

United States Senate

WASHINGTON, DC 20510

January 23, 2020

The Honorable Alex Azar II
Secretary
U.S. Department of Health & Human Services
200 Independence Ave SW
Washington, DC 20201

The Honorable Elinore McCance-Katz
Assistant Secretary for Mental Health and Substance Use
Substance Abuse and Mental Health Services Administration
U.S. Department of Health and Human Services
5600 Fishers Lane
Rockville, MD 20857

Dear Secretary Azar and Assistant Secretary McCance-Katz:

I write today to urge you to work expeditiously to finalize a Funding Opportunity Announcement (FOA) for the State Opioid Response (SOR) grants for Fiscal Year (FY) 2020. As a part of this FOA, I urge you to provide states with details and guidance about available funding to combat the substance use disorder crisis and new flexibility to allocate resources to support treatment and recovery for individuals who struggle with misuse of stimulants, such as methamphetamine or cocaine, in addition to opioid misuse.

Over the past two fiscal years, the Substance Abuse and Mental Health Services Administration (SAMHSA) has awarded approximately \$3 billion to state agencies and tribes to respond to the opioid epidemic, including more than \$60 million in funding for New Hampshire.¹ I have appreciated working with SAMHSA and others in Congress as the agency has implemented the 15 percent set-aside for SOR grant funding for the hardest-hit states with highest rates of opioid overdose deaths. Thanks to this set-aside that Congress established in 2018—and included in subsequent appropriations legislation in FY 2019 and FY 2020—New Hampshire has received a more than ten-fold increase in annual SOR grant funding allotted to the state. These funds are critical to the Granite State's ongoing effort to expand access to treatment and support services for people who struggle with substance use disorders.

In 2018, SAMHSA worked under a short time frame to establish the SOR grant program and the set-aside formula. However, as the agency prepares to issue its funding announcement and

¹See SAMHSA and HHS Funding Announcements, FY 2018 STR Awards: <https://www.hhs.gov/about/news/2018/04/18/hhs-provides-states-second-installment-grant-awards-combat-opioid-crisis.html> ; FY 2018 SOR Grant Awards: <https://www.samhsa.gov/sites/default/files/grants/pdf/sorfoafinal.6.14.18.pdf> ; FY 2019 SOR Grant Awards: <https://www.hhs.gov/about/news/2019/09/04/state-opioid-response-grants-by-state.html> .

details for FY 2020 SOR grants, providing additional time for states to plan revisions to their programs will be important and will necessitate an earlier release of the FOA.

This earlier release of the funding announcement is particularly critical in light of the changes to the program that Congress provided in the FY 2020 Health and Human Services appropriations legislation. Under these changes, states are now provided with more flexibility to use SOR grant dollars to support treatment and recovery for individuals who struggle with stimulant misuse, in addition to opioid misuse. Prior to this change, the SOR grant funds could only be used for people who have a diagnosis of opioid use disorder. This flexibility is a welcome change that will allow states like New Hampshire to remain nimble in addressing an evolving substance use disorder crisis. As a part of the FY 2020 FOA for SOR grants, it will be critical that SAMHSA includes substantial and explicit guidance to update and inform states about the new flexibility that is available.

To help ensure that the SOR grant program is as effective as possible in turning the tide of the substance use disorder epidemic, I request that SAMHSA:

1. Ensure that the FOA for the FY 2020 SOR grants is released as quickly as possible, with a sufficient time window before the application due date, so that states can revise their programs to respond to changes in local communities.
2. Provide guidance to states to make certain that state agencies are aware that beginning in FY 2020, SOR grant dollars can be used to support treatment and recovery for individuals dealing with stimulant misuse, in addition to opioid misuse.

If we are going to meet the needs of treatment and recovery providers, first responders and families who are fighting this substance use disorder crisis, we need to continue to work together and provide clear guidance to states. Thank you for your commitment to this vital program. I look forward to continuing to work with you on this issue.

Sincerely,



Jeanne Shaheen
United States Senator