

## AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 201  
(I-19)

Introduced by: Medical Student Section

Subject: Advocating for the Standardization and Regulation of Outpatient Addiction Rehabilitation Facilities

Referred to: Reference Committee B  
(\_\_\_\_\_, Chair)

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1 Whereas, Substance Use Disorder (SUD) affects over 20.2 million people in America and have  
2 been shown to cause detrimental effects on mental and physical health<sup>1</sup>; and  
3  
4 Whereas, The Centers for Disease Control and Prevention declared the opioid epidemic a  
5 public health crisis in, with over 200,000 deaths resulting from the epidemic in 2018<sup>2</sup>; and  
6  
7 Whereas, There are minimal standards for outpatient addiction rehabilitation facilities on a state  
8 and national level, which is uncharacteristic in other outpatient settings<sup>3</sup>; and  
9  
10 Whereas, There is a lack of evidence-based practices within outpatient addiction rehabilitation  
11 centers despite solid evidence of the efficacy of alternative treatments<sup>4, 5</sup>; and  
12  
13 Whereas, The fraudulent activity of outpatient addiction rehabilitation centers is a problem that  
14 faces many states across the country and has led to federal prosecutions in California and  
15 Florida<sup>6, 7</sup>; and  
16  
17 Whereas, The lack of regulation of outpatient addiction rehabilitation centers has led to facilities  
18 promoting unconventional and non-evidence-based therapies as effective and proven methods  
19 for treating SUDs<sup>3, 8</sup>; and  
20  
21 Whereas, The lack of regulation of outpatient addiction rehabilitation centers and their affiliates  
22 has led to the exploitation of patients and their insurance for monetary gain in the form of  
23 disbursements for sober homes who send patients to the respective facilities<sup>6, 7, 9</sup>; and  
24  
25 Whereas, The success of patients maintaining sobriety and improved social outcomes is largely  
26 dependent on continuing outpatient care following initial treatment<sup>10</sup>; and  
27  
28 Whereas, Meta-analysis and systematic review suggest that addiction rehabilitation can be  
29 made substantially more efficacious by increasing availability of simultaneous psychosocial and  
30 medication-based interventions<sup>11, 12</sup>; and  
31  
32 Whereas, Providing medication assisted treatment for SUDs after an inpatient stay or  
33 detoxification stay may help prevent future readmissions<sup>13</sup>; therefore be it

- 1 RESOLVED, That our American Medical Association advocate for the expansion of federal  
 2 regulations of outpatient addiction rehabilitation centers in order to provide patient and  
 3 community protection in line with evidence-based care. (Directive to Take Action)

Fiscal Note:

