



January 30, 2023

Good afternoon,

On behalf of [Voices for Non-Opioid Choices](#) (“Voices”), welcome to the 118<sup>th</sup> Congress. Voices is a nonpartisan coalition of over 140 organizations dedicated to preventing opioid addiction before it starts by increasing patient and provider access to non-opioid therapies and approaches to manage acute pain. Acute pain patients, including those experiencing surgery-related pain, often receive powerful addictive medications to manage their pain. The hospital or surgical setting has become a potential path to long-term opioid use in America, as 90 percent of these patients receive opioids to manage their post-surgical pain. As a result, every year, 3.75 million patients go on to long-term opioid use after a surgical procedure.<sup>1</sup> Given this reality, we look forward to working with the 118<sup>th</sup> Congress to advance legislation to increase access to non-opioid therapies and approaches to manage acute pain, including the following priorities.

## VOICES LEGISLATIVE PRIORITIES

### **Accelerating the Implementation of the NOPAIN Act**

In the FY 2023 Omnibus spending bill, Congress enacted the Non-Opioids Prevent Addiction in the Nation (“NOPAIN”) Act (S. 586/ H.R. 3259). Once implemented, the NOPAIN Act will ensure safe, non-addictive therapies are widely available to tens of millions of Americans who undergo an outpatient surgical procedure by providing separate payments for the administration of non-opioid pain management. Unfortunately, this life-saving piece of legislation is not currently scheduled to go into effect until 2025 – while the opioid use epidemic continues to get worse. Families are losing loved ones; 220 Americans died every day from an opioid-related drug overdose in 2021<sup>2</sup>, the highest number on record. Our health system is crippled, and treating opioid use disorder (OUD) costs hospitals more than \$95 billion a year. We simply cannot afford to wait. Voices urges Congress to pass legislation requiring the Centers for Medicare and Medicaid Services (CMS) to implement the NOPAIN Act by 2024.

### **Access to Non-Opioids for Active-Duty Military and their Families**

Substance abuse is not specific to American civilians. Many of our country’s heroes struggle with pain management. Active military members’ bodies are pushed to the limits every day, and that does not come without an injury or two. Just as civilians now will have choices in pain management, we must ensure our nation’s active military and their families are afforded access to non-opioid pain management approaches through TRICARE.

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<sup>1</sup> Wide-ranging online data for epidemiologic research (WONDER). Atlanta, GA: CDC, National Center for Health Statistics; 2021. [Overview | Drug Overdose | CDC Injury Center](#)

<sup>2</sup> Centers for Disease Control and Prevention. (2022, May 11). *U.S. overdose deaths in 2021 increased half as much as in 2020 - but are still up 15%*. Centers for Disease Control and Prevention. Retrieved January 11, 2023, from [https://www.cdc.gov/nchs/pressroom/nchs\\_press\\_releases/2022/202205.htm#:~:text=Provisional%20data%20from%20CDC's%20National,93%2C655%20deaths%20estimated%20in%202020.](https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2022/202205.htm#:~:text=Provisional%20data%20from%20CDC's%20National,93%2C655%20deaths%20estimated%20in%202020.)

## **Ensuring Robust Access to Non-Opioids for Medicare Part D Beneficiaries**

1.1 million Medicare beneficiaries were diagnosed with an opioid use disorder in 2021, and more than 50,000 Medicare beneficiaries suffered an acute overdose incident in 2021<sup>3</sup>. Elderly Americans are among the fastest-growing cohort of newly persistent opioid users. The NOPAIN Act provided a unique first step in ensuring these patients have access to non-opioid therapies in the outpatient setting. However, the legislation does little to ensure similar access to these treatments under Medicare Part D. Voices will work in the 118<sup>th</sup> Congress to ensure that insurance plans do not put in place harmful utilization management practices that put barriers in place for accessing non-opioid therapies under Part D.

We are happy to set up meetings with you for further discussion. If you have any questions or want additional information on our initiatives, please contact me at [chris@nonopioidchoices.org](mailto:chris@nonopioidchoices.org).

Sincerely,



Chris Fox  
Executive Director

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<sup>3</sup> *Opioid overdoses and the limited treatment of opioid use disorder continue to be concerns for Medicare beneficiaries*. OEI-02-22-00390 09-13-2022. (2022, September). Retrieved January 10, 2023, from <https://oig.hhs.gov/oei/reports/OEI-02-22-00390.asp>