119TH CONGRESS
2D SESSION

S. _____

To amend the 21st Century Cures Act and the Public Health Service Act to ensure that expenses relating to the acquisition or use of devices for use in the detection of fentanyl, xylazine, and other emerging adulterant substances, including test strips, are allowable expenses under certain grant programs.

IN THE SENATE OF THE UNITED STATES

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the 21st Century Cures Act and the Public Health Service Act to ensure that expenses relating to the acquisition or use of devices for use in the detection of fentanyl, xylazine, and other emerging adulterant substances, including test strips, are allowable expenses under certain grant programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Preventing Overdoses with Test Strips Act''.

SEC. 2. AMENDING THE 21ST CENTURY CURES ACT TO AUTHORIZE THE USE OF FUNDS FOR DEVICES FOR USE IN THE DETECTION OF FENTANYL, XYLAZINE, AND OTHER EMERGING ADULTERANT SUBSTANCES.

Section 1003 of the 21st Century Cures Act (42 U.S.C. 290ee–3a) is amended—

(1) in subsection (b)(4), by adding at the end the following:

''(G) Providing assistance for expenses relating to the acquisition or use of adulterant substance detection devices.''; and

(2) in subsection (h)—

(A) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) ADULTERANT SUBSTANCE DETECTION DEVICE.—The term 'adulterant substance detection device' means a device, including a test strip, that can detect the presence of an adulterant, such as fentanyl, xylazine, or another adulterant in a drug sample prior to use of a controlled substance.''.

SEC. 3. AMENDING THE PUBLIC HEALTH SERVICE ACT TO AUTHORIZE THE USE OF FUNDS FOR DEVICES FOR USE IN THE DETECTION OF FENTANYL, XYLAZINE, AND OTHER EMERGING ADULTERANT SUBSTANCES.

Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

"SEC. 506B. USE OF FUNDS FOR DEVICES FOR USE IN THE DETECTION OF FENTANYL, XYLAZINE, AND OTHER EMERGING ADULTERANT SUBSTANCES.

''(a) IN GENERAL.—Expenses relating to the acquisition or use of adulterant substance detection devices shall be allowable expenses under any grant, contract, or cooperative agreement entered into by the Substance Abuse and Mental Health Services Administration under this Act.

''(b) DEFINITION.—In this section, the term 'adulterant substance detection device' has the meaning given such term in section 1003(h) of the 21st Century Cures Act.''.