



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

## **CHARTER**

### **INTERDEPARTMENTAL SUBSTANCE USE DISORDERS COORDINATING COMMITTEE**

#### **AUTHORITY**

The Interdepartmental Substance Use Disorders Coordinating Committee (hereafter referred to as the Committee) is required under Section 7022 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act, Public Law 115-271). The Committee is governed by the provisions of the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended (5 U.S.C. App), which sets forth standards for the formation and use of federal advisory committees.

#### **OBJECTIVES AND SCOPE OF ACTIVITIES**

The Secretary of Health and Human Services (Secretary), in coordination with the Director of National Drug Control Policy, is required to establish a Committee to identify areas for improved coordination related to substance abuse, including research, services, supports and prevention activities across all relevant Federal agencies.

In identifying areas for coordination, the committee will provide recommendations for improving Federal programs for the prevention and treatment of, and recovery from, substance use disorders, including by expanding access to prevention, treatment and recovery services. They will also analyze substance use disorder prevention and treatment strategies in different regions of and populations in the United States and evaluate the extent to which Federal substance use disorder and treatment strategies are aligned with State and local substance disorder and treatment strategies.

#### **DESCRIPTION OF DUTIES**

The Committee will perform the following duties:

- (1) identify areas for improved coordination of activities, if any, related to substance use disorders, including research, services, supports, and prevention activities across all relevant Federal agencies;
- (2) identify and provide to the Secretary recommendations for improving Federal programs for the prevention and treatment of, and recovery from, substance use disorders, including by expanding access to prevention, treatment, and recovery services;

*Interdepartmental Substance Use Disorders Coordinating Committee*

- (3) analyze substance use disorder prevention and treatment strategies in different regions of and populations in the United States and evaluate the extent to which Federal substance use disorder prevention and treatment strategies are aligned with State and local substance use disorder prevention and treatment strategies;
- (4) make recommendations to the Secretary regarding any appropriate changes with respect to the activities and strategies described in paragraphs (1) through (3);
- (5) make recommendations to the Secretary regarding public participation in decisions relating to substance use disorders and the process by which public feedback can be better integrated into such decisions; and
- (6) make recommendations to ensure that substance use disorder research, services, supports, and prevention activities of the Department of Health and Human Services and other Federal agencies are not unnecessarily duplicative.

**AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS**

The Committee makes recommendations to the Secretary of Health and Human Services.

Not later than one year after the date of the enactment of the SUPPORT Act, and annually thereafter for the life of the Committee, the Committee will publish on the Internet website of the Department of Health and Human Services, which may include the public information dashboard established under section 1711 of the Public Health Service Act, as added by section 7021 of the SUPPORT Act, a report summarizing the activities carried out by the Committee, including any findings resulting from such activities.

**SUPPORT**

The Office of the Assistant Secretary for Health (OASH) will provide management and support services for the Committee. OASH is a staff division within the Office of the Secretary in the Department of Health and Human Services.

**ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS**

The estimated annual cost for operating the Committee, including compensation and travel expenses for members but excluding staff support is \$892,000. The estimated annual person-years of staff support required is 2.2 at an estimated cost of \$336,638.

**DESIGNATED FEDERAL OFFICER**

The Assistant Secretary for Health (ASH) will select the Designated Federal Officer (DFO) from among permanent full-time or part-time staff within OASH, who has knowledge of the subject matter and skills and experience necessary to manage the Committee. The ASH may appoint an Alternate DFO who will carry out these duties in the event that the appointed DFO cannot fulfill the assigned responsibilities for the Committee. In the absence of the appointed DFO or

*Interdepartmental Substance Use Disorders Coordinating Committee*

Alternate DFO, the ASH will temporarily appoint one or more full-time or permanent part-time program staff to carry out the assigned duties.

The DFO will schedule and approve all meetings of the Committee and any subcommittees that may be established by the Committee. The DFO will prepare and approve all meeting agendas. The DFO may collaborate with the Committee Chair in this activity, and when deemed appropriate, with chairs of any existing subcommittees that have been established by the Committee. The DFO, Alternate DFO, or designee will attend all meetings of the Committee and all meetings of any subcommittees that have been established to assist the Committee. The DFO has authority to adjourn meetings, when it is determined to be in the public interest, and the DFO can be directed by the Secretary or designee to chair meetings of the Committee.

### **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS**

The Committee will meet not less than two times a year each year, and these may be conducted by teleconference or video conference at the discretion of the DFO. The meetings will be open to the public, except as determined otherwise by the Secretary, or other official to whom authority has been delegated, in accordance with the guidelines under Government in the Sunshine Act, 5 U.S.C. 552b(c). Notice of all meetings will be provided to the public in accordance with the FACA. Meetings will be conducted and records of the proceedings will be kept, as required by applicable laws and departmental policies. A quorum for the conduct of business by the full Committee will consist of a majority of current appointed members.

