

## SENATE HELP HEARING ON NOMINATIONS FOR ASPR AND ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE

### EXECUTIVE SUMMARY

Today, the Senate Committee on Health, Education, Labor, and Pensions (HELP) held a [hearing](#) to consider the nominations of Dawn O'Connell to be the Assistant Secretary for Preparedness and Response (ASPR) at the Department of Health and Human Services (HHS) and Miriam Delphin-Rittmon to be Assistant Secretary for Mental Health and Substance Use, leading the Substance Abuse and Mental Health Services Administration (SAMHSA). Members focused on mental health and substance use issues and, to a lesser degree, building a resilient supply chain.

On the substance use front, two ideas gained repeated attention — making fentanyl test strips widely available to reduce overdoses and to make peer recovery coach services available to individuals in hospital emergency departments. Ms. Delphin-Rittmon discussed the need to meet individuals with substance use disorders where they are. In addition, she noted the utility of telehealth for mental health services, including for kids.

Multiple members spoke in favor of having a domestic supply chain for medical countermeasures, and Ms. O'Connell said that not having a domestic manufacturing base for such needs left the U.S. vulnerable. Sen. Tammy Baldwin (D-WI) was particularly strident on asking for commitments to building a domestic supply chain, and Ms. O'Connell said that ASPR should monitor the domestic manufacturing base and work to address any constraints to creating a robust and resilient one.

While outside the scope of the hearing, Ranking Member Richard Burr (R-NC) called on the president to nominate a Commissioner for the Food and Drug Administration (FDA), suggesting that current Acting Commissioner Janet Woodcock should be selected for the permanent job.

### OPENING STATEMENTS

**Chairwoman Patty Murray (D-WA)** outlined the challenges ahead of the ASPR and SAMHSA. In particular, she touched on the importance of replenishing the Strategic National Stockpile (SNS) and preparing it for future threats. She also discussed mental health impacts of the pandemic, including elevated rates of mental health crises in youth and an increase in substance use disorders (SUD).

**Ranking Member Richard Burr (R-NC)** called on SAMHSA to embrace new technology that can help patients in need and asked Ms. Delphin-Rittmon to use her state-level experience to empower other states to design programs that work for them. He also raised complaints about the ASPR job being

left open until now in the midst of a pandemic and said that ASPR has been tasked with items outside its scope and been distracted from its mission. Ranking Member Burr also called upon the Biden administration to name a nominee to lead the Food and Drug Administration (FDA), saying that current Acting Commissioner Janet Woodcock is doing a good job and that he “look[s] forward to vetting her,” in apparent reference to the Acting Commissioner.

## **WITNESS TESTIMONY**

**ASPR Nominee Dawn O’Connell** ([testimony](#)) discussed her previous experience, including with the Coalition for Epidemic Preparedness Innovations (CEPI). She outlined three priorities for her work should she be confirmed as ASPR: (1) delivering the U.S. out of the pandemic through the continued development and distribution of vaccines and therapeutics; (2) restoring and maintaining capacity for future public health emergencies (PHE), including the SNS; and (3) preparing for the next emergency, including watching for emerging threats.

**Assistant Secretary for Mental Health and Substance Use Miriam Delphin-Rittmon** ([testimony](#)) said that the country is at an “inflection point” for mental health, pointing to the tolls of the COVID-19 pandemic and increasing anxiety, depression, and overdoses. She also talked about new resources that have been provided to SAMHSA by Congress. Ms. Delphin-Rittmon highlighted three priorities for her work should she be confirmed: (1) improving access to mental health and SUD services; (2) enhancing crisis and suicide prevention supports; and (3) addressing overdose prevention, including by reaching people where they are.

## **DISCUSSION AND QUESTIONING**

### *Supply Chain*

- Ms. O’Connell told Chairwoman Murray that there is a need to create a domestic manufacturing base for both peacetime and extraordinary times. She also told **Sen. Bill Cassidy (R-LA)** that new added capacity would need a peacetime application.
- **Sen. Tina Smith (D-MN)** noted that she and Sen. Cassidy are working on a bill to encourage the creation of new antibiotics to combat antibiotic-resistant bacteria. Ms. O’Connell committed to working with them on the bill. **Sen. Roger Marshall (R-KS)** also emphasized the importance of developing new antibiotics.
- **Sen. Tammy Baldwin (D-WI)** said that she worries that not enough companies produce influenza vaccines and other countermeasures domestically. She said that offshore manufacturing leaves the U.S. unprepared, asking if ASPR should take an active role in monitoring the industrial base and addressing manufacturing constraints, including through long-term contracts and commitments. Ms. O’Connell replied that it should.
- Sen. Baldwin said that it is imperative to make “good investments,” have transparency in such decisions, and minimize the influence of special interests.
- **Sen. Jacky Rosen (D-NV)** asked how best to support domestic manufacturers, and Ms. O’Connell said that the reliance of international components meant there was no secure and

resilient supply chain. She continued by saying that incentives to reward innovation are the best way to support a domestic supply chain.