Received: 08/28/19

#### References:

1. Lipari RN and Van Horn SL. *Trends in substance use disorders among adults aged 18 or older*. The CBHSQ Report. Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration, Rockville, MD. Published 29 June 2017.
2. Christie C, Baker C, Cooper R, Kennedy P, Madras B, Bondi P. *The President's Commission on Combating Drug Addiction and the Opioid Crisis*. Published Nov 2017.
3. Vuolo L. *Ending the Opioid Crisis: A Practical Guide for State Policymakers*. New York, NY: The National Center on Addiction and Substance Abuse; Published 2017.
4. Guerrero EG, Garner BR, Cook B, Kong Y, Vega WA. *The Temporal Relationship Between Medicaid Payment Acceptance and the Implementation of Medication-Assisted Drug Treatment*. *Subst Abuse*. 2018;12:1178221818811314. Published 12 Nov 2018. doi:10.1177/1178221818811314
5. Guerrero EG, Padwa H, Fenwick K, Harris LM, Aarons GA. *Identifying and ranking implicit leadership strategies to promote evidence-based practice implementation in addiction health services*. *Implement Sci*. 2016;11:69. Published 14 May 2016. doi:10.1186/s13012-016-0438-y
6. Haden P. *"Body Brokers" Get Kickbacks To Lure People With Addictions To Bad Rehab*. NPR.org. Published 15 Aug 2017.
7. Katzenstein RA, Robinson D, Barron B, Janakiram A, Porter AF. *Recent Trends in Criminal Health Care Fraud Prosecutions*. Department of Justice Journal of Federal Law and Practice. 2018;66(5):29-50. Published Oct 2018.
8. *Principles of Drug Addiction Treatment: a Research-Based Guide*. 3rd ed. National Institute on Drug Abuse. Published Jan 2018.
9. Flood R. *Addiction Recovery Centers Seek Stronger Standards among Peers; How Local Communities Can Help*. National Association of Addiction Treatment Providers. Published Oct 2017.
10. Proctor S and Herschman PL. *The Continuing Care Model of Substance Use Treatment: What Works, and When Is "Enough," "Enough?"*, *Psychiatry Journal*, vol. 2014, Article ID 692423, 16 pages, Published Oct 2014. <https://doi.org/10.1155/2014/692423>.
11. Dutra L, Stathopoulou G, Basden SL, Leyro TM, Powers MB, Otto MW. *A Meta-Analytic Review of Psychosocial Interventions for Substance Use Disorders*. *Am J Psychiatry*. 2008;165(2):179-187. Published 2008. doi:10.1176/appi.ajp.2007.06111851
12. Hodgkin D, Connery HS. *Effectiveness and Availability of Treatment for Substance Use Disorders*. Oxford Research Encyclopedia of Economics and Finance. Oxford University Press; Published 2018. doi:10.1093/acrefore/9780190625979.013.103
13. Reif S, Acevedo A, Garnick DW, Fullerton CA. *Reducing Behavioral Health Inpatient Readmissions for People With Substance Use Disorders: Do Follow-Up Services Matter?* *Psychiatry Serv*. 2017;68(8):810-818. Published 2017. doi:10.1176/appi.ps.201600339

#### RELEVANT AMA POLICY

##### Substance Use and Substance Use Disorders H-95.922

Our AMA: (1) will continue to seek and participate in partnerships designed to foster awareness and to promote screening, diagnosis, and appropriate treatment of substance misuse and substance use disorders;

(2) will renew efforts to: (a) have substance use disorders addressed across the continuum of medical education; (b) provide tools to assist physicians in screening, diagnosing, intervening, and/or referring patients with substance use disorders so that they have access to treatment; (c) develop partnerships with other organizations to promote national policies to prevent and treat these illnesses, particularly in adolescents and young adults; and (d) assist physicians in becoming valuable resources for the general public, in order to reduce the stigma and enhance knowledge about substance use disorders and to communicate the fact that substance use disorder is a treatable disease; and (3) will support appropriate federal and state legislation that would enhance the prevention, diagnosis, and treatment of substance use disorders.

Citation: CSAPH Rep. 01, A-18;

##### Improving Medical Practice and Patient/Family Education to Reverse the Epidemic of Nonmedical Prescription Drug Use and Addiction D-95.981

1. Our AMA:

- a. will collaborate with relevant medical specialty societies to develop continuing medical education curricula aimed at reducing the epidemic of misuse of and addiction to prescription controlled substances, especially by youth;
  - b. encourages medical specialty societies to develop practice guidelines and performance measures that would increase the likelihood of safe and effective clinical use of prescription controlled substances, especially psychostimulants, benzodiazepines and benzodiazepines receptor agonists, and opioid analgesics;
  - c. encourages physicians to become aware of resources on the nonmedical use of prescription controlled substances that can assist in actively engaging patients, and especially parents, on the benefits and risks of such treatment, and the need to safeguard and monitor prescriptions for controlled substances, with the intent of reducing access and diversion by family members and friends;
  - d. will consult with relevant agencies on potential strategies to actively involve physicians in being a part of the solution to the epidemic of unauthorized/nonmedical use of prescription controlled substances; and
  - e. supports research on: (i) firmly identifying sources of diverted prescription controlled substances so that solutions can be advanced; and (ii) issues relevant to the long-term use of prescription controlled substances.
2. Our AMA, in conjunction with other Federation members, key public and private stakeholders, and pharmaceutical manufacturers, will pursue and intensify collaborative efforts involving a public health approach in order to:
- a. reduce harm from the inappropriate use, misuse and diversion of controlled substances, including opioid analgesics and other potentially addictive medications;
  - b. increase awareness that substance use disorders are chronic diseases and must be treated accordingly; and
  - c. reduce the stigma associated with patients suffering from persistent pain and/or substance use disorders, including addiction.
- Citation: (CSAPH Rep. 2, I-08; Appended: Res. 517, A-15; Reaffirmed: BOT Rep. 5, I-15)

