The Honorable Charles Schumer  
Majority Leader  
U.S. Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
1236 Longworth House Office Building  
Washington, DC, 20515

The Honorable Mitch McConnell  
Minority Leader  
U.S. Senate  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
2468 Rayburn House Office Building  
Washington, DC, 20515

Re: Pass the NOPAIN Act (S.586/H.R.3259) Now

Dear Majority Leader Schumer, Speaker Pelosi, Minority Leader McConnell, and Minority Leader McCarthy:

On behalf of the patients, providers, families, and health professionals our 53 organizations represent, we urge you to include the Non-Opioids Prevent Addiction in the Nation (NOPAIN) Act (S. 586/H.R. 3259) in any year-end legislative package.

We lost approximately 81,000 Americans from an opioid-related overdose in 2021 alone. This represents a 70 percent increase in the number of American lives lost due to opioids since 2019.

For many, the path to addiction can begin after an otherwise routine medical procedure. Research shows that approximately 4 million Americans initiate a long-term opioid use habit after being exposed to opioids to manage postsurgical pain. It is easy to see why, considering that 90 percent of these patients are prescribed opioids – oftentimes in copious amounts – to manage their pain. So, it is hardly surprising to learn that the majority of heroin users report initiating opioid misuse through prescription opioid pills.

The status quo can and must change. The Centers for Disease Control and Prevention (CDC) recently announced that non-opioids were just as effective at managing pain as opioids. Despite this, the Centers for Medicaid and Medicare Services (CMS) continues to encourage the prescription of opioids to manage pain in the outpatient surgical setting. This policy – which provides separate payment for prescription opioids through Medicare Part D – inadvertently and inappropriately incentivizes the use of narcotic-based pain management.

The status quo leaves patients, healthcare providers, families, and others without a choice regarding managing postsurgical pain. In this instance, CMS policy dictates patient care and results in patients being denied access to safe and effective non-opioid pain management approaches. This policy puts patients on a potentially dangerous path from which some may not return.

Congress must change the status quo and ensure access to FDA-approved non-opioid pain management approaches.

The NOPAIN Act would remove current reimbursement barriers that limit patient and provider access to non-opioid pain management approaches, increasing access to and use of medically appropriate, safe,
and effective non-opioid approaches to pain management for five years. These approaches include FDA-approved injectable NSAIDs, long-acting local anesthetics, and medical devices. 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 budget-neutral NOPAIN Act has broad, bipartisan support in both chambers of Congress, as indicated by its diverse and enthusiastic group of more than 170 co-sponsors, including 52 U.S. Senators. As these year-end deliberations take place, we urge you to include the NOPAIN Act in any appropriate legislative vehicle.

The time for action is now. Lives hang in the balance.

We look forward to working with you to enact this important legislation.

Sincerely,

Voices for Non-Opioid Choices
A.C.T Drug Free Community Coalition
Addiction & Faith Conference
Ambulatory Surgery Center Association
American Association for the Surgery of Trauma
American Association of Colleges of Nursing
American Association of Nurse Anesthesiology
American Association of Payers, Administrators and Networks (Physical Medicine Management Alliance)
American Massage Therapy Association
American Psychological Association
Arizona Public Health Association
Aurora Sober Living
Beyond Addiction Mosaic
C4 Recovery
California Black Health Association
CLEARR
Community Anti-Drug Coalitions of America
Cory’s Cause
Herren Project
High Rockies Harm Reduction
Jamie Daniels Foundation
Journey House Foundation
Mental Health America of Illinois
Mental Health Colorado
Mental Health Summit
National Association for Addiction Professionals
National Association of Social Workers
National Certification Commission for Acupuncture and Oriental Medicine
National Rural Health Association
National Safety Council
National Transitions of Care Coalition
Overdose Lifeline
Partnership to End Addiction
Pledge for Life Partnership
Prevention Action Alliance
Project Healing Hive
REAL LIFE
Reckless Saints of Nowhere
RetireSafe
Shatterproof
She Recovers Foundation
Society for Opioid-Free Anesthesia
Society of Behavioral Medicine
South End Roxbury Community Partnerships
The Center of Addiction & Faith
The Kennedy Forum
The Partnership for a Healthy Iowa
Twelfth Step Ministry
Voices for Awareness
Voices of Hope
Will Bright Foundation
WIN Recovery
Young People in Recovery