignored, or are not being swiftly and thoughtfully implemented. For example, there appears to have been no progress on the Commission's recommendation that "ONDCP and DEA increase electronic prescribing to prevent diversion and forgery" and that the DEA "revise regulations regarding electronic prescribing for controlled substances." In June, Senators Toomey, Heller, Bennet, and I wrote to the DEA asking about this recommendation.³⁷ But the DEA hasn't updated these regulations since 2010, and there appears to have been no progress made on this recommendation since November. There also appears to have been no progress implementing the Commission's recommendation that "federal agencies revise regulations and reimbursement policies to allow for [addiction] treatment via telemedicine."³⁸ It is not immediately apparent what actions your Administration has taken on most of the recommendations that are aimed at tackling this crisis – and it should not be this challenging for the American people to get answers.

³³ The Hill, Editorial, "\$6 billion allotted to fight opioid epidemic – here's how we should spend it," February 8, 2018, <http://thehill.com/opinion/healthcare/372875-6-billion-allotted-to-fight-opioid-epidemic-heres-how-we-should-spend-it>.

³⁴ Los Angeles Times, "Trump talks up combatting opioids, yet his funding shortfall and Medicaid cuts would blunt his plans," Noah Bierman and Noam N. Levey, March 19, 2018, <http://www.latimes.com/politics/la-na-pol-trump-opioid-20180319-story.html>; White House, "President Donald J. Trump's Initiative to Stop Opioid Abuse and Reduce Drug Supply and Demand," <https://www.whitehouse.gov/briefings-statements/president-donald-j-trumps-initiative-stop-opioid-abuse-reduce-drug-supply-demand/>.

³⁵ The President's Commission on Combating Drug Addiction and the Opioid Crisis, "Final Report Draft," November 1, 2017, https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Final_Report_Draft_11-15-2017.pdf.

³⁶ The White House, "Statement from the Press Secretary Regarding the Youth Opioid Prevention Ad Campaign," June 7, 2018, <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-youth-opioid-prevention-ad-campaign/>.

³⁷ Letter from Senators Toomey, Warren, Heller, and Bennet to DEA Acting Administrator Patterson, June 4, 2018.

³⁸ The President's Commission on Combating Drug Addiction and the Opioid Crisis, "Final Report Draft," November 1, 2017, https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Final_Report_Draft_11-15-2017.pdf; Politico, *Supra*.

Observers note that “many proposals remain in progress or unaddressed.”³⁹ Former Congressman Patrick Kennedy, a member of the Commission, declared that: “nothing is actually being done”⁴⁰ and stated that the Commission’s work has been turned into “a charade” and a “sham.”⁴¹ Dr. Humphreys noted that the Commission “did a pretty good job. They were smart, they listened, they came up with a lot of good ideas. And they’ve been ignored entirely.”⁴²

Key Positions Remain Unfilled and the Administration’s Response Lacks Experienced Staff in Leadership Positions

There is also little indication that the Administration has experienced personnel in place to coordinate a clear strategy on the opioid issue. Former New Jersey Governor Chris Christie, chair of the Opioid Commission, has stated, “I think we know why [implementation of the Commission’s recommendations] hasn’t [gone faster]... I think it’s been a problem with the fact that they have not had the personnel in place to be able to execute on the plan.”⁴³

In December 2017, Attorney General Jeff Sessions announced that you had assigned Kellyanne Conway “to coordinate and lead” the White House opioid response.⁴⁴ Ms. Conway appears to have no experience in public health or addiction policy, and since Attorney General Sessions announced her new role, she has made comments about addiction that are not evidence-based, including advising youth to avoid addiction by eating ice cream and French fries: “eat the ice cream, have the french fry, don’t buy the street drug. Believe me, it all works out.”⁴⁵

In addition, Ms. Conway “has reportedly sidelined drug policy experts as she takes control of the government’s efforts to curb substance abuse.”⁴⁶ Ronald A. Klain, former Ebola response coordinator under President Obama, explained that “confronting an epidemic is a full-time occupation,” but that the “White House has not announced which, if any, of Conway’s other duties she will give up to lead the opioid response – or how she intends to assemble and coordinate a plan to reverse one of the most vexing public-health threats we face – while also juggling presidential priority-setting, communications strategy, veterans affairs, and other assigned duties.”⁴⁷ Her role in coordinating this response remains unclear, and both your Chief of

³⁹ NPR, “President Trump Vows to ‘Liberate’ U.S. From Opioid Crisis,” Scott Horsley, March 19, 2018, <https://www.npr.org/2018/03/19/594999711/president-trump-vows-to-liberate-u-s-from-opioid-crisis>.

⁴⁰ Politico, *Supra*.

⁴¹ Vox, “A member of Trump’s opioid commission calls its work ‘a charade,’” German Lopez, January 23, 2018, <https://www.vox.com/policy-and-politics/2018/1/23/16923188/trump-opioid-commission-kennedy-sham-charade>

⁴² Vox, *Ibid*.

