

United States Senate

WASHINGTON, DC 20510-4804

COMMITTEES
APPROPRIATIONS
ENERGY AND NATURAL RESOURCES
INTELLIGENCE
VETERANS' AFFAIRS

April 11, 2018

The Honorable Alex Azar
Secretary
United States Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Secretary Azar:

In March 2016, we lost a young woman with great potential named Jessica Grubb. Jessie was a great student, a loving daughter and sister, and an avid runner. She was also recovering from an opioid addiction.

When she had surgery for an infection related to a running injury, her parents were there to take care of her and both Jessie and her parents told her doctors and hospital personnel that she was a recovering addict and was not to be prescribed opioids. Unfortunately, Jessie's discharging physician missed this note in her medical record and sent her home with a prescription for 50 oxycodone pills. Her parents talked to her on the phone when she got home, but that was the last time. She passed away that night in her sleep. The temptation was too great for her, as it would be for so many recovering addicts. Her death was tragic, but preventable.

Jessie's story inspired me to take action to save lives and prevent families like Jessie's from feeling that grief. I introduced Jessie's Law (S. 581): a simple bill to honor Jessie that would have the Department of Health and Human Services (HHS) establish standards for hospitals and medical professionals to effectively display a patient's past history of opioid addiction when the patient provides that information. This will help ensure that medical professionals are able to take this addiction into account when working to provide medically appropriate care just as they would any allergy or other life-threatening condition.

The Senate passed this important bill by unanimous consent on August 3, 2017, and similar language was finally signed into law by President Trump on March 23, 2018 as part of the FY18 omnibus spending bill. This language directs you as the Secretary of HHS to "develop and disseminate standards that would allow hospitals and physicians to access the history of opioid addiction in medical records (including electronic health records) of any patient who has provided information about such addiction to a healthcare provider."

These standards could do as much as any other individual effort to save lives in our fight against the opioid epidemic. They will help ensure that healthcare providers have access to the information that they need to provide medically appropriate care and save lives. As such, I ask that you immediately begin development of these standards and work to create and disseminate them as quickly as possible. I request regular updates on the status of this work.

We lost a great treasure when we lost Jessica Grubb. Together, we can honor her memory and save lives. I look forward to working with you on these critical standards.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Manchin III". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke at the end.

Joe Manchin III
United States Senator