November 30, 2020

The Honorable Mitch McConnell  The Honorable Chuck Schumer
Majority Leader  Minority Leader
United States Senate  United States Senate
U.S. Capitol Building, Room S-230  U.S. Capitol Building, Room S-224
Washington, DC 20510  Washington, DC 20510

The Honorable Nancy Pelosi  The Honorable Kevin McCarthy
Speaker  Minority Leader
U.S. House of Representatives  U.S. House of Representatives
U.S. Capitol Building  U.S. Capitol Building
Washington, DC 20515  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.\(^i\) For the 12-month period that ended on March 30\(^{th}\), 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.\(^{ii}\)

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.\(^{iii}\) If this trend continues, nearly 80,000 Americans could die from a preventable drug overdose this year.\(^{iv}\)

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.\(^{v}\) 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.\(^{vi, vii}\)

**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

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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

1 Centers for Disease Control and Prevention Drug Overdose Data: https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm
2 Ibid
3 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=eyJpIjoiWm1KaU1qYzBZekV4WkRFeSlsnQiOi46N1B5U1F4VmVMS0ijN0tXeERqUFVZMVwTvkhpW XV2dDYrOjJwS5BYkY0Um8yNTg4VGR4RUSGSHdHa25xSnorWnBCb0doZmN0VUtqQ1jjaDFXTEFyeExXbnZpWGIDcG VVRmJTS3Fqb0pxeVZOdHFITGE1Wm1DdUdBV2VaN3Rrc0IfQ%3D%3D
4 Extrapolation based on Centers for Disease Control and Prevention Drug Overdose Data and Ehley, Brianna. “Pandemic unleashes a spike in overdose deaths.”