⁴³ ABC News, “Despite gains, trump administration response to opioid crisis still faces criticism,” Alexander Mallin, March 4, 2018, <https://abcnews.go.com/Politics/gains-trump-administration-response-opioid-crisis-faces-criticism/story?id=53475960>.

⁴⁴ Washington Post, “Sessions praises Kellyanne Conway’s leadership of White House opioid effort,” November 29, 2017, https://www.washingtonpost.com/video/politics/sessions-praises-kellyanne-conways-leadership-of-white-house-opioid-effort/2017/11/29/4a8ff4b0-d526-11e7-9ad9-ca0619edfa05_video.html?utm_term=.56ca4093cb19.

⁴⁵ Miami Herald, “Critics pounce after Kellyanne Conway says to eat ice cream instead of taking drugs,” Scott Berson, March 23, 2018, <https://www.miamiherald.com/article206521084.html>.

⁴⁶ Newsweek, “Kellyanne Conway Is Ignoring Drug Experts As She Takes over Opioid Crisis: Report,” Jessica Kwong, February 6, 2018, <https://www.newsweek.com/kellyanne-conway-opioid-crisis-trump-800359>.

⁴⁷ Washington Post, Editorial, “No reason Kellyanne Conway won’t make a fine opioid czar. Except for Trump,” December 5, 2017, https://www.washingtonpost.com/opinions/kellyanne-conway-could-make-a-fine-opioid-czar-but-then-theres-trump/2017/12/05/4cad9bd8-d947-11e7-b1a8-62589434a581_story.html?utm_term=.1344bbca1cf2.

Staff John Kelly and Ms. Conway have refused to answer a series of questions I sent them asking for clarification about her role and responsibilities.⁴⁸

Key positions at the agencies responsible for coordinating efforts to respond to the opioid crisis also remained unfilled. High staff turnover at ONDCP reportedly led earlier this year to the promotion of a 24-year-old with no public health experience as the ONDCP's Deputy Chief of Staff – while the position of ONDCP Chief of Staff remained unfilled.⁴⁹ In February, you nominated James Carroll to run ONDCP.⁵⁰ Like Ms. Conway, Mr. Carroll appears to have no experience in public or behavioral health policy. In addition, the ONDCP has not released the National Drug Control Strategy – an annual report required to be released every February – for either 2017 or 2018.⁵¹

The DEA has also lacked permanent leadership and direction. The acting head of the DEA, Robert Patterson, announced on June 18, 2018 he was stepping down from his position, citing challenges to executing a long-term strategy due to his temporary role.⁵² We are now on the third acting head of the DEA during your Administration, and it has taken you eighteen months into your term to nominate a permanent head of the agency.⁵³

The Department of Health and Human Services (HHS) has also lacked leadership on the opioid crisis. Although former HHS Secretary Tom Price said that the opioid crisis was one of his agencies top three priorities,⁵⁴ he was forced to resign his position after only eight months on the job and, during his brief tenure as Secretary, made unscientific and stigmatizing remarks about medication-assisted treatment (MAT), contradicting overwhelming evidence on the effectiveness of MAT.⁵⁵

Your Administration Has Actively Sought to Undermine Programs Critical to Fighting the Opioid Crisis

⁴⁸ Letter from Senator Warren to Kellyanne Conway, January 17, 2018.

⁴⁹ Washington Post, "Meet the 24-year-old Trump campaign worker appointed to help lead the government's drug policy office," Robert O'Harrow Jr., January 14, 2018, https://www.washingtonpost.com/investigations/meet-the-24-year-old-trump-campaign-worker-appointed-to-help-lead-the-governments-drug-policy-office/2018/01/13/abdada34-f64e-11e7-91af-31ac729add94_story.html?utm_term=.cb0bb83580e2.

⁵⁰ The White House, "President Donald J. Trump Announces Appointments for the Executive Office of the President," February 9, 2018, <https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-announces-appointments-executive-office-president/>.

⁵¹ USA Today, "Trump White House is months late on strategy on drugs despite opioid emergency," John Fritze, April 27, 2018, <https://www.usatoday.com/story/news/politics/2018/04/27/trump-white-house-months-late-required-strategy-drugs-despite-declared-emergency/554828002/>.

⁵² Washington Post, "DEA chief steps down, citing increasing challenges of temporary role," Devin Barrett, June 18, 2018, https://www.washingtonpost.com/world/national-security/dea-chief-steps-down-citing-increasing-challenges-of-temporary-role/2018/06/18/f3d4f6b2-7335-11e8-9780-b1dd6a09b549_story.html?utm_term=.e684d9dfb5c9.

⁵³ U.S. Department of Justice, "Attorney General Jeff Sessions Announces Utam Dhillon as New Acting Administrator Of Drug Enforcement Administration," Press Release, July 2, 2018, <https://www.justice.gov/opa/pr/attorney-general-jeff-sessions-announces-uttam-dhillon-new-acting-administrator-drug>.

⁵⁴ NBC News, "Price: Fighting Opioid Crisis 'One of Three Top Priorities,'" May 7, 2017, <https://www.nbcnews.com/meet-the-press/video/price-fighting-opioid-crisis-one-of-three-top-priorities-938240067627>.

