



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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June 6, 2023

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The Honorable Xavier Becerra
Secretary, Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Becerra,

On behalf of the National Association of Police Organizations (NAPO), I am writing to urge you to implement the Non-Opioids Prevent Addiction in the Nation ("NOPAIN") Act as soon as possible.

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police unions and associations, and over 241,000 sworn law enforcement officers.

As first responders on the frontlines of the opioid epidemic ravaging communities across the country, we urge you to take urgent action to address this continuing public health crisis. We see lives lost every day to this epidemic. In fact, 220 Americans die every day from an opioid-related drug overdose. This crisis manifests itself in the communities we serve and, despite action taken over the years to combat the opioid crisis, it has gotten worse. Meanwhile, a law passed last year to help prevent opioid addiction will not go into effect until 2025.

Opioids are commonplace in our country. 90 percent of surgery patients are prescribed opioids to manage their pain and, all told, there are nearly 150 million opioid prescriptions dispensed every year. This means that there are billions of opioid pills being prescribed every year and, for many, the path to illicit opioid use starts with prescription opioid pills. Every year, nearly 4 million Americans become newly persistent opioid users following exposure to opioids for an acute pain incident. Government data shows that 75 percent of heroin users initiated with prescription opioid pills.

On December 29th, 2022, the Consolidated Appropriations Act, 2023 was signed into law. This law included the NOPAIN Act that aims to prevent opioid addiction by increasing access to and use of non-opioid pain management approaches. While its effective date is January 1, 2025, we ask you to consider expediting its implementation by a full year to January 1, 2024.

The NOPAIN Act is designed to ensure the widespread availability of non-opioid pain management approaches to Medicare patients undergoing an outpatient surgical procedure in any setting. In doing so, the NOPAIN Act minimizes unnecessary exposure to opioid painkillers, reducing rates of opioid addiction after surgery and in the process, saving lives.

Recognizing the positive impact of this policy change, the Centers for Medicare and Medicaid Services (CMS) has already taken steps to encourage the use of non-opioid pain management. Beginning in 2019, CMS started providing separate payment for the administration of non-opioid pain management approaches in the ambulatory surgery center setting. Since that change, utilization of non-opioid pain management medicines increased substantially, including a 120 percent increase from 2019 to 2020. Expanding this policy to include hospital outpatient departments, where the bulk of outpatient surgeries occur, is critical to preventing opioid abuse.

Mr. Secretary, we need your help keeping our communities safe. Help us prevent opioid addiction where we can and reduce the number of opioid-related overdose deaths by expediting the implementation of the NOPAIN Act.

Thank you for your consideration. If we can provide any assistance, please feel free to contact me at (703) 549-0775.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Johnson", with a long horizontal flourish extending to the right.

William J. Johnson, Esq.
Executive Director