



Opioid Patients' Right to Know Act

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The Problem

In 2019, over 50,000 Americans tragically died from an opioid overdose.ⁱ The U.S. likely surpassed that number in 2020, with more than 40 states experiencing increases in fatal overdoses related to the pandemic.ⁱⁱ It is estimated that 3 million Americans currently have an opioid use disorder (OUD).ⁱⁱⁱ We must take a comprehensive approach to addressing OUD, and one critical component is preventing opioid addiction from prescription drug use.

In 2019, over 153 million prescriptions for opioids were dispensed, equating to almost one prescription for every two Americans.^{iv} While not all opioid prescriptions lead to addiction, it's estimated that 1% to 4% of individuals who take prescription opioids develop OUD.^v In one study of young, urban heroin users, 86% had used opioids from their own, a friend's, or a family member's prescription before starting to use heroin.^{vi} Among children ages 12-17, over half a million used prescription opioids other than as prescribed,^{vii} and a recent study showed that parental use of prescription opioids was associated with their children's misuse of opioids.^{viii} Although science has shown that taking opioid pain relievers for as few as three days can increase the risk of long-term use,^{ix} many people are not aware of just how addictive prescription opioids can be,^x nor are they always aware which medications are opioids.^{xi}

The Solution

Require prescribers to disclose the addictive qualities of opioids before an initial prescription so patients can make an informed choice. Patients, and the guardians of minor patients, should clearly understand the risks, benefits, and alternatives to opioid pain relievers before filling a prescription. Currently, 18 states (CA, CT, FL, LA, MD, MI, MO, NE, NV, NJ, OH, OK, PA, RI, SC, UT, WA, and WV) have implemented policies requiring this conversation. A recent study of the law's impact in New Jersey, the first state to enact this policy, found that nearly 5,000 fewer patients were given new prescriptions for opioids in the month after the law's implementation.^{xii} Additionally, the percentage of doctors who routinely warned patients of the risks of opioid addiction increased from 18% to 95%.^{xiii}

What does the Opioid Patients' Right to Know Act do?

This legislation would incentivize states to require health care providers who prescribe opioids to discuss the risks and addictive qualities of opioids with patients, as well as non-opioid alternatives. This discussion would take place before issuing a new prescription for acute (not chronic) pain. The bill establishes a grant program to provide funding to states who have a policy in place requiring this discussion. States may use these funds to inform prescribers about the state's requirements and recommendations for safe opioid prescribing.



Support for the Opioid Patients' Right to Know Act

Prevent Opioid Abuse (POA), Collaborative for Effective Prescription Opioid Policies (CEPOP), Mothers Against Prescription Drug Abuse (MAPDA), Partnership to End Addiction, Shatterproof, Addiction Policy Forum, FED UP!, Physicians for Responsible Opioid Prescribing (PROP), Voices for Non-Opioid Choices

ⁱ <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

ⁱⁱ <https://www.ama-assn.org/system/files/2020-10/issue-brief-increases-in-opioid-related-overdose.pdf>

ⁱⁱⁱ <https://www.ncbi.nlm.nih.gov/books/NBK448203/>

^{iv} <https://www.cdc.gov/drugoverdose/maps/rxrate-maps.html>

^v <https://www.npr.org/2020/07/17/887590699/doctors-and-dentists-still-flooding-u-s-with-opioid-prescriptions>

^{vi} <https://www.drugabuse.gov/publications/research-reports/prescription-opioids-heroin/prescription-opioid-use-risk-factor-heroin-use>

^{vii} <https://www.campusdrugprevention.gov/sites/default/files/2019%20NSDUH.pdf>

^{viii} <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2774704>

^{ix} <https://www.cdc.gov/mmwr/volumes/66/wr/mm6610a1.htm>

^x Barry, C. L., Kennedy-Hendricks, A., Gollust, S. E., Niederdeppe, J., Bachhuber, M. A., Webster, D. W., and McGinty, E. (2016) Understanding Americans' views on opioid pain reliever abuse. *Addiction*, 111: 85– 93. doi: 10.1111/add.13077

^{xi} <https://drfirst.com/press-releases/drfirst-survey-americans-prescribed-opioids/#>

^{xii} <https://www.businesswire.com/news/home/20200415005488/en/Brandeis-University-Study-Shows-Opioid-Prescribers-Warned>