

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To provide for mental health and substance use disorder services in response to public health emergencies, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. LUJÁN (for himself, Ms. COLLINS, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To provide for mental health and substance use disorder services in response to public health emergencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Uninter-  
5 rupted Pandemic Preparation Of Resources and Therapies  
6 Act” or the “SUPPORT Act”.

1 **SEC. 2. SUBSTANCE ABUSE AND MENTAL HEALTH SERV-**  
2 **ICES ADMINISTRATION SERVICES IN RE-**  
3 **SPONSE TO PUBLIC HEALTH EMERGENCIES.**

4 (a) **AUTHORITIES.**—Section 501(d) of the Public  
5 Health Service Act (42 U.S.C. 290aa(d)) is amended—

6 (1) by redesignating paragraphs (24) and (25)  
7 as paragraphs (25) and (26), respectively; and

8 (2) by inserting after paragraph (23) the fol-  
9 lowing:

10 “(24) support the continued access to, or avail-  
11 ability of, mental health and substance use disorder  
12 services during, or in response to, a public health  
13 emergency declared under section 319, including in  
14 consultation with the Assistant Secretary for Pre-  
15 paredness and Response, as appropriate, in pre-  
16 paring for, and responding to, a public health emer-  
17 gency;”.

18 (b) **STRATEGIC PLAN.**—Section 501(l)(4) of the Pub-  
19 lic Health Service Act (42 U.S.C. 290aa(l)(4)) is amend-  
20 ed—

21 (1) in subparagraph (E), by striking “and” at  
22 the end;

23 (2) in subparagraph (F), by striking the period  
24 and inserting “; and”; and

25 (3) by adding at the end the following:

1           “(G) specify a strategy to support the con-  
2           tinued access to, or availability of, mental  
3           health and substance use disorder services, in-  
4           cluding to at-risk individuals (as defined in sec-  
5           tion 2802(b)(4)), during, or in response to,  
6           public health emergencies declared pursuant to  
7           section 319.”.

8           (c) BIENNIAL REPORT CONCERNING ACTIVITIES AND  
9           PROGRESS.—Section 501(m) of the Public Health Service  
10          Act (42 U.S.C. 290aa(m)) is amended—

11           (1) by redesignating paragraphs (4) through  
12           (7) as paragraphs (5) through (8), respectively;

13           (2) by inserting after paragraph (3) the fol-  
14           lowing:

15           “(4) a description of the Administration’s ac-  
16           tivities to support the continued provision of mental  
17           health and substance use disorder services, as appli-  
18           cable, in response to public health emergencies de-  
19           clared pursuant to section 319;”;

20           (3) in paragraph (5), as so redesignated—

21           (A) by redesignating subparagraphs (D)  
22           and (E) as subparagraphs (E) and (F), respec-  
23           tively; and

24           (B) by inserting after subparagraph (C)  
25           the following:

1                   “(D) relevant preparedness and response  
2                   activities;”.

3           (d) **ADVISORY COUNCILS.**—Not later than one year  
4 after the enactment of this Act, the Assistant Secretary  
5 for Mental Health and Substance Use shall issue a report  
6 to the Committee on Health, Education, Labor, and Pen-  
7 sions of the Senate and the Committee on Energy and  
8 Commerce of the House of Representatives, reflecting the  
9 feedback of the advisory councils for the Center for Sub-  
10 stance Abuse Treatment, the Center for Substance Abuse  
11 Prevention, and the Center for Mental Health Services,  
12 pursuant to section 502 of the Public Health Service Act  
13 (42 U.S.C. 290aa–1), and including recommendations to  
14 improve the continued provision of mental health and sub-  
15 stance use disorder services during a public health emer-  
16 gency declared under section 319 of such Act (42 U.S.C.  
17 247d), and the provision of such services as part of the  
18 public health and medical response to such an emergency,  
19 consistent with title XXVIII of such Act (42 U.S.C. 300hh  
20 et seq.).

21           (e) **GAO REPORT.**—Not later than 3 years after the  
22 date of enactment of this Act, the Comptroller General  
23 of the United States shall submit to the Committee on  
24 Health, Education, Labor, and Pensions of the Senate and  
25 the Committee on Energy and Commerce of the House

1 of Representatives a report on programs and activities of  
2 the Substance Abuse and Mental Health Services Admin-  
3 istration to support the continued provision of mental  
4 health and substance use disorder services and related ac-  
5 tivities during the COVID–19 pandemic, including the  
6 provision of such services as part of the medical and public  
7 health response to such pandemic. Such report shall—

8           (1) examine the role played by the advisory  
9           councils described in section 502 of the Public  
10          Health Service Act (42 U.S.C. 290aa–1) and the  
11          National Mental Health and Substance Use Policy  
12          Laboratory established under section 501A of such  
13          Act (42 U.S.C. 290aa–0) in providing technical as-  
14          sistance and recommendations regarding the activi-  
15          ties to support the response of the Substance Abuse  
16          and Mental Health Services Administration to the  
17          public health emergency declared under section 319  
18          of the Public Health Service Act (42 U.S.C. 247d)  
19          with respect to COVID–19;

20           (2) describe the manner in which existing  
21          awardees of mental health and substance use dis-  
22          order programs altered delivery of services during  
23          such public health emergency; and

24           (3) describe activities of the Substance Abuse  
25          and Mental Health Services Administration to sup-

1 port the response to such public health emergency,  
2 including through technical assistance, provision of  
3 services, and any flexibilities provided to such exist-  
4 ing awardees.