⁵⁵ NPR, "Price's Remarks on Opioid Treatment Were Unscientific And Damaging, Experts Say, Jake Harper, May 16, 2017, <https://www.npr.org/sections/health-shots/2017/05/16/528614422/prices-remarks-on-opioid-treatment-were-unscientific-and-damaging-experts-say>.

Instead of providing tools to combat the opioid crisis, your Administration has actively sought to undermine the nation's most valuable addiction-fighting programs. One of your Administration's top priorities has been to eliminate Affordable Care Act and Medicaid health insurance coverage for millions of Americans, which would cut off access to addiction treatment guaranteed by these programs. The ACA requires all insurance plans to cover addiction treatment and prevention as an "essential health benefit," meaning all plans must provide adequate coverage, and prohibits insurance companies from discriminating against people with pre-existing conditions. But plans by your Administration and Republicans in Congress to repeal the ACA would have removed these protections.

After failing to formally repeal the Affordable Care Act, your administration has repeatedly sought to sabotage the ACA's health insurance markets, cutting off federal payments meant to help insurers provide health care for low-income people, slashing funding for programs that help consumers enroll in coverage, and expanding access to skimpy and short-term health plans that are not required to provide comprehensive coverage. Your Department of Justice recently announced that it will not defend the constitutionality of the ACA, putting millions of people with pre-existing conditions at risk by arguing that key parts of the law should be struck down in court.

You and your administration have also supported efforts to gut the Medicaid program, which is the largest payer of behavioral health services. Not only does Medicaid cover two out of every five nonelderly adults with an opioid addiction, but Medicaid is also more likely than private payers to provide beneficiaries with treatment to help them recover.⁵⁶ You have proposed significant cuts to Medicaid in every budget. Your Administration has supported several state initiatives to impose strict work requirements on Medicaid recipients, which experts believe will cause individuals with addiction to lose their health insurance and lose access to treatment options.⁵⁷

Further, you have continued to propose cuts to programs essential to tackling the opioid crisis, including slashing the ONDCP by 95 percent in your Fiscal Year 2019 budget.⁵⁸ In addition, your FY2019 budget proposed cutting more than half of the funding for Health Resources and Services Administration (HRSA) health workforce programs that strengthen our health care workforce's ability to respond to the opioid epidemic; slashing the Prevention and Public Health Fund, which helps states respond to the crisis; and cutting almost one third of funding for SAMHSA's Mental Health Programs of Regional and National Significance grants, which support programs critical to addressing our nation's mental health and addiction needs.⁵⁹

Conclusion and Questions

⁵⁶ Henry J Kaiser Family Foundation, "Medicaid's Role in Addressing the Opioid Epidemic," February 27, 2018, <https://www.kff.org/infographic/medicaids-role-in-addressing-opioid-epidemic/>.

⁵⁷ Center on Budget and Policy Priorities, "Harm to People with Substance Use Disorders From Taking Away Medicaid for Not Meeting Work Requirements," <https://www.cbpp.org/research/health/harm-to-people-with-substance-use-disorders-from-taking-away-medicaid-for-not>.

⁵⁸ Politico, "Trump again targets proposing 95 percent budget cut," Sarah Karlin-Smith and Brianna Ehley, January 18, 2018, <https://www.politico.com/story/2018/01/18/trump-targets-drug-policy-office-297422>.

⁵⁹ U.S. Department of Health and Human Services, "Budget in Brief," February 19, 2018, <https://www.hhs.gov/sites/default/files/fy-2019-budget-in-brief.pdf>.

I have written several times to your Administration to seek information to allow me to understand your efforts to address the opioid crisis. In December 2017, I wrote to John Kelly asking for clarification about Ms. Conway's role in this crisis. There was no response. In January 2018, I wrote to Ms. Conway directly asking about her role. There was no response. In April 2018, I then wrote to you, requesting information on your Administration's progress on implementing your Opioid Commission's recommendations. Again, there was no response. My unanswered letters are attached to this correspondence for your convenience.


Despite multiple calls to action from public health advocates and families whose loved ones have been devastated by the ongoing opioid crisis, your Administration is failing to implement aggressive and necessary measures to combat this epidemic.

Efforts by state and local governments and communities to address this crisis require support, meaningful action, and resources from the federal government. To help me understand why you are failing to provide the necessary leadership, I ask that you please provide answers to both the following questions and the questions from my attached unanswered letters to your Administration no later than July 23, 2018:

1. Please provide a list of and status update on any and all actions taken by your Administration in response to the declaration of and extension of the Nationwide Public Health Emergency related to the opioid epidemic.
2. Will you extend the emergency declaration, which expires next week?
3. If so, what new steps will your Administration take as a result of that extension?
4. Please provide a status update on the implementation of each of the recommendations made by the Commission on Combatting Drug Addiction and the Opioid Crisis. For each of the 56 recommendations, please provide the individual status of that recommendation, including a description of steps required to complete implementation of those recommendations that have not yet been completed.

I look forward to your prompt response.

Sincerely,



Elizabeth Warren
United States Senator