#### **Medicaid Substance Use Disorder Coverage H-290.962**

1. Our AMA will advocate that the Centers for Medicare and Medicaid Services provide expanded Medicaid payment coverage for the medical management and treatment of all substance use disorders.
  2. Our AMA will advocate for clear billing and coding processes regarding the medical management and treatment of all substance use disorders.
  3. Our AMA recognizes the expertise of addiction specialist physicians and the importance of improving access to management and treatment of addiction services with Medicaid payment for all physician specialties.
- Citation: Res. 125, A-17;

#### **Modernizing Privacy Regulations for Addiction Treatment Records H-315.965**

Our AMA supports: (1) regulatory and legislative changes that better balance patients' privacy protections against the need for health professionals to be able to offer appropriate medical services to patients with substance use disorders; (2) regulatory and legislative changes that enable physicians to fully collaborate with all clinicians involved in providing health care services to patients with substance use disorders; and (3) continued protections against the unauthorized disclosure of substance use disorder treatment records outside the healthcare system.

Citation: Res. 224, I-17

#### **Support the Elimination of Barriers to Medication-Assisted Treatment for Substance Use Disorder D-95.968**

Our AMA will: (1) advocate for legislation that eliminates barriers to, increases funding for, and requires access to all appropriate FDA-approved medications or therapies used by licensed drug treatment clinics or facilities; and (2) develop a public awareness campaign to increase awareness that medical treatment of substance use disorder with medication-assisted treatment is a first-line treatment for this chronic medical disease.

Citation: Res. 222, A-18;

#### **Substance Use Disorders During Pregnancy H-420.950**

Our AMA will: (1) oppose any efforts to imply that the diagnosis of substance use disorder during pregnancy represents child abuse; (2) support legislative and other appropriate efforts for the expansion and improved access to evidence-based treatment for substance use disorders during pregnancy; (3) oppose the removal of infants from their mothers solely based on a single positive prenatal drug screen without appropriate evaluation; and (4) advocate for appropriate medical evaluation prior to the removal of a child, which takes into account (a) the desire to preserve the individual's family structure, (b) the patient's treatment status, and (c) current impairment status when substance use is suspected.  
Citation: Res. 209, A-18; Modified: Res. 520, A-19

#### **Survey of Addiction Treatment Centers' Availability H-95.926**

Our AMA: (1) encourages the Substance Abuse and Mental Health Services Administration (SAMHSA) to use its national surveys to increase the information available on the type of insurance (e.g., Medicaid, Medicare, private insurance) accepted by substance use disorder treatment programs listed in SAMHSA's treatment locators; (2) encourages physicians who are authorized to provide medication assisted treatment to opt in to be listed publicly in SAMHSA's treatment locators; and (3) encourages SAMHSA to include private and group practice physicians in its online treatment locator for addiction treatment facilities.

Citation: CMS Rep. 04, A-17

#### **Role of Self-Help in Addiction Treatment H-95.951**

The AMA: (1) recognizes that (a) patients in need of treatment for alcohol or other substance use disorders should be treated for these medical conditions by qualified professionals in a manner consonant with accepted practice guidelines and patient placement criteria; and (b) self-help groups are valuable resources for many patients and their families and should be utilized by physicians as adjuncts to a treatment plan; and (2) urges managed care organizations and insurers to consider self-help as a complement to, not a substitute for, treatment directed by professionals, and to refrain from using their patient's involvement in self-help activities as a basis for denying authorization for payment for professional treatment of patients and their families who need such care.