### Pandemic Response

- Chairwoman Murray and **Sen. John Hickenlooper (D-CO)** asked that the nominees center equity in their work. Ms. O'Connell told them that the Biden administration has made equity a cornerstone of its response. Sen. Hickenlooper asked them to continue outreach to disadvantaged communities post-pandemic.
- Ranking Member Burr said that there is a need to keep the Biomedical Advanced Research and Development Authority (BARDA) focused on its mission and to not allow scope creep.
- **Sen. Bob Casey (D-PA)** emphasized the importance of centering people with disabilities and older adults in all stages of the pandemic response, including by placing them on decision-making panels. He asked Ms. O'Connell to commit to centering such individuals in response processes, and she said she would not overlook them.

### Behavioral Health and Substance Use

- Ms. Delphin-Rittmon was very enthusiastic about fentanyl test strips as a tool to prevent overdoses.
- Ranking Member Burr asked Ms. Delphin-Rittmon to commit to upholding the ability of faith-based organizations to compete for grants and keep their religious character in resulting programs. She said that she would commit to upholding the law.
- Sen. Smith asked about a shortage of pediatric inpatient beds for mental health issues. Ms. Delphin-Rittmon said that there is a need to do some “innovative thinking” in the area, both in how to address the needs of kids in crisis and how to prevent those crises. Sen. Hickenlooper also called for a focus on pediatric mental health.
- Sen. Smith said that she is working on a package of solutions to expand access to mental health care, including loan forgiveness for providers in shortage areas, increased Medicaid reimbursement for behavioral health services, and increased school-based care.
- **Sen. Ben Ray Lujan (D-NM)** asked how new money for SAMHSA will be used to address overdoses. Ms. Delphin-Rittmon said that states can use the funds to buy fentanyl test strips, among other things.
- Sen. Lujan called for greater screening and identification of alcohol use disorder.
- In a response to a question from Sen. Collins about preventing overdoses, Ms. Delphin-Rittmon said that fentanyl test strips and using peer recovery coaches in emergency department settings make a big difference. She also mentioned greater access to medication-assisted treatment (MAT), noting that in Connecticut, her agency used mobile MAT services.
- **Sen. Chris Murphy (D-CT)** was very supportive of the use of recovery coaches and noted a federal grant program that allows other states to copy the model of recovery coaches in emergency departments used in Connecticut.
- **Sen. Maggie Hassan (D-NH)** called for the administration to commit to maintain current State Opioid Response Grant levels for New Hampshire and other hard-hit states, including

by changing funding formulas to increase targeted states beyond the 10 hardest-hit. Ms. Delphin-Rittmon was unable to do so.

- Sen. Hassan called for eliminating X waivers for MAT, noting her work with **Sen. Lisa Murkowski (R-AK)** on the issue. Ms. Delphin-Rittmon committed to working to expand access to MAT.
- Sen. Marshall said that law enforcement — specifically sheriffs — feel left out of the loop on Certified Community Behavioral Health Clinics (CCHBC) and their grants. In particular, he mentioned individuals being discharged from hospitals and referred to CCBHCs without law enforcement being informed. Ms. Delphin-Rittmon responded saying that CCBHCs are a great opportunity for integrated care, saying that law enforcement is a valuable component of the ecosystem.
- Sen. Murphy called for a more aggressive direction on behavioral and physical health integration, as well as mental health parity.
- Sen. Murkowski noted capacity issues in rural areas for SUD services, asking how access can be expanded. Ms. Delphin-Rittmon said that American Rescue Plan funds can support some innovations, such as supportive housing and telehealth.

#### Telehealth

- Sen. Lujan asked how Ms. O’Connell would use Project Echo and other telehealth to create peer-to-peer learning networks and advance preparedness in the future. She said that ASPR would use it moving forward working with rural and hard-to-reach communities.
- Ms. Delphin-Rittmon told Sen. Bob Casey that telehealth has a real value in connecting children and families to mental health services and supports.

#### Pain and Opioids

- **Sen. Mike Braun (R-IN)** called for opioids to be labeled with warnings about possible dependence, as well as requiring training regimens for prescribing pain medications.
- Sen. Braun called for more emphasis on addressing chronic pain, including opioid alternatives. He also called on the pharmaceutical industry to invest in pain management that does not rely on opioids. Ms. Delphin-Rittmon said that she is a “full believer” in “everything that works.”