When the Secretary or Secretary's designee determines that a meeting will be closed or partially closed to the public, in accordance with stipulations of Government in the Sunshine Act, 5 U.S.C. 552b(c), then a report will be prepared by the DFO that includes, at a minimum, a list of members and their business addresses, the Committee's functions, date and place of the meeting, and a summary of the Committee's activities and recommendations made during the fiscal year. A copy of the report will be provided to the Department Committee Management Officer.

### **DURATION**

Establishment of the Committee was mandated under Section 7022 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (Public Law 115-271). The Committee will operate pursuant to the stipulations in the authorizing legislation.

### **TERMINATION**

In accordance with the Committee's statutory authority (unless extended by statute), the Committee will terminate no later than May 31, 2025. Unless renewed by appropriate action, the charter for the Committee will expire two years from the date it is filed.

## **MEMBERSHIP AND DESIGNATION**

The Committee will consist of not more than 30 members. The composition will consist of Federal (ex-officio) members listed below or their designees, and non-Federal members. Ex-officio members will serve for the duration of the time that the Committee is authorized to operate.

The Committee will be composed of the following ex-officio members:

- The Secretary or designee, who will serve as the Chair of the Committee;
- The Attorney General of the United States or designee;
- The Secretary of Labor or designee;
- The Secretary of Housing and Urban Development or designee;
- The Secretary of Education or designee;
- The Secretary of Veterans Affairs or designee;
- The Commissioner of Social Security or designee;
- The Assistant Secretary for Mental Health and Substance Use or designee;
- The Director of National Drug Control Policy or designee;
- Representatives of other Federal agencies that support or conduct activities or programs related to substance abuse disorders, as determined appropriate by the Secretary.

The Committee will include a minimum of 15 non-Federal members who will be appointed by the Secretary as special government employees (SGEs), of which—

- At least two members will be individuals who have received treatment for a diagnosis of substance use disorder;
- at least two members will be directors of State substance abuse agencies;
- at least two members will be representatives of leading research, advocacy or service organizations for individuals with substance use disorders;
- at least two members will—
  - be a physician, licensed mental health professional, advance practice registered nurse, or physician assistant; and
  - have experience in treating individuals with substance use disorders;
- at least one member will be a substance use disorder treatment professional who provides treatment services at a certified opioid treatment program;
- at least one member will be a substance use disorder treatment professional who has research or clinical experience in working with racial and ethnic minority populations;
- at least one member will be a substance use disorder treatment professional who has research or clinical mental health experience in working with medically underserved populations;
- at least one member will be a State-certified substance use disorder peer support specialist;
- at least one member will be a drug court judge or judge with experience in adjudicating cases related to substance use disorder;

*Interdepartmental Substance Use Disorders Coordinating Committee*

- at least one such member will be a public safety officer with extensive experience in interacting with adults with a substance use disorder; and
- at least one such member will be an individual with experience providing services for homeless individuals with a substance use disorder.

These members will be appointed to terms of three years and may be reappointed for one or more additional three-year terms. A vacancy on the Committee will be filled in the same manner in which the original appointment was made. Any individual appointed to fill a vacancy for an unexpired term will be appointed for the remainder of such a term and may serve after the expiration of such term until a successor has been appointed. No member of the Committee shall serve as a Representative member.

Pursuant to advance written agreement, non-Federal members of the Committee will receive no stipend for the advisory service that they render as members of the Committee. However, non-Federal members will receive per diem and reimbursement for travel expenses incurred in relation to performing duties for the Committee, as authorized by law under 5 U.S.C. 5703 for persons who are employed intermittently to perform services for the federal government and in accordance with federal travel regulations.

#### **SUBCOMMITTEES**

Subcommittees may be established with the approval of the Secretary or designee. Any subcommittee shall be composed of members of the Committee (or the designees of such members) and may hold such meetings as are necessary to enable the subcommittee to carry out the duties delegated to the subcommittee. All meetings will have prior approval of the agency/DFO to ensure agency knowledge of such meetings. The subcommittee will make recommendations to be deliberated by the parent Committee. All subcommittee members may vote on subcommittee actions and all subcommittee members count toward the quorum for the subcommittee meeting. Special consultants and ad hoc members may be called upon to perform functions within the committee's jurisdiction. Ad hoc consultants do not count toward the quorum and may not vote. A quorum for a subcommittee will be three members. The Department's Committee Management Officer will be notified upon the establishment of each subcommittee and will be provided information on the subcommittee's name, membership, function, and estimated frequency of meetings.

#### **RECORDKEEPING**

The records of the Commission and its subcommittees will be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

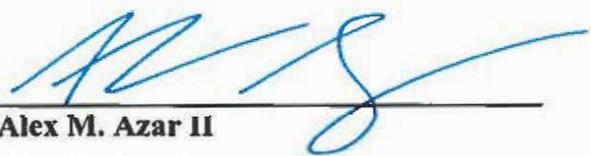
**ESTABLISHMENT FILING DATE:**

**MAY 6 2019**

**APPROVED:**

**MAY 03 2019**

**Date**

  
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**Alex M. Azar II**