



November 30, 2020

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
U.S. Capitol Building, Room S-230  
Washington, DC 20510

The Honorable Chuck Schumer  
Minority Leader  
United States Senate  
U.S. Capitol Building, Room S-224  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
U.S. Capitol Building  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
U.S. Capitol Building  
Washington, DC 20515

Dear Majority Leader McConnell, Speaker Pelosi, Minority Leader Schumer, and Minority Leader McCarthy:

On behalf of the patients, providers, families, and health professionals our 26 organizations represent, we urge you to include the *Non-Opioids Prevent Addiction in the Nation (NOPAIN) Act* (S. 3067/H.R. 5172) in any year-end legislative package considered by Congress.

In 2019, nearly 71,000 Americans died from a drug overdose.<sup>i</sup> For the 12-month period that ended on March 30<sup>th</sup>, 2020, 73,480 overdose deaths were recorded in the United States. This represents the highest number of overdose deaths over any 12-month period in recent U.S. history.<sup>ii</sup>

We are just now beginning to see the impact that the COVID-19 pandemic is having on America's opioid crisis. Reports suggest that overdose deaths are more than 11 percent higher than they were at the same time in 2019.<sup>iii</sup> If this trend continues, nearly 80,000 Americans could die from a preventable drug overdose this year.<sup>iv</sup>

While heroin and fentanyl are significant contributors to these rising statistics, prescription opioids continue to drive this crisis. Prescription opioids were involved in a third of overdose deaths in 2018<sup>v</sup>. Further, research has shown that these drugs are a gateway to initiating use of illegal opioids more likely to cause an overdose, such as heroin. In fact, data demonstrates the vast majority of heroin users reported misusing prescription opioids before initiating heroin use.<sup>viii</sup>

**Congress must enact legislation to prevent this dangerous and sometimes deadly path to addiction.**

One reason that opioids remain the default pain management approach in America is that current federal reimbursement policy does nothing to incentivize the utilization of non-opioid pain management

approaches in the hospital setting. As a result, patients and providers are often unable to access opioid-sparing pain management protocols.

The *NOPAIN Act* would remove current reimbursement barriers, which do nothing to incentivize the utilization of non-opioid pain management and inhibit patient and provider access to non-opioid pain management approaches. In doing so, the legislation would increase access to and utilization of the wide array of medically appropriate, safe, and effective non-opioid approaches to pain management for five years, including, for example, injectable NSAIDs, long-acting local anesthetics, and medical devices that have been approved or cleared by the Food and Drug Administration (FDA). The legislation would also facilitate a review of and report on the effectiveness of increasing patient access to therapeutic services such as physical therapy, psychological services, acupuncture, massage therapy, and others in providing effective pain management while also reducing opioid consumption.

The *NOPAIN Act* has broad bipartisan support in both chambers of Congress, as indicated by its diverse and enthusiastic group of over 80 co-sponsors. We expect there will be significant and potentially historic legislative activity that occurs during this year's "lame duck" Congressional session. As these deliberations take place, we urge Congress to include the *NOPAIN Act* in any appropriate legislative vehicle under consideration during the "lame duck" session.

**The time for action is now. Together, we can prevent opioid addiction before it starts and, in the process, save lives.**

We look forward to working with you to enact this important legislation.

Sincerely,

Advanced Medical Technology Association  
Altarum  
Ambulatory Surgery Center Association  
American Association of Colleges of Nursing  
American Association of Nurse Anesthetists  
American Association of Oral and Maxillofacial Surgeons  
American Massage Therapy Association  
American Psychological Association  
Aurora Sober Living  
Colorado Coalition for the Homeless  
Community Anti-Drug Coalitions of America  
Cover2 Resources  
Drug Free America Foundation, Inc.  
National Certification Commission for Acupuncture and Oriental Medicine  
National Safety Council  
National Transitions of Care Coalition  
Overdose Lifeline  
Partnership for Healthy Iowa  
Partnership to End Addiction  
RetireSafe  
Second Chance Center, Inc.  
Society for Opioid Free Anesthesia  
Students for Opioid Solutions

The Reckless Saints Of Nowhere, Inc.  
Voices for Non-Opioid Choices  
Will Bright Foundation

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<sup>i</sup> Centers for Disease Control and Prevention Drug Overdose Data: <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

<sup>ii</sup> Ibid

<sup>iii</sup> Ehley, Brianna. "Pandemic unleashes a spike in overdose deaths." Politico. June 26, 2020. Updated July 2, 2020. [https://www.politico.com/news/2020/06/29/pandemic-unleashes-a-spike-in-overdose-deaths-345183?mkt\\_tok=eyJpIjoiWm1KaU1qYzBZekV4WkrFeSIsinQioiJ6N1B5U1F4VmVMS0ljN0tXeERqUFVZMVvwTkhpWXV2dDYrQjRwSFdBYkY0Um8yNTg4VGR4RU5GSHdHa25xSnorWnBCb0doZmNOVUtrQ1JjaDFXTEFyeExXbnZpWGIDcGVVRmJTS3Fqb0pxeVZOdHFiTGE1Wm1DdUdBV2VaN3Rrc0oifQ%3D%3D](https://www.politico.com/news/2020/06/29/pandemic-unleashes-a-spike-in-overdose-deaths-345183?mkt_tok=eyJpIjoiWm1KaU1qYzBZekV4WkrFeSIsinQioiJ6N1B5U1F4VmVMS0ljN0tXeERqUFVZMVvwTkhpWXV2dDYrQjRwSFdBYkY0Um8yNTg4VGR4RU5GSHdHa25xSnorWnBCb0doZmNOVUtrQ1JjaDFXTEFyeExXbnZpWGIDcGVVRmJTS3Fqb0pxeVZOdHFiTGE1Wm1DdUdBV2VaN3Rrc0oifQ%3D%3D)

<sup>iv</sup> Extrapolation based on Centers for Disease Control and Prevention Drug Overdose Data and Ehley, Brianna. "Pandemic unleashes a spike in overdose deaths."

<sup>v</sup> Wilson N, Kariisa M, Seth P, et al. Drug and Opioid-Involved Overdose Deaths—United States, 2017-2018. MMWR Morb Mortal Wkly Rep 2020;69:290-297.

<sup>vi</sup> Gaines, T.L. et al. Transitioning from pharmaceutical opioids: A discrete-time survival analysis of heroin initiation in suburban/exurban communities. Drug and Alcohol Dependence 213(1). <https://doi.org/10.1016/j.drugalcdep.2020.108084>

<sup>vii</sup> Muhuri P, Gfroerer J, Davies C. Associations of Nonmedical Pain Reliever Use and Initiation of Heroin Use in the United States. SAMHSA Center for Behavioral Health Statistics and Quality. August 2013. <https://www.samhsa.gov/data/sites/default/files/DR006/DR006/nonmedical-pain-reliever-use-2013.htm>