

# VOICES FOR NON-OPIOID CHOICES

March 5, 2024

The Honorable Chuck Schumer  
Majority Leader  
U.S. Senate  
U.S. Capitol Building  
Washington, DC 20515

The Honorable Mitch McConnell  
Minority Leader  
U.S. Senate  
U.S. Capitol Building  
Washington, DC 20515

The Honorable Mike Johnson  
Speaker  
U.S. House of Representatives  
U.S. Capitol Building  
Washington, DC 20515

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

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Johnson and Minority Leader Jeffries:

On behalf of the patients, providers, families, and health professionals our 51 organizations represent, we urge you to pass the Alternatives to Prevent Addiction in the Nation (Alternatives to PAIN) Act (H.R. 7142/S. 3832) to prevent unnecessary exposure to opioids and ensure access to the wide array of FDA-approved, safe, and effective non-opioid pain management approaches for America's seniors.

The Non-Opioids Prevent Addiction in the Nation (NOPAIN) Act, passed by Congress and signed into law by President Biden in 2022, will ensure that many surgery patients have access to non-opioid treatments beginning in 2025. The legislation covers outpatient surgical procedures covered by Medicare Part B and, as a result, would do little to prevent health insurance plans from steering seniors with a Medicare Part D plan towards lowest cost care options, which are often generic prescription opioids.

Our country's seniors are not immune to the worsening opioid epidemic, with overdose deaths among seniors soaring by more than 60 percent in the last decade.<sup>1</sup> In 2021, more than 1 million

seniors were diagnosed with an opioid use disorder,<sup>ii</sup> and more than 50,000 seniors suffered an opioid overdose from prescription opioids, illicit opioids, or both.<sup>iii</sup>

We urge Congress to ensure that non-opioid therapies are just as accessible to seniors as opioid-based medications. The Alternatives to PAIN Act would do this by establishing patient cost-sharing no greater than generic tier for Medicare Part D beneficiaries receiving non-opioid pain relief. The legislation would also prohibit utilizing step therapy and prior authorization for non-opioid pain management drugs for Medicare Part D beneficiaries.

Further, the opioid epidemic is estimated to cost U.S. taxpayers \$1.5 trillion annually.<sup>iv</sup> Congress can cut that cost and save lives by updating Medicare Part D and passing the Alternatives to PAIN Act, which will prevent addiction by increasing access to non-addictive pain management approaches.

With opioid overdose death rates continuing to climb, Congress must remain vigilant in fighting this crisis. Seniors deserve choices when managing their pain or recovering from surgery. In order to prevent addiction and save lives, we urge Congress to pass the Alternatives to PAIN Act.

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,

Voices for Non-Opioid Choices  
Ambulatory Surgery Center Association  
American Association of Oral and Maxillofacial Surgeons  
American Psychological Association Services  
Asheville Equine Therapy  
A Voice in the Wilderness Empowerment Center  
CA Black Health Network  
Center of Addiction & Faith  
Chatham Drug Free  
Clean Living Exceptional Alternative Recovery Residences (CLEARR)  
Hawaii Health and Harm Reduction Center  
Healing On The Fly Inc  
Hep Free Hawaii  
Herren Project  
Journey House Foundation  
Medicare Rights Center

Mental Health America of Illinois  
Michigan Women Veterans Empowerment  
National Association of Social Workers  
National Certification Commission for Acupuncture and Oriental Medicine  
National Hispanic Medical Association  
National Rural Health Association  
National Safety Council  
National Transitions of Care Coalition  
Partnership for A Healthy Iowa  
Partnership to End Addiction  
Pledge for Life Partnership  
Prevention Action Alliance  
PTSD Awareness Summit  
Operation First Response, Inc  
Overdose Lifeline  
Real Life Program  
RetireSafe  
Salvage USA  
Shatterproof  
She Recovers Foundation  
Society for Opioid-Free Anesthesia  
Society of Behavioral Medicine  
South End - Roxbury Community Partnership  
Team Sharing, Inc.  
The Battle Within  
The Zellner Foundation for Military Vets  
U.S.VETS  
VetPark's A.T.V.  
Veterans National Recovery Center  
Voices For Awareness  
Warren Coalition  
Warrior Path Home  
West Warwick Prevention Coalition  
Will Bright Foundation  
Young People in Recovery

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<sup>i</sup> Humphreys, Keith; Shover, Chelsea. "Twenty-Year Trends in Drug Overdose Fatalities Among Older Adults in the US." JAMA Psychiatry. March 29, 2023. <https://jamanetwork.com/journals/jamapsychiatry/article-abstract/2802945>

<sup>ii</sup> Kwong, Jason; Himmelright, Margaret. "Opioid Overdoses and the Limited Treatment of Opioid Use Disorder Continue To Be Concerns for Medicare Beneficiaries." U.S. Department of Health and Human Services Office of Inspector General. September 2022. <https://oig.hhs.gov/oei/reports/OEI-02-22-00390.pdf>

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<sup>iii</sup> Kwong, Jason; Himmelright, Margaret. “Opioid Overdoses and the Limited Treatment of Opioid Use Disorder Continue To Be Concerns for Medicare Beneficiaries.” U.S. Department of Health and Human Services Office of Inspector General. September 2022. <https://oig.hhs.gov/oei/reports/OEI-02-22-00390.pdf>

<sup>iv</sup> “The Economic Toll of the Opioid Crisis Reached Nearly \$1.5 Trillion in 2020.” The Joint Economic Committee. Sep 28, 2022. [https://www.jec.senate.gov/public/\\_cache/files/67bcd7f-4232-40ea-9263-f033d280c567/jec-cost-of-opioids-issue-brief.pdf](https://www.jec.senate.gov/public/_cache/files/67bcd7f-4232-40ea-9263-f033d280c567/jec-cost-of-opioids-issue-brief.pdf)