Citation: Res. 713, A-98; Reaffirmed: CSAPH Rep. 2, A-08; Modified: CSAPH Rep. 01, A-18

#### **Federal Drug Policy in the United States H-95.981**

The AMA, in an effort to reduce personal and public health risks of drug abuse, urges the formulation of a comprehensive national policy on drug abuse, specifically advising that the federal government and the nation should: (1) acknowledge that federal efforts to address illicit drug use via supply reduction and enforcement have been ineffective (2) expand the availability and reduce the cost of treatment programs for substance use disorders, including addiction; (3) lead a coordinated approach to adolescent drug education; (4) develop community-based prevention programs for youth at risk; (5) continue to fund the Office of National Drug Control Policy to coordinate federal drug policy; (6) extend greater protection against discrimination in the employment and provision of services to drug abusers; (7) make a long-term commitment to expanded research and data collection; (8) broaden the focus of national and local policy from drug abuse to substance abuse; and (9) recognize the complexity of the problem of substance abuse and oppose drug legalization.

#### **Perinatal Addiction - Issues in Care and Prevention H-420.962**

Our AMA: (1) adopts the following statement: Transplacental drug transfer should not be subject to criminal sanctions or civil liability; (2) encourages the federal government to expand the proportion of funds allocated to drug treatment, prevention, and education. In particular, support is crucial for establishing and making broadly available specialized treatment programs for drug-addicted pregnant and breastfeeding women wherever possible; (3) urges the federal government to fund additional research to further knowledge about and effective treatment programs for drug-addicted pregnant and breastfeeding women, encourages also the support of research that provides long-term follow-up data on the developmental consequences of perinatal drug exposure, and identifies appropriate methodologies for early intervention with perinatally exposed children; (4) reaffirms the following statement: Pregnant and breastfeeding patients with substance use disorders should be provided with physician-led, team-based care that is evidence-based and offers the ancillary and supportive services that are necessary to support rehabilitation; and (5) through its communication vehicles, encourages all physicians to increase their

knowledge regarding the effects of drug and alcohol use during pregnancy and breastfeeding and to routinely inquire about alcohol and drug use in the course of providing prenatal care.

Citation: (BOT Rep. NNN, A-88; Reaffirmed: CLRPD 1, I-98; Reaffirmed: CSAPH Rep. 2, A-08; Modified: CSAPH Rep. 2, I-13)

#### **Promotion of Better Pain Care D-160.981**

1. Our AMA: (a) will express its strong commitment to better access and delivery of quality pain care through the promotion of enhanced research, education and clinical practice in the field of pain medicine; and (b) encourages relevant specialties to collaborate in studying the following: (i) the scope of practice and body of knowledge encompassed by the field of pain medicine; (ii) the adequacy of undergraduate, graduate and post graduate education in the principles and practice of the field of pain medicine, considering the current and anticipated medical need for the delivery of quality pain care; (iii) appropriate training and credentialing criteria for this multidisciplinary field of medical practice; and (iv) convening a meeting of interested parties to review all pertinent matters scientific and socioeconomic.
2. Our AMA encourages relevant stakeholders to research the overall effects of opioid production cuts.
3. Our AMA strongly urges the US Drug Enforcement Administration to base any future reductions in aggregate production quotas for opioids on actual data from multiple sources, including prescribing data, and to proactively monitor opioid quotas and supply to prevent any shortages that might develop and to take immediate action to correct any shortages.
4. Our AMA encourages the US Drug Enforcement Administration to be more transparent when developing medication production guidelines.
5. Our AMA and the physician community reaffirm their commitment to delivering compassionate and ethical pain management, promoting safe opioid prescribing, reducing opioid-related harm and the diversion of controlled substances, improving access to treatment for substance use disorders, and fostering a public health based-approach to addressing opioid-related morbidity and mortality.

Citation: Res. 321, A-08; Appended: Res. 522, A-10; Reaffirmed in lieu of Res. 518, A-12; Reaffirmed: BOT Rep. 19, A-16; Reaffirmed in lieu of Res. 117, A-16; Appended: Res. 927, I-16; Appended: Res. 526, A-17; Modified: BOT Action in response to referred for decision Res. 927, I-16; Reaffirmed: Res. 235, I-18; Reaffirmed in lieu of: Res. 228, I-18; Reaffirmation: A-19;

#### **Community-Based Treatment Centers H-160.963**

Our AMA supports the use of community-based treatment centers for substance abuse, emotional disorders and developmental disabilities.

Citation: (BOT Rep. F, I-91; Reaffirmed: Sunset Report, I-01; Modified: CSAPH Rep. 1, A-11)